

1-1 By: White, Bailes H.B. No. 410
 1-2 (Senate Sponsor - Johnson, Flores, Perry)
 1-3 (In the Senate - Received from the House April 11, 2019;
 1-4 April 17, 2019, read first time and referred to Committee on Health
 1-5 & Human Services; May 20, 2019, reported adversely, with favorable
 1-6 Committee Substitute by the following vote: Yeas 9, Nays 0;
 1-7 May 20, 2019, sent to printer.)

1-8 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-9				
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			

1-19 COMMITTEE SUBSTITUTE FOR H.B. No. 410 By: Johnson

1-20 A BILL TO BE ENTITLED
 1-21 AN ACT

1-22 relating to the regulation of meat and other food products.
 1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-24 SECTION 1. Section 433.003, Health and Safety Code, is
 1-25 amended by adding Subdivisions (1-a), (2-a), (10-a), (11-a),
 1-26 (19-a), (23-a), and (26) to read as follows:
 1-27 (1-a) "Beef" means any edible portion of a formerly
 1-28 live and whole cattle carcass, not derived by synthetic or
 1-29 artificial means.
 1-30 (2-a) "Chicken" means any edible portion of a formerly
 1-31 live and whole chicken carcass, not derived by synthetic or
 1-32 artificial means.
 1-33 (10-a) "Lamb" means any edible portion of a formerly
 1-34 live and whole lamb carcass, not derived by synthetic or artificial
 1-35 means.
 1-36 (11-a) "Meat" means any edible portion of a livestock
 1-37 carcass that does not contain lab-grown, cell cultured, insect, or
 1-38 plant-based products.
 1-39 (19-a) "Pork" means any edible portion of a formerly
 1-40 live and whole swine carcass, not derived by synthetic or
 1-41 artificial means.
 1-42 (23-a) "Rabbit" means any edible portion of a formerly
 1-43 live and whole rabbit, not derived by synthetic or artificial
 1-44 means.
 1-45 (26) "Turkey" means any edible portion of a formerly
 1-46 live and whole turkey carcass, not derived by synthetic or
 1-47 artificial means.
 1-48 SECTION 2. Section 433.005, Health and Safety Code, is
 1-49 amended by adding Subsection (a-1) to read as follows:
 1-50 (a-1) A food product is misbranded if:
 1-51 (1) the food product is misrepresented as harvested
 1-52 meat through the use of false or misleading advertising or
 1-53 labeling; or
 1-54 (2) any part of the food product's labeling includes
 1-55 the terms "meat," "beef," "chicken," "pork," "turkey," "lamb,"
 1-56 "rabbit," or any common variation of those terms and the product
 1-57 does not contain the product described by the term listed on the
 1-58 label.
 1-59 SECTION 3. Section 433.0245, Health and Safety Code, is
 1-60 amended by adding Subsections (a-1), (e), and (f) and amending

2-1 Subsections (b), (c), and (d) to read as follows:

2-2 (a-1) For purposes of this section, a low-volume livestock
2-3 processing establishment:

2-4 (1) includes an establishment that processes fewer
2-5 than 10,000 domestic rabbits or more than 1,000 but fewer than
2-6 10,000 poultry in a calendar year; and

2-7 (2) does not include an establishment that processes
2-8 1,000 or fewer poultry raised by the operator of the establishment
2-9 in a calendar year.

2-10 (b) Except as provided by Subsections (e) and (f), a [A]
2-11 low-volume livestock processing establishment that is exempt from
2-12 federal inspection shall register with the department in accordance
2-13 with rules adopted by the executive commissioner for registration.

2-14 (c) Except as provided by Subsections (e) and (f), a [A]
2-15 low-volume livestock processing establishment that is exempt from
2-16 federal inspection shall develop a sanitary operation procedures
2-17 plan.

2-18 (d) Except as provided by Subsection (f), if [If]
2-19 contaminated livestock can be reasonably traced to a low-volume
2-20 livestock processing establishment that is exempt from federal
2-21 inspection, the department may request the attorney general or the
2-22 district or county attorney in the jurisdiction where the facility
2-23 is located to institute a civil suit to enjoin the operation of the
2-24 establishment until the department determines that the
2-25 establishment has been sanitized and is operating safely.

2-26 (e) A low-volume livestock processing establishment that is
2-27 exempt from federal inspection and processes fewer than 500
2-28 domestic rabbits in a calendar year is not required to comply with
2-29 Subsection (b) or (c).

2-30 (f) An establishment described by Subsection (a-1)(2):

2-31 (1) is not subject to additional state regulation; and

2-32 (2) may sell poultry products directly to:

2-33 (A) consumers; and

2-34 (B) restaurants that provide food for immediate
2-35 human consumption.

2-36 SECTION 4. This Act takes effect September 1, 2019.

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