

SENATE BILL 243

By Southerland

AN ACT to amend Tennessee Code Annotated, Title 43;
Title 44, Chapter 15, Part 1 and Title 47, Chapter
18, relative to honey.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 44, Chapter 15, Part 1, is amended by adding the following as a new section thereto:

44-15-124.

(a) The department shall promulgate rules and regulations pursuant to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, to effectuate the following:

(1) Establish standards for products sold in this state as honey;

and

(2) Establish standards for testing by private laboratories of samples submitted by persons who intend to sell honey produced in this state as Tennessee certified honey to determine whether the samples meet the standards established pursuant to subdivision (a)(1).

(b) No person may label a product as Tennessee certified honey or represent that a product is Tennessee certified honey unless all of the following apply:

(1) The product has been determined by the department to meet the standards established under subdivision (a)(1);

(2) A summary of the results of the testing performed pursuant to the standards established under subdivision (a)(1) of this section have been submitted to and approved by the department; and

(3) The product was produced in Tennessee.

(c) No person may label a product as honey or represent that a product is honey unless the product meets the standards established under subdivision (a)(1).

(d) Any person who suffers an ascertainable loss of money or property, real, personal, or mixed, or any other article, commodity, or thing of value wherever situated as a result of a violation of this section shall have available to such person the private right of action remedy under the Tennessee Consumer Protection Act of 1977, compiled in title 47, chapter 18.

SECTION 2. Tennessee Code Annotated, Section 47-18-104(b), is amended by adding the following as a new, appropriately designated subdivision:

() Labeling or representing that a product is honey or Tennessee certified honey in violation of the requirements of § 44-15-124.

SECTION 3. For purposes of promulgating rules and regulations, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2011, the public welfare requiring it.