

As Introduced

**129th General Assembly
Regular Session
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S. B. No. 91

Senator Schaffer

Cosponsors: Senators Seitz, Beagle, Manning

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A B I L L

To amend section 3715.021 of the Revised Code to 1
exclude manufacturers and distributors of wine and 2
distributors of beer from regulation as food 3
processing establishments under the Pure Food and 4
Drug Law. 5

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

Section 1. That section 3715.021 of the Revised Code be 6
amended to read as follows: 7

Sec. 3715.021. (A) As used in this section, "food processing 8
establishment" means a premises or part of a premises where food 9
is processed, packaged, manufactured, or otherwise held or handled 10
for distribution to another location or for sale at wholesale. 11
"Food processing establishment" includes the activities of a 12
bakery, confectionery, cannery, bottler, warehouse, or 13
distributor, and the activities of an entity that receives or 14
salvages distressed food for sale or use as food. ~~A "food "~~ "Food 15
processing establishment" does not include a cottage food 16
production operation; a manufacturer or distributor of wine as 17
defined in section 4301.01 of the Revised Code; a distributor of 18
beer as defined in section 4301.01 of the Revised Code; a 19

processor of maple syrup who boils sap when a minimum of 20
seventy-five per cent of the sap used to produce the syrup is 21
collected directly from trees by that processor; a processor of 22
sorghum who processes sorghum juice when a minimum of seventy-five 23
per cent of the sorghum juice used to produce the sorghum is 24
extracted directly from sorghum plants by that processor; or a 25
beekeeper who jars honey when a minimum of seventy-five per cent 26
of the honey is from that beekeeper's own hives. 27

(B) The director of agriculture shall adopt rules in 28
accordance with Chapter 119. of the Revised Code that establish, 29
when otherwise not established by the Revised Code, standards and 30
good manufacturing practices for food processing establishments, 31
including the facilities of food processing establishments and 32
their sanitation. The rules shall conform with or be equivalent to 33
the standards for foods established by the United States food and 34
drug administration in Title 21 of the Code of Federal 35
Regulations. 36

A business or that portion of a business that is regulated by 37
the department of agriculture under Chapter 917. or 918. of the 38
Revised Code is not subject to regulation under this section as a 39
food processing establishment. 40

Section 2. That existing section 3715.021 of the Revised Code 41
is hereby repealed. 42