

Senate Bill 300

By: Senator Bulloch of the 11th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Code Section 26-2-21 of the Official Code of Georgia Annotated, relating to
2 definitions relative to adulteration and misbranding of food, so as to exclude establishments
3 boiling, bottling, and selling sugar cane and sorghum syrup from the definition of "food sales
4 establishment"; to require proper labeling of bottles containing sugar cane or sorghum syrup;
5 to repeal conflicting laws; and for other purposes.

6 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

7 **SECTION 1.**

8 Code Section 26-2-21 of the Official Code of Georgia Annotated, relating to definitions
9 relative to adulteration and misbranding of food, is amended by revising paragraph (5) of
10 subsection (a) as follows:

11 "(5) 'Food sales establishment' means retail and wholesale grocery stores; retail seafood
12 stores and places of business; food processing plants, except those food processing plants
13 which are currently required to obtain a license from the Commissioner under any other
14 provision of law; bakeries; confectioneries; fruit, nuts, and vegetable stores or roadside
15 stands; wholesale sandwich and salad manufacturers, including vending machines and
16 operations connected therewith; and places of business and similar establishments,
17 mobile or permanent, engaged in the sale of food primarily for consumption off the
18 premises. Within a food sales establishment, there may be a food service component, not
19 separately operated, which may serve customers on site. This food service component
20 shall be considered as part of the food sales establishment. The food sales component of
21 any food service establishment defined in Code Section 26-2-370 shall not be included
22 in this definition. This term shall not include 'food service establishments' as defined in
23 Code Section 26-2-370. This term also shall not include establishments engaged in the
24 sale of food primarily for consumption off the premises if such sale is an authorized part
25 of and occurs upon the site of a fair or festival which:

26 (A) Is sponsored by a political subdivision of this state or by an organization exempt
27 from taxes under paragraph (1) of subsection (a) of Code Section 48-7-25 or under
28 Section 501(d) or paragraphs (1) through (8) or paragraph (10) of Section 501(c) of the
29 Internal Revenue Code, as that code is defined in Code Section 48-1-2;

30 (B) Lasts 120 hours or less; and

31 (C) When sponsored by such an organization, is authorized to be conducted pursuant
32 to a permit issued by the municipality or county in which it is conducted.

33 This term also shall not include establishments engaged in the boiling, bottling, and sale
34 of sugar cane syrup or sorghum syrup within this state, provided that such bottles contain
35 a label listing the producer's name and street address, all added ingredients, the net weight
36 or volume of the product, and a statement that clearly reads: "This product has not been
37 produced in a facility licensed by the Georgia Department of Agriculture."

38 **SECTION 2.**

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