

FIRST REGULAR SESSION

HOUSE BILL NO. 744

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE TILLEY.

Read 1st time March 9, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

2027L.011

AN ACT

To repeal section 261.241, RSMo, and to enact in lieu thereof two new sections relating to food inspection.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 261.241, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 196.291 and 261.241, to read as follows:

196.291. All sales of foods which are not potentially hazardous foods, as defined by regulation, made by religious, charitable, or nonprofit organizations at their religious events or at charitable functions and activities shall be exempt from all state laws and regulations relating to food inspection, pursuant to sections 196.190 to 196.271.

261.241. **1.** Sellers of jams [and], jellies, **and honey** whose annual sales of jams [and], jellies, **and honey** are thirty thousand dollars or less **per domicile** shall not be required to construct or maintain separate facilities for the manufacture of [food products] **jams, jellies, and honey**. [However,] Such sellers shall [comply with] **be exempt from** all remaining health standards and regulations for the manufacture of [food products] **jams, jellies, and honey** pursuant to [chapter 196, RSMo.] **sections 196.190 to 196.271, RSMo, if they meet the following requirements:**

(1) Jams, jellies, and honey shall be manufactured in the domicile of the person processing and selling the jams, jellies, and honey and sold by the manufacturer to the end consumer;

(2) Jams, jellies, and honey shall be labeled with the following information in legible

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

12 English as set forth in subsection 2 of this section;

13 (3) During the sale of such jams, jellies, and honey, a placard shall be displayed in a
14 prominent location stating the following: "This product has not been inspected by the
15 Department of Health and Senior Services.";

16 (4) Annual gross sales shall not exceed thirty thousand dollars. The person
17 manufacturing such jams, jellies, and honey, shall maintain a record of sales of jams, jellies, and
18 honey processed and sold. The record shall be available to the regulatory authority when
19 requested.

20 **2. The jams, jellies, and honey shall be labeled with the following information:**

21 **(1) Name and address of the persons preparing the food;**

22 **(2) Common name of the food;**

23 **(3) The name of all ingredients in the food; and**

24 **(4) Statement that the jams, jellies, and honey have not been inspected by the**
25 **department of health and senior services.**

26 **3. Sellers of jams, jellies, and honey who violate the provisions of this section may**
27 **be enjoined from selling jams, jellies, and honey by the department of health and senior**
28 **services.**