

***Idaho State Department of Agriculture
Negotiated Rulemaking Meeting - Rules Governing Honey Standards
August 9, 2012
Mike Cooper, Facilitator***

Present: Dale Riesinger, Idaho Honey Commission; Hamilton Honey LLC; Noyes Apiaries Inc.; Rick Waitly, Benjamin Kelly, John Millet and Sheila Millet, Idaho Honey Industry Association; State Representative Darrell Bolz; Sean Costello, OAG/ISDA; Mike Cooper, ISDA; and Melinda Bouldin, ISDA recording.

AGENDA ITEMS

WELCOME

Mike Cooper convened the meeting at 1:30 p.m.

Introductions were made of all present. Mr. Cooper directed everyone's attention to the draft language being presented. He stated that the two main areas of concern were establishing the complaint process and labeling requirements. As a sample he presented language currently being used in Oregon's statute.

A concern was raised with the last sentence in Paragraph 015. *Standards of Identity – Honey*. The last sentence, "Chemical or biochemical treatments shall not be used to influence honey crystallization" caused concern to the group relating to the production of creamed honey. Discussion surrounded the issue of whether or not the seed added to make creamed honey would be considered a chemical or biochemical substance. It was eventually agreed upon by the group to remove the entire sentence from that paragraph and make it a stand- alone subsection.

In the subsection 015.01 *Moisture Content*, there were misgivings expressed about the steam production used in honey production possibly causing a violation. After brief discussion, it was decided that the entire first sentence in that section would be stricken, leaving only "*Honey shall not have a moisture content exceeding 23%*".

The group then focused on 15.03(a). Of particular concern was the use of the term "microscopic properties" in this sentence. Mr. Cooper stated that this term was referring to pollen, however, a stakeholder had been in contact with a representative of Sue Bee Honey who stated that this term should not be included, because of the way honey is analyzed. After discussion, it was decided to strike "microscopic properties" from the paragraph.

A stake holder expressed concern over 016.03., *Types and Styles of Honey*. Of particular concern is the definition of raw honey, specifically the statement referring to it not having been heated above 118 degrees Fahrenheit. There are many variables which could cause the product to unintentionally be heated to this level. It was also mentioned that there is not clear, decisive definition of raw honey. After much discussion, it was decided that the reference to temperature would be removed from the definition of raw honey.

Mr. Cooper then directed all to the labeling issue. He shared Oregon's statute with the group as an

example of potential language. After discussion, it was decided that since food product labeling laws are already in place, and since all elements of honey are identified in the sections 015. (Standards of Identity) and 016. (Types and Styles of Honey), a labeling section is not needed.

Mr. Cooper then broached the subject of establishing a complaint process. After discussion it was decided that initial complaints would come to the ISDA who would then forward it to the Honey Commission for review. The Commission may then request the ISDA to acquire a sample of the product and have it tested. The results would then be reviewed by the Commission and a recommendation made to the ISDA as to any further action if warranted.

Mr. Cooper informed the group that he would get an updated draft of the rule up on the ISDA website no later than August 17, 2012.

The meeting was adjourned at 3:15 p.m.

Respectfully submitted by Melinda Bouldin