

Senate Bill 365

By: Senators Watson of the 11th, Goodman of the 8th, Anderson of the 24th, Echols of the 49th, Moore of the 53rd and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Titles 2 and 4 of the Official Code of Georgia Annotated, relating to agriculture
2 and animals, respectively, so as to enhance transparency with respect to the marketing of
3 produce and meat in this state; to provide for routine testing of produce for prohibited
4 substances by large-scale organic produce producers; to provide for health risk management
5 procedures with respect to the same; to provide for source verification and disclosure
6 requirements by large-scale grassfed meat producers; to provide for disclosures, testing, and
7 health risk management procedures with respect to older cattle; to provide for routine avian
8 influenza testing by large-scale pasture-raised poultry producers; to provide for health risk
9 management procedures with respect to the same; to provide for penalties; to provide for
10 definitions; to provide for a short title; to provide for related matters; to provide for an
11 effective date; to repeal conflicting laws; and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 **SECTION 1.**

14 This Act shall be known and may be cited as the "Georgia Meat and Organic Produce
15 Transparency and Safety Act."

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SECTION 2.

17 Title 2 of the Official Code of Georgia Annotated, relating agriculture, is amended in
18 Chapter 21, relating to organic certification and labeling, by adding a new Code section to
19 read follows:

20 "2-21-3.1.

21 (a) As used in this Code section, the term:

22 (1) 'Large-scale organic produce producer' means any person engaged in the production
23 of organic produce in this state with annual gross sales of at least \$500,000.00 per year.

24 (2) 'Organic produce' means any fruit, vegetable, mushroom, sprout, peanut, tree nut,
25 or herb labeled, advertised, or otherwise marketed as organic. Such term shall not
26 include the small, hard fruits or seeds of arable crops, or the crops bearing these fruits or
27 seeds, that are primarily grown and processed for use as meal, flour, baked goods,
28 cereals, and oils, rather than for direct consumption as small, hard fruits or seeds.

29 (b)(1) On or after January 1, 2026, large-scale organic produce producers shall conduct
30 routine testing of organic produce as follows:

31 (A) A minimum of 3 percent of organic produce shall be randomly selected and tested
32 on a monthly basis for prohibited substances as defined in 21 C.F.R. 205.105;

33 (B) Testing shall be conducted by a facility approved by the United States Department
34 of Agriculture for organic testing; and

35 (C) Records of all testing shall be maintained for a minimum of five years and made
36 available to the department upon request.

37 (2) If, during testing pursuant to paragraph (1) of this subsection, any prohibited
38 substance is detected at a level exceeding any federal limits, the producer shall:

39 (A) Immediately notify the department and United States Department of Agriculture
40 Animal and Plant Health Inspection Service; and

41 (B) Cease sales and distribution of any affected organic produce until further guidance
42 is provided by state and federal authorities."

43

SECTION 3.

44 Title 4 of the Official Code of Georgia Annotated, relating to animals, is amended in Article
45 1 of Chapter 6, relating to livestock dealers, by adding a new Code section to read as
46 follows:

47 "4-6-13.

48 (a) As used in this Code section, the term:

49 (1) 'Culling' means any process of removing certain livestock from primary meat
50 production activities, including, but not limited to, sale through livestock markets, sale
51 for processing due to health or age factors, or transfer to nonspecialty production systems.

52 (2) 'Grassfed meat producer' means any person engaged in the production, processing,
53 or sale of meat, including beef, pork, lamb, and goat, but excluding poultry, labeled,
54 advertised, or otherwise marketed as grassfed, pasture-raised, or regeneratively raised,
55 or under similar animal-raising claims.

56 (3) 'Large-scale grassfed meat producer' means a grassfed meat producer located in this
57 state with annual gross sales of meat products of at least \$1 million per year.

58 (4) 'Large-scale pasture-raised poultry producer' means a pasture-raised poultry producer
59 located in this state with annual gross sales of poultry products of at least \$250,000.00
60 per year.

61 (5) 'Livestock market' means any facility where livestock are bought, sold, or traded
62 through public or private sale, including, but not limited to, auctions, stockyards, and
63 trading barns.

64 (6) 'Older cattle' means any cattle over five years of age at the time of slaughter.

65 (7) 'Pasture-raised poultry producer' means any person engaged in the production,
66 processing, or sale of poultry labeled, advertised, or otherwise marketed as pasture-raised
67 or free-range, or under similar animal-raising claims.

68 (8) 'Regeneratively raised' means, with respect to livestock, raised under a system of
69 farming that seeks to improve soil health, biodiversity, and ecosystem resilience.

70 (9) 'Specified risk material' means, with respect to cattle, tissues considered to be of high
71 risk for potentially carrying transmissible spongiform encephalopathies, including, but
72 not limited to, the brain and spinal cord tissues.

73 (b)(1) All large-scale grassfed meat producers shall maintain records sufficient to verify
74 the source and management history of all livestock used in their meat production,
75 including, but not limited to:

76 (A) Livestock birth records;

77 (B) Livestock feeding records;

78 (C) Any transfer of ownership or transportation of livestock; and

79 (D) Any other documentation required by the United States Department of Agriculture.

80 (2) Such records shall be made available for inspection by the department upon request
81 and retained for a minimum of five years.

82 (c)(1) All large-scale grassfed meat producers that label, advertise, or otherwise market
83 meat produced from livestock as grassfed, pasture-raised, or regeneratively raised, or
84 under similar animal-raising claims shall include a clearly legible and conspicuous
85 written disclosure stating whether the livestock:

86 (A) Has been sold through a livestock market or auction;

87 (B) Has been subject to culling prior to final sale;

88 (C) Has been continuously managed under the specified production protocols without
89 interruption;

90 (D) Received feed that deviates from the marketed designation, such as grassfed cattle
91 receiving grain at any point; and

92 (E) Were over the age of five years at the time of slaughter.

93 (2) Such disclosure shall be made available at the point of sale, on packaging or
94 promotional materials, and on any official website or sales platform used by the
95 large-scale grassfed meat producer.

96 (d)(1) All large-scale grassfed meat producers that sell beef produced from older cattle
97 shall publicly disclose this fact through:

98 (A) A clearly legible and conspicuous label on the packaging stating: 'This beef is from
99 cattle over 5 years of age.'; and

100 (B) Online sales listings or menus specifying when beef is sourced from older cattle.

101 (2)(A) All older cattle used to produce beef shall undergo testing of specified risk
102 materials at the time of slaughter for transmissible spongiform encephalopathies,
103 including, but not limited to, testing for abnormal prion proteins linked to bovine
104 spongiform encephalopathy, in accordance with any requirements set forth by the
105 United States Department of Agriculture.

106 (B) A large-scale grassfed meat producer shall dispose of any specified risk materials
107 in accordance with any requirements set forth by the United States Department of
108 Agriculture and the United States Food and Drug Administration.

109 (C) A large-scale grassfed meat producer shall maintain documentation proving
110 compliance with subparagraph (A) of this paragraph for no less than five years.

111 (3) If a positive case of transmissible spongiform encephalopathies is detected, the
112 large-scale grassfed meat producer shall immediately:

113 (A) Notify the department and United States Department of Agriculture Animal and
114 Plant Health Inspection Service; and

115 (B) Cease sales and distribution of any beef products from the affected herd and follow
116 any requirements set forth by the department and the United States Department of
117 Agriculture.

118 (e)(1) All large-scale pasture-raised poultry producers shall conduct routine avian
119 influenza testing as follows:

120 (A) A minimum of 3 percent of live poultry flocks shall be tested on a weekly basis for
121 highly pathogenic avian influenza and low pathogenic avian influenza;

122 (B) Testing shall be conducted by an accredited laboratory using United States
123 Department of Agriculture approved methods; and

124 (C) Records of all testing shall be maintained for a minimum of five years and made
125 available to the department upon request.

126 (2) If a positive case of highly pathogenic avian influenza is detected, the large-scale
127 pasture-raised poultry producer shall immediately:

128 (A) Notify the department and United States Department of Agriculture Animal and
129 Plant Health Inspection Service;

130 (B) Cease sales and distribution of poultry products from the affected flock until
131 further guidance is provided by state and federal authorities; and

132 (C) Implement biosecurity measures to prevent disease spread, including flock culling
133 if required by United States Department of Agriculture regulations.

134 (3) Any failure to comply with avian influenza testing requirements set forth in this
135 subsection shall result in penalties as outlined in subsection (g) of this Code section.

136 (f)(1) Large-scale grassfed meat producers and large-scale pasture-raised poultry
137 producers that label, advertise, or otherwise market multiple types of meat as grassfed,
138 pasture-raised, free-range, or regeneratively raised, or under similar animal-raising claims
139 shall ensure separate and verifiable tracking for each species.

140 (2) Large-scale grassfed meat producers and large-scale pasture-raised poultry producers
141 engaged in direct-to-consumer online sales shall provide consumers with accessible
142 sourcing verification through a scannable QR code, public webpage, or other verifiable
143 digital record.

144 (g) Any large-scale grassfed meat producer or large-scale pasture-raised poultry producer
145 found in violation of this Code section shall be subject to:

146 (1) A civil penalty not to exceed \$5,000.00 per violation for a first offense;

147 (2) A civil penalty not to exceed \$10,000.00 per violation for subsequent offenses; and

148 (3) Revocation or suspension of such producer's ability to market or sell meat or poultry
149 products within this state under the designations of grassfed pasture-raised, free-range,
150 or regeneratively raised, or under similar animal-raising claims for repeated
151 noncompliance."

152 **SECTION 4.**

153 This Act shall become effective on January 1, 2026.

154 **SECTION 5.**

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