

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

Kimberly Redmond, 'Raw, unprocessed honey now exempt from NJ's cottage food law', NJBIZ (online), 5 Dec 2022

end

P.L. 2022, CHAPTER 124, *approved December 1, 2022*
Assembly, No. 3991, (*First Reprint*)

1 AN ACT concerning the regulation of honey.

2

3 **BE IT ENACTED** by the Senate and General Assembly of the State
4 of New Jersey:

5

6 1. ¹**[a.]** For the purposes of N.J.A.C.8:24-1.5 et seq. or any
7 other applicable rule or regulation, honey that is raw and has not
8 been processed, infused, pasteurized, or otherwise modified or
9 combined with any other food or product shall not be deemed to be
10 a “cottage food product,” as defined in N.J.A.C.8:24-1.5.

11 ¹**[b.]** Within 60 days after the effective date of this section, the
12 Department of Agriculture and the Department of Health shall
13 adopt or amend rules or regulations as may be necessary to
14 effectuate the purposes of this section. The rules and regulations
15 shall become effective immediately upon the filing of proper notice
16 with the Office of Administrative Law, shall remain in effect for a
17 period not to exceed 18 months after the date of filing, and,
18 thereafter, shall be adopted, amended, or readopted in accordance
19 with the “Administrative Procedure Act,” P.L.1968, c.410
20 (C.52:14B-1 et seq.).¹

21

22 2. This act shall take effect immediately.

23

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25

26

27 Exempts raw, unprocessed honey from DOH cottage food
28 regulations.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SHH committee amendments adopted October 6, 2022.

ASSEMBLY, No. 3991

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MAY 12, 2022

Sponsored by:

Assemblyman ROY FREIMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Assemblyman WILLIAM W. SPEARMAN

District 5 (Camden and Gloucester)

Assemblyman JOE DANIELSEN

District 17 (Middlesex and Somerset)

Co-Sponsored by:

Assemblymen Space, Wirths and Rooney

SYNOPSIS

Exempts raw, unprocessed honey from DOH cottage food regulations.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/19/2022)

1 AN ACT concerning the regulation of honey.

2

3 **BE IT ENACTED** *by the Senate and General Assembly of the State*
4 *of New Jersey:*

5

6 1. a. For the purposes of N.J.A.C.8:24-1.5 et seq. or any other
7 applicable rule or regulation, honey that is raw and has not been
8 processed, infused, pasteurized, or otherwise modified or combined
9 with any other food or product shall not be deemed to be a “cottage
10 food product,” as defined in N.J.A.C.8:24-1.5.

11 b. Within 60 days after the effective date of this section, the
12 Department of Agriculture and the Department of Health shall
13 adopt or amend rules or regulations as may be necessary to
14 effectuate the purposes of this section. The rules and regulations
15 shall become effective immediately upon the filing of proper notice
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19 with the “Administrative Procedure Act,” P.L.1968, c.410
20 (C.52:14B-1 et seq.).

21

22 2. This act shall take effect immediately.

23

24

25 STATEMENT

26

27 This bill would clarify that, for the purposes of N.J.A.C.8:24-1.5
28 or any other applicable rule or regulation, honey that is raw and has
29 not been processed, infused, pasteurized, or otherwise modified or
30 combined with any other food or product may not be deemed to be a
31 “cottage food product,” as defined in N.J.A.C.8:24-1.5.

32 The bill would require the Department of Agriculture and the
33 Department of Health, within 60 days after the bill’s effective date,
34 to adopt or amend rules or regulations, on an emergency basis, as
35 may be necessary to effectuate the bill’s purposes.

36 This bill is intended to address the recommendations and
37 requests set forth by the New Jersey Beekeepers, in Resolution No.
38 43, at the 2022 State Agricultural Convention.

ASSEMBLY AGRICULTURE AND FOOD SECURITY
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3991

STATE OF NEW JERSEY

DATED: MAY 19, 2022

The Assembly Agriculture and Food Security Committee reports favorably Assembly Bill No. 3991.

This bill would clarify that, for the purposes of N.J.A.C.8:24-1.5 or any other applicable rule or regulation, honey that is raw and has not been processed, infused, pasteurized, or otherwise modified or combined with any other food or product may not be deemed to be a “cottage food product,” as defined in N.J.A.C.8:24-1.5.

“Cottage food product” is defined in the regulations as a food product that is not a TCS food product (a food product that requires time and/or temperature control for safety to limit pathogenic microorganism growth or toxin formation) that a cottage food processor prepares.

The bill would require the Department of Agriculture and the Department of Health, within 60 days after the bill’s effective date, to adopt or amend rules or regulations, on an emergency basis, as may be necessary to effectuate the bill’s purposes.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3991

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 6, 2022

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Assembly Bill No. 3991.

As amended by the committee, this bill clarifies that, for the purposes of N.J.A.C.8:24-1.5 or any other applicable rule or regulation, honey that is raw and has not been processed, infused, pasteurized, or otherwise modified or combined with any other food or product may not be deemed to be a “cottage food product,” as defined in N.J.A.C.8:24-1.5.

As reported by the committee with amendments, Assembly Bill No. 3991 is identical to Senate Bill No. 2697, which was also reported by the committee on this date with amendments.

COMMITTEE AMENDMENTS:

The committee amendments remove a provision from the bill that would have required the Department of Agriculture and the Department of Health to adopt or amend rules or regulations, on an emergency basis, to effectuate the provisions of the bill.

SENATE, No. 2697

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED MAY 19, 2022

Sponsored by:

Senator ANDREW ZWICKER

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Senator STEVEN V. OROHO

District 24 (Morris, Sussex and Warren)

Co-Sponsored by:

Senator Turner

SYNOPSIS

Exempts raw, unprocessed honey from DOH cottage food regulations.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 9/22/2022)

1 AN ACT concerning the regulation of honey.

2

3 **BE IT ENACTED** *by the Senate and General Assembly of the State*
4 *of New Jersey:*

5

6 1. a. For the purposes of N.J.A.C.8:24-1.5 et seq. or any other
7 applicable rule or regulation, honey that is raw and has not been
8 processed, infused, pasteurized, or otherwise modified or combined
9 with any other food or product shall not be deemed to be a “cottage
10 food product,” as defined in N.J.A.C.8:24-1.5.

11 b. Within 60 days after the effective date of this section, the
12 Department of Agriculture and the Department of Health shall
13 adopt or amend rules or regulations as may be necessary to
14 effectuate the purposes of this section. The rules and regulations
15 shall become effective immediately upon the filing of proper notice
16 with the Office of Administrative Law, shall remain in effect for a
17 period not to exceed 18 months after the date of filing, and,
18 thereafter, shall be adopted, amended, or readopted in accordance
19 with the “Administrative Procedure Act,” P.L.1968, c.410
20 (C.52:14B-1 et seq.).

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22 2. This act shall take effect immediately.

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25 STATEMENT

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27 This bill would clarify that, for the purposes of N.J.A.C.8:24-1.5
28 or any other applicable rule or regulation, honey that is raw and has
29 not been processed, infused, pasteurized, or otherwise modified or
30 combined with any other food or product may not be deemed to be a
31 “cottage food product,” as defined in N.J.A.C.8:24-1.5.

32 The bill would require the Department of Agriculture and the
33 Department of Health, within 60 days after the bill’s effective date,
34 to adopt or amend rules or regulations, on an emergency basis, as
35 may be necessary to effectuate the bill’s purposes.

36 This bill is intended to address the recommendations and
37 requests set forth by the New Jersey Beekeepers, in Resolution No.
38 43, at the 2022 State Agricultural Convention.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 2697

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 6, 2022

The Senate Health, Human Services and Senior Citizens Committee reports favorably Senate Bill No. 2697 with committee amendments.

As amended by the committee, this bill clarifies that, for the purposes of N.J.A.C.8:24-1.5 or any other applicable rule or regulation, honey that is raw and has not been processed, infused, pasteurized, or otherwise modified or combined with any other food or product may not be deemed to be a “cottage food product,” as defined in N.J.A.C.8:24-1.5.

As reported by the committee with amendments, Senate Bill No. 2697 is identical to Assembly Bill No. 3991, which was also reported by the committee on this date with amendments.

COMMITTEE AMENDMENTS:

The committee amendments remove a provision from the bill that would have required the Department of Agriculture and the Department of Health to adopt or amend rules or regulations, on an emergency basis, to effectuate the provisions of the bill.