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HOUSE BILL 340

43RD LEGISLATURE- STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

G. X. MCSHERRY

AN ACT

RELATING TO AGRICULTURE; DEFINING PURE HONEY FOR PURPOSES OF THE
FOOD SERVICE SANITATION ACT; CREATING AN EXEMPTION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 25-1-2 NMSA 1978 (being Laws 1977,
Chapter 309, Section 2, as amended) is amended to read:

"25-1-2. DEFINITIONS. --As used in the Food Service
Sanitation Act:

A. "agency" or "division" means the department of
environment;

B. "board" means the environmental improvement
board;

C. "employee" means any individual employed in a
food service establishment who transports food or food
containers, who handles food during storage, preparation or

1 serving, who comes in contact with any utensils or who is
2 employed in a room in which food is stored, prepared or served;

3 D. "food" means any solid or liquid substance
4 intended for human consumption by eating or drinking;

5 E. "general public" includes beneficiaries of
6 governmental feeding programs and private charitable feeding
7 programs and residents and employees of institutions that
8 provide meals to their residents and employees either with or
9 without direct payment to the institution by the residents or
10 employees;

11 F. "temporary food service establishment" means a
12 food service establishment that operates at a fixed location in
13 conjunction with a single event or celebration for a short
14 period of time not exceeding the event or celebration or not
15 exceeding thirty days;

16 G. "person" means an individual or any other legal
17 entity;

18 H. "food service establishment" means:

19 (1) any fixed or mobile place where food is
20 served and sold for consumption on the premises;

21 (2) any fixed or mobile place where food is
22 prepared for sale to or consumption by the general public either
23 on or off the premises, including any place where food is
24 manufactured for ultimate sale in a sealed original package, but
25 "prepared" as used in this paragraph does not include the

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1 preparation of raw fruits, [~~and~~] vegetables or pure honey for
2 display and sale in a grocery store or similar operation. For
3 purposes of this paragraph, "pure honey" means natural liquid or
4 solid honey, extracted from the combs or in the comb, taken from
5 beehives, with no processing or additional ingredients. "Food

6 service establishment" does not mean a dairy establishment; and
7 (3) meat markets, whether or not operated in
8 conjunction with a grocery store;

9 I. "utensil" means any implement used in the
10 storage, preparation, transportation or service of food; and

11 J. "dairy establishment" means a milk processing or
12 milk producing facility."

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State of New Mexico
House of Representatives

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 4, 1997

Mr. Speaker:

**Your CONSUMER AND PUBLIC AFFAIRS COMMITTEE, to
whom has been referred**

HOUSE BILL 340

**has had it under consideration and reports same with
recommendation that it DO PASS.**

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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Respectfully submitted,

Gary King, Chairman

Adopted _____

Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 6 For 0 Against

Yes: 6

Excused: Rios, Sandel, Trujillo, Vigil

Absent: None

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 15, 1997

Mr. President:

Your CONSERVATION COMMITTEE, to whom has been referred

HOUSE BILL 340

has had it under consideration and reports same with
recommendation that it DO PASS.

Respectfully submitted,

Michael S. Sanchez, Chairman

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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Date _____

The roll call vote was 10 For 0 Against

Yes: 10

No: None

Excused: None

Absent: None

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State of New Mexico House of Representatives

**FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997**

February 20, 1997

Mr. Speaker:

**Your AGRICULTURE AND WATER RESOURCES COMMITTEE,
to whom has been referred**

HOUSE BILL 340

**has had it under consideration and reports same with
recommendation that it DO PASS, and thence referred to the
CONSUMER AND PUBLIC AFFAIRS COMMITTEE.**

Respectfully submitted,

G. X. McSherry, Chairman

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 7 For 0 Against

Yes: 7

Excused: Porter, Wright

Absent: None

M \H0340

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