

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2565 Session of
2012

INTRODUCED BY MAJOR, MAHER, BOYD, DALEY, EVERETT, FLECK,
GIBBONS, GILLEN, GODSHALL, HARHART, HARPER, HARRIS, HELM,
HESS, M. K. KELLER, KULA, MILLARD, MILLER, OBERLANDER,
PICKETT, QUINN, ROCK, SCHMOTZER, STERN, SWANGER, TALLMAN,
GINGRICH, BROOKS, HAHN, LAWRENCE AND MURT, AUGUST 9, 2012

AS REPORTED FROM COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,
HOUSE OF REPRESENTATIVES, AS AMENDED, SEPTEMBER 24, 2012

AN ACT

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

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

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

9 § 5703. License required.

10 * * *

11 (b) Exempt retail food facilities.--

12 * * *

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

15 (i) A retail food facility in which only
16 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.

* * *

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 ~~retail food facility~~ 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 ~~retail food facility~~ FOOD ESTABLISHMENT is located.

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