

House Bill 433

By: Representatives Sellier of the 136th, McCall of the 30th, England of the 108th, Maddox of the 172nd, and Roberts of the 154th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 6 of Chapter 2 of Title 26 of the Official Code of Georgia Annotated,
2 relating to meat, poultry, and dairy processing plants, so as to change certain provisions
3 relating to licenses for meat and dairy processing plants, fees, term of validity, revocation or
4 suspension, and notice and hearing; to change certain provisions relating to licenses for
5 poultry processing plants, fees, display at place of business, transferability, suspension or
6 revocation, notice and hearing, and registration; to repeal conflicting laws; and for other
7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

10 Article 6 of Chapter 2 of Title 26 of the Official Code of Georgia Annotated, relating to
11 meat, poultry, and dairy processing plants, is amended by revising Code Section 26-2-209,
12 relating to licenses for meat and dairy processing plants, fees, term of validity, revocation or
13 suspension, and notice and hearing, as follows:

14 "26-2-209.

15 To assure the protection of the consuming public, no person shall operate a meat ~~or dairy~~
16 processing plant in this state without having first obtained a permanent license from the
17 Commissioner. ~~The original license fee shall be \$10.00 and the renewal fee shall be \$10.00~~
18 ~~per annum. The license shall be valid from January 1 to December 31 of the year in which~~
19 ~~it was issued or until revoked as provided in this article. Any; provided, however, that any~~
20 meat processing plant operating under a federal grant of inspection from the United States
21 Department of Agriculture, Food Safety Inspection Service, shall be exempt from such
22 license requirement. There shall be no fee for such license. The license shall be kept on
23 file in each place of business. The license shall not be transferable. The Georgia
24 Department of Agriculture may refuse to grant inspection, and any such license may be
25 revoked or suspended by the Commissioner for the violation of this article or rules and
26 regulations or sanitary standards and specifications adopted pursuant to this article. The

1 Commissioner shall notify the licensee of the reasons why he or she intends to revoke or
 2 suspend the license, and the licensee shall be entitled to a hearing before the Commissioner
 3 within ten days after receipt of such notice of intention to revoke or suspend. At such
 4 hearing the Commissioner shall consider the circumstances and shall give the licensee
 5 reasonable time to correct the conditions or circumstances that caused the notice of
 6 intention to revoke or suspend the license to be given."

7 **SECTION 2.**

8 Said article is further amended by revising Code Section 26-2-210, relating to licenses for
 9 poultry processing plants, fees, display at place of business, transferability, suspension or
 10 revocation, notice and hearing, and registration, as follows:

11 "26-2-210.

12 To assure the protection of the consuming public, no person shall operate a poultry
 13 processing plant in this state without having first obtained a permanent license from the
 14 Commissioner. ~~The fee for such license shall be fixed by the Commissioner in an amount~~
 15 ~~not to exceed \$10.00;~~ provided, however, that any poultry processing plant operating
 16 under a federal grant of inspection from the United States Department of Agriculture, Food
 17 Safety Inspection Service, shall be exempt from such license requirement. There shall be
 18 no fee for such license. The license shall be ~~conspicuously displayed~~ kept on file in each
 19 place of business. The license shall not be transferable. ~~The license of any person who~~
 20 ~~ceases operation for a period of 90 days or more shall automatically be revoked. Any~~ The
 21 Georgia Department of Agriculture may refuse to grant inspection, and any such license
 22 may be revoked or suspended by the Commissioner for the violation of this article or rules
 23 and regulations or sanitary standards and specifications adopted pursuant to this article.
 24 The Commissioner shall notify the licensee of the reasons why he or she intends to revoke
 25 or suspend the license, and the licensee shall be entitled to a hearing before the
 26 Commissioner within ten days after receipt of such notice of intention to revoke or
 27 suspend. At such hearing the Commissioner shall consider the circumstances and shall
 28 give the licensee reasonable time to correct the conditions or circumstances that caused the
 29 notice of intention to revoke or suspend the license to be given. ~~All licensees who operate~~
 30 ~~a poultry processing plant in this state which is not covered under the provisions of the~~
 31 ~~United States Department of Agriculture poultry inspection program shall register with the~~
 32 ~~Commissioner on or before January 1 of each year at no cost to the licensee."~~

33 **SECTION 3.**

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