

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 768

By: Murdock

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5
6 AS INTRODUCED

7 An Act relating to calf fries; amending 2 O.S. 2011,
8 Section 6-185, which relates to the Oklahoma Meat
9 Inspection Act; exempting certain product; creating
10 the Calf Fry Direct Sales Act; providing short title;
11 defining terms; authorizing certain sale of calf
12 fries; exempting certain producers from the Oklahoma
13 Meat Inspection Act; construing provisions;
14 prohibiting intrastate commerce; stating minimal
15 standards; requiring refrigeration, labeling,
16 signage, packaging and quantity; limiting
17 jurisdiction of sales; describing pack-date and
18 expiration date; stating expiration term; defining
19 terms; stating violation and penalty; construing
20 effect of serving or selling cooked calf fries;
21 prohibiting transport to another location for sale;
22 providing exception for certain transport and sale;
23 providing for codification; and declaring an
24 emergency.

18 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

19 SECTION 1. AMENDATORY 2 O.S. 2011, Section 6-185, is
20 amended to read as follows:

21 Section 6-185. A. The Oklahoma Meat Inspection Act shall apply
22 to:

23 1. All carcasses or parts of carcasses of cattle, bison, sheep,
24 swine, goats, horses, mules, and other equines or the meat or meat

1 products thereof, except those provided for in Section 2 of this
2 act, capable of use as human food, which may be brought into any
3 slaughtering, meat-canning, salting, packing, rendering, or similar
4 establishment, where inspection under the Oklahoma Meat Inspection
5 Act is maintained. Examination and inspection shall be made before
6 the carcasses or parts thereof shall be allowed to enter into any
7 department wherein the same are to be treated and prepared for meat
8 food products; and

9 2. All such products which, after having been issued from any
10 such slaughtering, meat-canning, salting, packing, rendering, or
11 similar establishment, shall be returned to the same or to any
12 similar establishment where such inspection is maintained.

13 B. The Board may limit the entry of carcasses, parts of
14 carcasses, meat and meat food products, and other materials, unless
15 otherwise exempt by law, into any establishment at which inspection
16 under the Oklahoma Meat inspection Act is maintained, under the
17 conditions as it may prescribe to assure that allowing the entry of
18 such articles into such inspected establishments will be consistent
19 with the purposes of the Oklahoma Meat Inspection Act.

20 SECTION 2. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 215.1 of Title 2, unless there
22 is created a duplication in numbering, reads as follows:

23 This act shall be known and may be cited as the "Calf Fry Direct
24 Sales Act".

1 SECTION 3. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 215.2 of Title 2, unless there
3 is created a duplication in numbering, reads as follows:

4 A. As used in this section:

5 1. "Ambient temperature" means the atmospheric temperature
6 surrounding or encircling the product and container;

7 2. "Beef producers" means any person that has an ownership
8 interest in cattle;

9 3. "Calf fry" or "calf fries" means raw calf testicles that are
10 produced by castration of young male cattle for human consumption as
11 a part of a domestic cattle raising operation or cattle
12 slaughterhouse facility;

13 4. "Consumer" means any person using the product for human food
14 and human consumption including, but not limited to, commercial
15 restaurants and caterers;

16 5. "Container" means any receptacle or packaging in which the
17 product is dispensed to consumers;

18 6. "Expiration date" means the date the products are to be
19 removed from sale to consumers; and

20 7. "Pack-date" means the date that the product was placed in
21 the container to sell.

22 B. 1. Oklahoma beef producers may sell ungraded, uninspected
23 and unmarked raw calf fries from their own herd production when
24 selling such product direct to a consumer as provided in this

1 section. Raw calf fries shall be exempt from the Oklahoma Meat
2 Inspection Act.

3 2. Slaughterhouses may sell raw calf fries direct to consumers
4 as provided in this section.

5 3. Nothing in this section shall prohibit the retail sale of
6 raw calf fries produced by a beef producer or obtained direct from a
7 slaughterhouse by a consumer for human consumption in this state.

8 4. Raw calf fries sold under this section shall be produced
9 from calves raised and maintained by the beef producer or processed
10 at the slaughterhouse from which the product is sold direct to the
11 consumer in this state.

12 5. Interstate commerce of raw calf fries is prohibited under
13 this section.

14 C. A producer of raw calf fries shall follow these minimal
15 standards when selling the product direct to a consumer:

16 1. Raw calf fries sold for human food or human consumption
17 shall be frozen immediately upon production or refrigerated at an
18 ambient temperature of forty-five degrees (45°) Fahrenheit or lower
19 within five (5) hours of production;

20 2. Raw calf fries stored by the beef producer or slaughterhouse
21 that are intended for direct sale to the consumer as human food
22 shall be held at a constant temperature in accordance with paragraph
23 1 of this subsection;

1 3. Raw calf fries to be stored for sale as human food shall be
2 labeled with the following statement: "Keep frozen or refrigerated
3 at or below 45 degrees Fahrenheit";

4 4. Raw calf fries shall not be sold for human consumption after
5 five (5) hours from production without proper freezing or
6 refrigeration as provided in paragraph 1 of this subsection;

7 5. Producers of raw calf fries shall not be responsible for the
8 quality of the product if all handling procedures in this subsection
9 are followed prior to the sale of the product to a consumer;

10 6. At retail locations selling raw calf fries, a sign furnished
11 by the Oklahoma Department of Agriculture, Food, and Forestry
12 stating the proper procedure for storage and handling of calf fries
13 shall be permanently displayed at a location easily seen by
14 consumers and persons handling the product;

15 7. The producer of raw calf fries to be sold for human
16 consumption must use a clean container to package and label the
17 product;

18 8. The producer and packager of raw calf fries shall affix a
19 pack-date and expiration date to each container of product offered
20 for sale, except when a consumer is present in person at the
21 production location with a personal container to collect, purchase
22 and transport the product;

1 9. The producer of raw calf fries to be sold for human
2 consumption may sell the product by the half-dozen, dozen or in
3 cases of thirty (30) dozen or more as desired; and

4 10. For purposes of this section, the retail sale of raw calf
5 fries is limited to retail sales within the jurisdiction of this
6 state by Oklahoma beef producers and slaughterhouses.

7 D. 1. A pack-date may be in a three-digit Julian date or a
8 calendar date.

9 2. An expiration date shall be used on the container, the date
10 shall be preceded by "EXP", "sell by" or "use through".

11 3. Frozen raw calf fries shall expire ninety (90) days after
12 initial freezing and unfrozen fresh calf fries shall expire three
13 (3) days after processing when consistently held at an ambient
14 temperature of forty-five degrees (45°) Fahrenheit or lower.

15 E. 1. Any person that sells at retail, advertises or displays
16 for sale or offers for sale raw, calf fries direct to consumers for
17 human consumption without having complied with the provisions of
18 this section shall, upon conviction, be guilty of a misdemeanor.

19 2. Nothing in this section shall prohibit a commercial
20 restaurant or licensed caterer from serving or selling for human
21 consumption cooked calf fries to consumers whether or not such
22 product was purchased directly from a beef producer or
23 slaughterhouse under this section.

1 SECTION 4. It being immediately necessary for the preservation
2 of the public peace, health or safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

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