BILL ANALYSIS

H.B. 519
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Agriculture & Livestock
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under previous law, all honey producers extracting and bottling their own honey were required to be licensed with the Department of State Health Services (DSHS). However, legislation was enacted in 2015 that provided small honey production operations an exemption from DSHS licensing requirements, with certain restrictions. In 2020, DSHS adopted the 2017 guidance under the FDA Food Safety Modernization Act with respect to honey and now considers extracting and bottling honey as harvesting and packaging a raw agricultural commodity, which are "on farm" processes that do not require registration. This created some misalignment between federal standards and state law, with state statutory language regarding small honey production operations being more restrictive than the current position of DSHS. H.B. 519 seeks to align state statute with the FDA Food Safety Modernization Act in order to prevent confusion among beekeepers and local enforcement by revising provisions relating to a small honey production operation.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 519 amends the Health and Safety Code to expand the scope of statutory provisions that establish labeling requirements for small honey production operations satisfying certain criteria relating to the amount of honey produced, the origin of the product, and the manner of production, sale, and distribution but exempt those operations from regulation as a food service establishment and prohibit their regulation by local governmental authorities. The bill makes those provisions applicable instead to all honey production operations, defined by the bill as beekeepers that sell or distribute honey or honeycomb they produce that is or from which is extracted pure honey that is raw and not blended with any other product or otherwise adulterated. The bill defines "pure honey" by reference to the Agriculture Code as the nectar of plants that has been transformed by, and is the natural product of, bees and that is in the comb or has been taken from the comb and is packaged in a liquid, crystallized, or granular form.

H.B. 519 removes the requirement that the label for an operation's honey or honeycomb include the following:

- the net weight of the honey expressed in both the avoirdupois and metric systems;
- the beekeeper's name and address; and

- the statement "Bottled or packaged in a facility not inspected by the Texas Department of State Health Services."

The bill establishes that an operation that extracts honey from honeycomb is harvesting a raw agricultural commodity and that an operation that bottles extracted honey and packages cut honeycomb is packaging a raw agricultural commodity without necessitating any additional manufacturing or processing. The bill defines "raw agricultural commodity" by reference to its definition under the Texas Food, Drug, and Cosmetic Act.

EFFECTIVE DATE

September 1, 2025.