

SENATE BILL NO. 344

BY SENATOR ALLAIN AND REPRESENTATIVE STUART BISHOP

1 AN ACT

2 To enact R.S. 56:317, relative to fishing; to establish the Louisiana Catch and Cook Program  
3 within the Department of Wildlife and Fisheries; to allow retail food establishments  
4 to prepare certain recreational fish; to provide for the promulgation of rules; to  
5 provide penalties, terms, conditions, and requirements; and to provide for related  
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 56:317 is hereby enacted to read as follows:

9 **§317. Louisiana Catch and Cook Program; preparation of recreational fish in**  
10 **retail food establishments**

11 **A. Notwithstanding any provision of the state Sanitary Code or any other**  
12 **law or regulation to the contrary, it shall be lawful for retail food establishments**  
13 **to receive and prepare any freshwater or saltwater recreational fish as defined**  
14 **in R.S. 56:8.**

15 **B.(1) The secretary of the Department of Wildlife and Fisheries is hereby**  
16 **authorized to establish the Louisiana Catch and Cook Program, whereby a**  
17 **retail food establishment is authorized to prepare any fish legally taken by a**  
18 **licensed recreational fisherman for consumption by that recreational fisherman**  
19 **or any person in his party.**

20 **(2) The program shall be established through the promulgation and**  
21 **adoption of rules and regulations in conjunction with the Department of Health**  
22 **and Hospitals and in accordance with the Administrative Procedure Act. Such**  
23 **rules and regulations shall include but are not limited to the following which**

1 shall be enforced by Department of Health and Hospitals, office of public  
2 health:

3 (a) The retail food establishment shall complete, date, and have the  
4 recreational fisherman who brings the fish in for preparation sign an  
5 assumption of risk form. The completed, dated, and signed form shall be  
6 maintained at the establishment for a period of no less than ninety days. The  
7 establishment shall provide the completed forms to the state health officer upon  
8 request.

9 (b) The retail food establishment shall receive only fish that have been  
10 cleaned, filleted, placed in clean, food-grade, single-service packaging, and  
11 properly refrigerated.

12 (c) The retail food establishment shall inspect the fish for freshness and  
13 proper receiving temperature.

14 (d) The fish shall be properly labeled with the date, time, and name of  
15 the recreational fisherman.

16 (e) The retail food establishment shall store, prepare, and otherwise  
17 handle the fish separately from products being prepared for and served to the  
18 general public.

19 (f) The retail food establishment shall store, prepare, and otherwise  
20 handle the fish in compliance with provisions of the state Sanitary Code.

21 (g) The retail food establishment shall prepare and serve the fish to the  
22 recreational fisherman or any person in his party within four hours of receipt  
23 of the fish.

24 (h) Containers, preparation tables, cutting boards, utensils, and other  
25 food preparation equipment used to prepare and serve the fish shall be properly  
26 cleaned and sanitized in accordance with provisions of the state Sanitary Code  
27 prior to use preparing foods to serve to the general public.

28 (i) The fish shall be served directly to the recreational fisherman or any  
29 person in his party immediately upon the completion of cooking and shall not  
30 be served to the general public.

1                    C. Any retail food establishment that wishes to participate in the  
2                    Louisiana Catch and Cook Program shall apply to the Department of Wildlife  
3                    and Fisheries to be issued a participation permit by the department. There shall  
4                    be no fee for the application process or permit. The permit may be suspended  
5                    or revoked by the department for any violation of the rules and regulations of  
6                    this program. The Department of Wildlife and Fisheries shall provide the  
7                    names and locations of each participating retail food establishment to the  
8                    Department of Health and Hospitals, office of public health upon request.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_