

2016 Regular Session

HOUSE BILL NO. 188

BY REPRESENTATIVE BISHOP

FISHING: Adds alligator in the Louisiana Catch and Cook Program

## 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.

1           (2) The program shall be established through the promulgation and adoption  
2 of rules and regulations in conjunction with the Department of Health and Hospitals  
3 and in accordance with the Administrative Procedure Act. Such rules and  
4 regulations shall include but are not limited to the following which shall be enforced  
5 by Department of Health and Hospitals, office of public health:

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

12           (b) The retail food establishment shall receive only fish or alligator meat that  
13 ~~have~~ has been cleaned; ~~2~~ filleted; ~~2~~ placed in clean, food-grade, single-service  
14 packaging; and properly refrigerated.

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

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

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

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

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

27           (h) Containers, preparation tables, cutting boards, utensils, and other food  
28 preparation equipment used to prepare and serve the fish or alligator shall be

1 properly cleaned and sanitized in accordance with provisions of the state Sanitary  
2 Code prior to use preparing foods to serve to the general public.

3 (i) The fish or alligator shall be served directly to the recreational fisherman  
4 or alligator hunter or any person in ~~his~~ the fisherman's or hunter's party immediately  
5 upon the completion of cooking and shall not be served to the general public.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 188 Reengrossed

2016 Regular Session

Bishop

**Abstract:** Adds alligator into the Catch and Cook Program in the Dept. of Wildlife and Fisheries.

Present law provides for the Catch and Cook Program within the Dept. of Wildlife and Fisheries that authorizes retail food establishments to receive and prepare any freshwater or saltwater recreational fish taken by a licensed recreational fisherman for consumption by that recreational fisherman or any person in his party. Present law authorizes the secretary, in conjunction with the Dept. of Health and Hospitals, to promulgate rules and regulations for the program and provides for certain content and requirements of the rules.

Proposed law retains present law and adds alligator taken by a licensed alligator hunter into the program.

(Amends R.S. 56:317(A) and (B))

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Natural Resources and Environment to the original bill:

1. Made a technical change.