

Senate Bill 381

By: Senators Kirkpatrick of the 32nd, Burke of the 11th, Black of the 8th, Walker III of the 20th, Wilkinson of the 50th and others

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 2 of Chapter 2 of Title 26 of the Official Code of Georgia Annotated,
2 relating to the "Georgia Food Act," so as to provide that certain information obtained by the
3 Department of Agriculture from the federal Food and Drug Administration is deemed
4 confidential and not subject to disclosure; to provide for related matters; to repeal conflicting
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 2 of Title 26 of the Official Code of Georgia Annotated, relating to the
9 "Georgia Food Act," is amended by adding a new Code to read as follows:

10 "26-2-34.1.

11 The following information, records, and data obtained by the Department of Agriculture
12 from the federal Food and Drug Administration pursuant to a contract or commissioning
13 agreement shall be deemed confidential and shall not be open to inspection by the public,
14 to the extent that it was obtained or furnished on a confidential basis or is exempt from
15 disclosure under 5 U.S.C. Sec. 552, the federal Freedom of Information Act: trade secrets;
16 confidential commercial information; information under the federal deliberative process
17 privilege; information compiled for law enforcement purposes; or information expressly
18 required to be kept confidential by other federal laws."

19 **SECTION 2.**

20 All laws and parts of laws in conflict with this Act are repealed.