

ACT No. 241

2016 Regular Session

HOUSE BILL NO. 188

BY REPRESENTATIVE BISHOP

1 AN ACT

2 To amend and reenact R.S. 56:317(A) and (B), relative to the Louisiana Catch and Cook
3 Program; to allow retail food establishments to prepare certain alligator meat; to
4 provide for the promulgation of rules; to provide for terms, conditions, and
5 requirements; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 56:317(A) and (B) are hereby amended and reenacted to read as
8 follows:

9 §317. Louisiana Catch and Cook Program; preparation of recreational fish or
10 alligator in retail food establishments

11 A. Notwithstanding any provision of the state Sanitary Code or any other law
12 or regulation to the contrary, it shall be lawful for retail food establishments to
13 receive and prepare any freshwater or saltwater recreational fish as defined in R.S.
14 56:8 or alligator as provided in this Section.

15 B.(1) The secretary of the Department of Wildlife and Fisheries is hereby
16 authorized to establish the Louisiana Catch and Cook Program, whereby a retail food
17 establishment is authorized to prepare any fish legally taken by a licensed
18 recreational fisherman or any alligator legally taken by a licensed alligator hunter for
19 consumption by that recreational fisherman or alligator hunter or any person in ~~his~~
20 the fisherman's or hunter's party.

21 (2) The program shall be established through the promulgation and adoption
22 of rules and regulations in conjunction with the Department of Health and Hospitals

1 and in accordance with the Administrative Procedure Act. Such rules and
2 regulations shall include but are not limited to the following which shall be enforced
3 by Department of Health and Hospitals, office of public health:

4 (a) The retail food establishment shall complete, date, and have the
5 recreational fisherman or alligator hunter who brings the fish or alligator in for
6 preparation sign an assumption of risk form. The completed, dated, and signed form
7 shall be maintained at the establishment for a period of no less than ninety days. The
8 establishment shall provide the completed forms to the state health officer upon
9 request.

10 (b) The retail food establishment shall receive only fish or alligator meat that
11 ~~have~~ has been cleaned; ~~filleted;~~ placed in clean, food-grade, single-service
12 packaging; ~~and properly refrigerated.~~

13 (c) The retail food establishment shall inspect the fish or alligator for
14 freshness and proper receiving temperature.

15 (d) The fish or alligator shall be properly labeled with the date, time, and
16 name of the recreational fisherman or alligator hunter.

17 (e) The retail food establishment shall store, prepare, and otherwise handle
18 the fish or alligator separately from products being prepared for and served to the
19 general public.

20 (f) The retail food establishment shall store, prepare, and otherwise handle
21 the fish or alligator in compliance with provisions of the state Sanitary Code.

22 (g) The retail food establishment shall prepare and serve the fish to the
23 recreational fisherman or alligator to the alligator hunter or any person in ~~his~~ the
24 fisherman's or hunter's party within four hours of receipt of the fish or alligator.

25 (h) Containers, preparation tables, cutting boards, utensils, and other food
26 preparation equipment used to prepare and serve the fish or alligator shall be
27 properly cleaned and sanitized in accordance with provisions of the state Sanitary
28 Code prior to use preparing foods to serve to the general public.

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GOVERNOR OF THE STATE OF LOUISIANA

CODING: Words in ~~struck-through~~ type are deletions from existing law; words underscored are additions.