

Senate Bill 300

By: Senator Bulloch of the 11th

**AS PASSED**

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, and the net  
36 weight or volume of the product."

37 **SECTION 2.**

38 All laws and parts of laws in conflict with this Act are repealed.