

AGRICULTURE CODE (3 PA.C.S.) - REQUIRED LICENSES AND
REGISTRATION OF FOOD ESTABLISHMENTS

Act of Oct. 24, 2012, P.L. 1434, No. 180

Cl. 03

Session of 2012

No. 2012-180

HB 2565

AN ACT

Amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in food protection, further providing for required licenses and for registration of food establishments.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 5703(b)(2) of Title 3 of the Pennsylvania Consolidated Statutes is amended by adding a subparagraph to read:

§ 5703. License required.

* * *

(b) Exempt retail food facilities.--

* * *

(2) A licensor shall exempt the following retail food facilities from the license requirements of this section:

(i) A retail food facility in which only prepackaged, nonpotentially hazardous food or beverages are sold.

(ii) A retail food facility that sells only raw agricultural commodities.

(iii) A retail food facility that is in compliance with the act of July 20, 1974 (P.L.537, No.184), referred to as the Honey Sale and Labeling Act, and in which 100% of the regulated products offered for human consumption are produced or processed on the farm on which the retail food facility is located.

A retail food facility that is exempted from the license requirements under this section shall remain subject to inspection and all other provisions of this subchapter.

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Section 2. Section 5734(d) of Title 3 is amended to read:
§ 5734. Registration of food establishments.

* * *

(d) [Exception.--] **Exceptions.--All of the following shall be exempt from the provisions of this section:**

(1) Vehicles used primarily for the transportation of any consumer commodity in bulk or quantity to manufacturers, packers, processors or wholesale or retail distributors [are exempt from the provisions of this section].

(2) A food establishment that is in compliance with the act of July 20, 1974 (P.L.537, No.184), referred to as the Honey Sale and Labeling Act, and in which 100% of the regulated products offered for human consumption are produced or processed on the farm on which the food establishment is located.

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Section 3. This act shall take effect in 60 days.

APPROVED--The 24th day of October, A.D. 2012.

TOM CORBETT