

House Bill 798

By: Representatives Morris of the 120th, Lane of the 101st, Barnard of the 121st, Post 1, and Oliver of the 121st, Post 2

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 6 of Chapter 14 of Title 2 of the Official Code of Georgia Annotated, the
2 "Vidalia Onion Act of 1986," so as to change certain provisions relating to definitions; to
3 change certain provisions relating to rules and regulations and enforcement of said article;
4 to change certain provisions relating to marketing season opening date; to change certain
5 provisions relating to standards for grades; to provide for an advisory panel; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 style="text-align:center">**SECTION 1.**

9 Article 6 of Chapter 14 of Title 2 of the Official Code of Georgia Annotated, the "Vidalia
10 Onion Act of 1986," is amended by striking Code Section 2-14-131, relating to definitions,
11 and inserting in lieu thereof the following:

12 "2-14-131.

13 As used in this article, the term:

14 (1) 'Person' means an individual, partnership, corporation, association, or any other legal
15 entity.

16 (2) 'Shipping date' means the first day on which Vidalia onions may be shipped for sale.

17 ~~(1.1)(3)~~ 'Vidalia onion' means all onions of the Vidalia onion variety grown in the
18 Vidalia onion production area.

19 ~~(1.2)(4)~~ 'Vidalia Onion ~~Committee~~ Advisory Panel' means the ~~committee~~ advisory panel
20 established pursuant to ~~7 CFR part 955.20 (revised as of January 1, 1994)~~ Code Section
21 2-14-138.

22 ~~(2)(5)~~ 'Vidalia onion production area' means a production area which encompasses only
23 the State of Georgia or such lesser area as may be provided for pursuant to subsection (a)
24 of Code Section 2-14-133.

1 a mandatory U.S. No. 1 grade certificate. The ~~committee~~ Vidalia Onion Advisory Panel
2 shall survey the conditions of the Vidalia onion crop and recommend ~~an opening a shipping~~
3 date ~~of~~ for the marketing season to the Commissioner."

4 **SECTION 4.**

5 Said article is further amended by striking Code Section 2-14-137, relating to standards for
6 grades, and inserting in lieu thereof the following:

7 "2-14-137.

8 The standards for grades adopted by the U.S. Department of Agriculture, U.S. Standards
9 for Grades of Bermuda-Granex-Grano Type Onions, effective January 1, 1960, as amended
10 March 18, 1962, and February 20, 1985, (7 CFR 51.3195-51.3209), December 31, 1981,
11 and U.S. Standards for Grades of Common Green Onions (7 CFR 51.1055-51.1071)
12 December 31, 1981, are adopted and shall be the standards for grades in this state, except
13 that the Commissioner may establish tolerances or allowable percentages of U.S. Standards
14 each season upon the recommendation of the Vidalia Onion ~~Committee~~ Advisory Panel."

15 **SECTION 5.**

16 Said article is further amended by adding a new Code section to read as follows:

17 "2-14-138.

18 The Commissioner shall appoint a Vidalia Onion Advisory Panel, to consist of individuals
19 involved in growing, packing, or growing and packing Vidalia onions; at least one county
20 cooperative extension agent from the Vidalia onion production area; and any other person
21 or persons selected by the Commissioner, for the purpose of rendering advice upon his or
22 her request regarding the exercise of his or her authority pursuant to Code Sections
23 2-14-136 and 2-14-137. Members of the advisory panel shall receive no compensation for
24 their service as such members."

25 **SECTION 6.**

26 All laws and parts of laws in conflict with this Act are repealed.