

1 **SENATE FLOOR VERSION**

2 March 1, 2011

3 SENATE BILL NO. 58

By: Fields of the Senate

4 and

5 McNiel of the House

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8 An Act relating to beekeepers; allowing beekeepers to
9 sell honey if the apiary has been inspected by the
10 Oklahoma Department of Agriculture, Food, and
11 Forestry; defining honey; setting forth specific
content standards for honey; specifying types of
honey; providing for codification; and providing an
effective date.

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

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 3-126 of Title 2, unless there
17 is created a duplication in numbering, reads as follows:

18 If an apiary, colony, hive, apiary equipment, or premise has
19 been inspected by the Oklahoma Department of Agriculture, Food, and
20 Forestry and the Department has issued a certificate of inspection
21 pursuant to the procedures outlined in Section 3-116 of Title 2 of
22 the Oklahoma Statutes, the beekeeper shall not be subject to the
23 inspection procedures of the Oklahoma Department of Health as
24 codified in Article 11 of Title 63 of the Oklahoma Statutes if the

1 | beekeeper is producing and selling honey or a similar product as
2 | defined in Section 2 of this act.

3 | SECTION 2. NEW LAW A new section of law to be codified
4 | in the Oklahoma Statutes as Section 3-127 of Title 2, unless there
5 | is created a duplication in numbering, reads as follows:

6 | A. As used in Section 1 of this act, "Honey" means the natural
7 | food product resulting from the harvest of nectar by honeybees and
8 | the natural activities of the honeybees in processing nectar. It
9 | consists essentially of different sugars, predominantly fructose and
10 | glucose as well as other substances such as organic acids, enzymes
11 | and solid particles derived from honey collection. The color of
12 | honey may vary from nearly colorless to dark brown. The consistency
13 | may be fluid, viscous, or partially to completely crystallized. The
14 | flavor and aroma may vary, but are derived from the origin of the
15 | plant.

16 | B. Honey sold as such shall not have added to it any food
17 | additives, and no other additions shall be made other than honey.
18 | It shall not have started to ferment or effervesce and no pollen or
19 | constituent unique to honey shall have been removed except where
20 | unavoidable in the removal of foreign matter. Chemical or
21 | biochemical treatments shall not be used to influence honey
22 | crystallization.

23 | C. The following contents are applicable to honey:
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1 1. Moisture content - No water shall be added to honey in the
2 course of extraction or packing for sale or resale as honey, and
3 honey shall not have a moisture content exceeding twenty-three
4 percent (23%);

5 2. Sugars content - The ratio of fructose to glucose shall be
6 greater than nine-tenths (0.9), and the sum of both fructose and
7 glucose shall not be less than sixty grams (60g) per one hundred
8 grams (100g); and

9 3. Sucrose content - Unless listed in subparagraph a or b of
10 this paragraph, the sucrose content of honey shall not exceed five
11 grams (5g) per one hundred grams (100g):

12 a. the sucrose content in honey of the Alfalfa (*Medicago*
13 *sativa*), Citrus species, False Acacia (*Robinia*
14 *pseudoacacia*), French Honeysuckle (*Hedysarum*), Menzies
15 *Banksia* (*Banksia menziesii*), Red Gum (*Eucalyptus*
16 *camaldulensis*), Leatherwood (*Eucryphia lucida*), and
17 *Eucryphia milligani* varieties shall not exceed ten
18 grams (10g) per one hundred grams (100g), and

19 b. the sucrose content in honey of the Lavender
20 (*Lavandula* species) and Borage (*Borago officinalis*)
21 varieties shall not exceed fifteen grams (15g) per one
22 hundred grams (100g).

23 D. Products conforming to the standards set forth in this
24 section shall be designated and may be sold as honey.

1 E. Foods containing honey and any flavoring, spice, or other
2 added ingredient shall be distinguished in the food name from honey
3 by declaration of the food additive. If honey is processed in such
4 a way that a modification to honey occurs that materially changes
5 the flavor, color, viscosity, or other material characteristics of
6 pure honey, the final product shall be distinguished in the food
7 name from honey by declaration of the modification. Foods that
8 contain an additive or modification as described in this subsection
9 may not be sold under the procedures specified in Section 1 of this
10 act.

11 F. Honey may be designated according to floral or plant source
12 if it comes predominantly from that particular source and has the
13 organoleptic, physicochemical, and microscopic properties
14 corresponding with that origin. If honey is designated according to
15 floral or plant source as stated in this subsection, the common name
16 or the botanical name of the floral source shall be used in
17 conjunction with or joined with the word honey.

18 G. Honey produced and sold under Section 1 of this act shall be
19 designated according to the following types:

20 1. "Honey" which means that honey is in a liquid or crystalline
21 state or a mixture of the two;

22 2. "Comb honey" which means honey stored by bees in the cells
23 of freshly built broodless combs and which is sold in sealed whole
24 combs or sections of combs; and

1 3. "Cut comb in honey", "honey with comb" or "chunk honey"
2 which means honey that contains one or more pieces of comb honey.

3 SECTION 3. This act shall become effective November 1, 2011.

4 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE & RURAL DEVELOPMENT,
5 dated 2-28-11 - DO PASS, As Coauthored.

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