

By: Bailes

H.B. No. 2329

A BILL TO BE ENTITLED

AN ACT

relating to honey production operations and the harvesting and packaging of honey and honeycomb.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 437.001(7), Health and Safety Code, is amended to read as follows:

(7) "Honey [~~Small honey~~] production operation" means a beekeeper that ~~+~~

~~[(A) produces less than 2,500 pounds of honey each year;~~

~~[(B)] sells or distributes [the] honey or honeycomb [that] the beekeeper produces [either personally or with the help of the beekeeper's immediate family members;~~

~~[(C) only sells or distributes honey or honeycomb;~~

~~[(i) that is produced from a hive that is:~~

~~[(a) located in the state; and~~

~~[(b) owned and managed by the beekeeper;~~

~~[(ii)] that is or from which is extracted pure honey as defined by Section 131.001, Agriculture Code, ~~[and]~~ that is raw and not blended with any other product or otherwise adulterated~~;~~ ~~and~~~~

~~[(iii) directly to consumers at the~~

1 ~~beekeeper's home, a farmer's market, a farm stand, or a municipal,~~
2 ~~county, or nonprofit fair, festival, or event; and~~

3 ~~[(D) delivers the honey or honeycomb that the~~
4 ~~beekeeper produces to the consumer at the point of sale or another~~
5 ~~location designated by the consumer].~~

6 SECTION 2. Sections 437.0197, 437.0198, and 437.0199,
7 Health and Safety Code, are amended to read as follows:

8 Sec. 437.0197. EXEMPTION FOR ~~[SMALL]~~ HONEY PRODUCTION
9 OPERATION. A ~~[small]~~ honey production operation is not a food
10 service establishment for purposes of this chapter.

11 Sec. 437.0198. REGULATION OF ~~[SMALL]~~ HONEY PRODUCTION
12 OPERATION PROHIBITED. A local government authority, including a
13 local health department, may not regulate the production of honey
14 or honeycomb at a ~~[small]~~ honey production operation.

15 Sec. 437.0199. LABELING REQUIREMENTS FOR ~~[SMALL]~~ HONEY
16 PRODUCTION OPERATION. Honey or honeycomb sold or distributed by a
17 ~~[small]~~ honey production operation must be labeled in accordance
18 with Subchapter E, Chapter 131, Agriculture Code. ~~[The label must~~
19 ~~include:~~

20 ~~[(1) the net weight of the honey expressed in both the~~
21 ~~avoirdupois and metric systems;~~

22 ~~[(2) the beekeeper's name and address; and~~

23 ~~[(3) the statement "Bottled or packaged in a facility~~
24 ~~not inspected by the Texas Department of State Health Services."]~~

25 SECTION 3. Chapter 437, Health and Safety Code, is amended
26 by adding Section 437.01991 to read as follows:

27 Sec. 437.01991. HONEY AS RAW AGRICULTURAL COMMODITY. (a)

1 In this section, "raw agricultural commodity" has the meaning
2 assigned by Section 431.002.

3 (b) For purposes of this subtitle and other applicable law,
4 a honey production operation that:

5 (1) extracts honey from honeycomb is harvesting a raw
6 agricultural commodity; and

7 (2) bottles extracted honey and packages cut honeycomb
8 is packaging a raw agricultural commodity without necessitating any
9 additional manufacturing or processing.

10 SECTION 4. This Act takes effect September 1, 2023.