

Georgia State Laws Affected by H.R. 4879

- I. Food
 - a. Food Safety
 - i. Date Label Laws
 - 1. These laws require and regulate “sell-by” date labels on food items. They are intended to promote both food quality and safety.
 - 2. Ga. Comp. R. & Regs. 40-2-3-.01
 - 3. Ga. Comp. R. & Regs. 40-3-1-.01
 - 4. Ga. Comp. R. & Regs. 40-7-1-.13
 - ii. Sale of Expired Foods
 - 1. These regulations prohibit or restrict the sale of food items past their expiration date. Most of these laws apply generally to many types of food items and are intended to protect quality and safety.
 - 2. Ga. Comp. R. & Regs. 40-3-1-.01
 - 3. Ga. Comp. R. & Regs. 40-7-1-.02
 - 4. Ga. Comp. R. & Regs. 40-7-1-.13
 - b. Dairy
 - i. Date Labels
 - 1. These laws require milk or other dairy products be marked with a “sell-by” label to indicate the date by which the product should be sold to consumers.
 - 2. Ga. Comp. R. & Regs. 40-2-3-.01
 - 3. Ga. Comp. R. & Regs. 40-7-1-.02
 - 4. Ga. Comp. R. & Regs. 40-7-1-.13
 - c. Milk
 - i. Grade “A” Milk
 - 1. The Pasteurized Milk Ordinance, or “PMO,” is a basic standard used for the processing and packaging of Grade “A” milk. Some states adopt this model standard and others set their own standards that are at least as stringent as the PMO. These state standards apply both to milk processed within the state and milk sold in the state from across lines.
 - 2. Ga. Comp. R. & Regs. 40-2-15-.01
 - d. Eggs
 - i. Date Labels
 - 1. These laws require egg containers to be marked with a “sell-by” label to indicate the date by which the product should be sold to consumers
 - 2. Ga. Comp. R. & Regs. 40-2-3-.01
 - 3. Ga. Comp. R. & Regs. 40-7-1-.02
 - 4. Ga. Comp. R. & Regs. 40-7-1-.13
 - e. Shellfish

- i. Date Labels
 - 1. These laws require shellfish containers be marked with a “sell-by,” “best if used by,” or “date shucked” label to indicate to consumers when the product was packaged or the date by which it should be consumed.
 - 2. Ga. Comp. R. & Regs. 40-7-1-.02
- ii. Sourcing Requirements
 - 1. These regulations impose requirements on the sourcing of shellfish. Most often, they stipulate that molluscan shellfish received into the state through interstate commerce must be from sources approved by the Interstate Certified Shellfish Shippers List.
 - 2. Ga. Comp. R. & Regs. 511-6-1-.04
- f. Citrus
 - i. Maturity and Quality Standards
 - 1. These laws impose restrictions on the types of citrus that may be offered for sale in the state to ensure that it is fit for consumption and adheres to certain quality standards. Some require that fruit not be damaged or degraded in particular ways. Others require that it be mature and ripe prior to sale or ensure that it comes from a licensed manufacturer.
 - 2. Ga. Comp. R. & Regs. 40-7-13-.01
- g. Mushrooms
 - i. Wild Mushroom Processing and Licensing
 - 1. These laws allow retail food establishments to sell mushrooms picked in the wild subject to certain conditions. Frequently, they require that mushrooms sold in the state be properly processed by a licensed processing plant in order to ensure they are safe for human consumption.
 - 2. Ga. Comp. R. & Regs. 40-7-1-.09
 - 3. Ga. Comp. R. & Regs. 511-6-1-.04
- h. Honey
 - i. Honey Transportation
 - 1. These laws regulate the manner in which honey can be transported through or into the state. They are intended to facilitate inspection and prevent the escape of bees traveling with the comb.
 - 2. Ga. Comp. R. & Regs. 40-4-1-.04
- i. Oleomargarine (“Margarine”)
 - i. Labeling
 - 1. Federal regulations prohibit the labeling of oleomargarine (“margarine”) as a dairy product and require certain information be included on margarine labels. Some states impose additional labeling requirements on these products such as those requiring

- specific ingredients be listed, that individual sticks be labeled, and that various other information be included.
 - 2. Ga. Comp. R. & Regs. 40-10-1-.19
 - 3. Ga. Comp. R. & Regs. 40-15-3-.11
 - 4. Ga. Comp. R. & Regs. 40-15-4-.01
- j. Prepackaged Foods
 - i. Sandwiches
 - 1. These regulations impose date labeling requirements on sandwiches prior to sale.
 - 2. Ga. Comp. R. & Regs. 40-7-1-.13
- k. Potentially Hazardous Foods
 - i. Date Labels
 - 1. These laws require date labels on potentially hazardous foods offered for sale. Potentially hazardous foods are defined as goods with the potential for rapid bacterial growth. Often, they include foods that have been heat-treated and require temperature controls.
 - 2. Ga. Comp. R. & Regs. 40-7-1-.02
- l. Infant Formula
 - i. Sale of Expired
 - 1. These laws prohibit the sale of infant formula past its expiration date. They are intended to prevent babies from ingesting formula that is of inferior quality or nutritional value, as well as that which may pose health risks.
 - 2. Ga. Comp. R. & Regs. 40-7-1-.02
 - 3. Ga. Comp. R. & Regs. 40-7-1-.13
- m. Cottage Food Production
 - i. Labeling, Production, and Restriction of Sale
 - 1. These laws place conditions or restrictions the production and sale of cottage foods—those foods not produced in a commercial kitchen but instead created in home kitchens or small-scale production facilities. They are intended to ensure that the food is safe and properly labeled.
 - 2. Ga. Comp. R. & Regs. 40-7-19-.05
 - 3. Ga. Comp. R. & Regs. 40-7-19-.09
- II. Alcohol
 - a. None
- III. Drugs
 - a. Recreational
 - i. Salvia
 - 1. Salvia divinorum or “Salvia” is a species of plant whose leaves have psychoactive properties when consumed or inhaled. Some laws criminalize the sale or possession of salvia, while others impose age restrictions for purchase.

Most often, it is spread through exposure to the spores formed during the decay of deceased animals. Federal regulation prohibits the interstate movement of animals affected by anthrax. However, states impose further restrictions on the importation of animals that have been or may have been exposed to the disease.

2. Ga. Comp. R. & Regs. 40-13-1-.05
3. Ga. Comp. R. & Regs. 40-13-4-.02

ii. Brucellosis

1. Brucellosis is a contagious and costly disease typically affecting cattle, bison, cervids (elk and deer), and swine that also affects humans. It is a bacterial infection that spreads from animals to people most often through ingestion of unpasteurized milk, cheese, and other dairy products. All 50 states participate in a voluntary program with the federal government to control brucellosis in cattle, and many states impose additional regulations requiring testing, reporting, and regulating of imports.
2. Ga. St. 4-4-95.1
3. Ga. Comp. R. & Regs. 40-13-2-.04
4. Ga. Comp. R. & Regs. 40-13-2-.05

iii. Bovine Tuberculosis

1. In the early 19th century, bovine tuberculosis caused more deaths of cattle than all other diseases combined. It is a chronic bacterial disease of cows that can spread to humans, typically by the inhalation of aerosols or the ingestion of unpasteurized milk. All 50 states participate in a voluntary program administered in conjunction with the federal government requiring testing, quarantine, and destruction of diseased animals. In addition many states have enacted special legislation addressing the importation of cattle into the state.
2. Ga. Comp. R. & Regs. 40-13-2-.06
3. Ga. Comp. R. & Regs. 40-13-4-.07

iv. Rabies

1. Rabies can occur in all warm-blooded animals and is always fatal if not treated promptly after exposure. All forms of livestock and companion animals are at risk for contracting the disease. Transmission often occurs through a bite from a rabid animal and as such the disease can travel between wild and domestic species. These laws prohibit the importation of animals exposed to rabies or impose additional restrictions to prevent the spread of this disease.
2. Ga. Comp. R. & Regs. 40-13-1-.05
3. Ga. Comp. R. & Regs. 40-13-4-.02

c. Cervids

i. Chronic Wasting Disease (“CWD”): Restrictions

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1. These laws impose import restrictions and other requirements to ensure that cervids entering the state are not carriers of chronic wasting disease. Some regulations require that only cervids that have been enrolled in a voluntary CWD Herd Certification Program and have undergone testing for the disease may enter the state. These laws are intended to protect local deer producers and wild deer populations.
 2. Ga. Comp. R. & Regs. 40-13-2-.13
 3. Ga. Comp. R. & Regs. 391-4-9-.05
- d. Bees
- i. Import Requirements and Health Certifications
 1. These laws impose certification, permitting, or registration requirements prior to the movement of bees into the state. They are intended to ensure the health of bee colonies prior to import in order to protect the health of local bee populations and prevent the spread of disease.
 2. Ga. Comp. R. & Regs. 40-4-1-.03
 - ii. Destruction or Treatment of Colonies with American Foulbrood
 1. These regulations work to limit the spread of American Foulbrood, a hive-destroying mite that can spread between colonies. Some require the immediate destruction of entering hives found to contain American Foulbrood. Others require hives to be sprayed or treated for Foulbrood prior to import into the state.
 2. Ga. Comp. R. & Regs. 40-4-1-.03
- e. Horses
- i. Equine Infectious Anemia
 1. Equine Infectious Anemia (“EIA” or “Swamp Fever”) is a viral disease that is extremely contagious, spread through fly bites, and leads to severe, chronic disease or death. Federal regulations restrict the interstate movement of horses once they test positive for EIA but impose no testing requirement. States regulate the importation of horses, often requiring a negative EIA test prior to import.
 2. Ga. Comp. R. & Regs. 40-13-2-.12
- f. Sheep and Goats
- i. Scrapie
 1. Scrapie is a fatal, degenerative disease that affects the nervous systems of infected sheep and goats. It is one of several transmissible spongiform encephalopathies (“TSEs”)—which are related to bovine spongiform encephalopathy (“BSE” or “mad cow disease”) and chronic wasting disease in deer. Some states participate in the voluntary National Scrapie Eradication Program to test and destroy animals that test positive for scrapie. In

addition, many states require negative testing or certification prior to importation.

2. Ga. Comp. R. & Regs. 40-13-2-.11
- ii. Scabies
 1. Scabies is a contagious skin infection caused by mites that afflicts various species of livestock including sheep, goats, and cattle. It causes itching, poor body condition, and hair loss. State regulations often impose sanitation requirements, certification, or other import restrictions, such as requirements that animals be given a dip treatment prior to entering the state.
 2. Ga. Comp. R. & Regs. 40-13-2-.11
- g. Swine
 - i. Pseudorabies
 1. Pseudorabies is an infectious, herpes-virus disease of the central nervous system that causes convulsions, intense itching, and is generally fatal. Some states participate in the voluntary Pseudorabies Eradication State-Federal-Industry Program which includes surveillance, herd certification, and herd cleanup once an animal tests positive. Additionally, many states require testing or certification prior to import.
 2. Ga. Comp. R. & Regs. 40-13-2-.08
 - ii. Swine Vesicular Disease
 1. Swine vesicular disease causes lesions on the feet, snout, and mouth of swine, and is economically costly because it must be distinguished from foot-and-mouth disease. These laws restrict the importation of pigs to prevent the spread of swine vesicular disease.
 2. Ga. Comp. R. & Regs. 40-13-1-.05
 3. Ga. Comp. R. & Regs. 40-13-4-.02
- h. Pig Semen and Ova
 - i. Gamete Importation
 1. These laws impose regulations and restrictions on the importation of semen and ova from swine to be used for breeding purposes. They are intended to prevent the transmission of disease and ensure that animals produced from imported stock are healthy.
 2. Ga. Comp. R. & Regs. 40-13-2-.04
 3. Ga. Comp. R. & Regs. 40-13-2-.08
 - i. Exotic Meats
 - i. Ostrich and Other Ratites
 1. These regulations require that ostrich and other ratites be accompanied by a certification of veterinary inspection prior to import. They are intended to protect local ostrich farming operations and ensure that ostrich meat and other products are healthy and free from disease.

- iv. Nutritional Claims
 1. These laws regulate the use of the word “proven” in promotional marketing and labeling of pet food products. They are intended to prevent the misuse of the word to avoid promoting claims not supported by science.
 2. Ga. Comp. R. & Regs. 40-5-8-.02
- v. Flavor Labeling
 1. These regulations govern flavor designation and labeling on pet food packaging.
 2. Ga. Comp. R. & Regs. 40-5-8-.03
- vi. Requirements of Manufacturers
 1. These laws impose licensing requirements on pet food manufacturers who wish to sell products within the state.
 2. Ga. Code Ann., § 2-13-6
- vii. Raw Milk as Pet Food: Labeling
 1. These laws require certain labels on raw milk sold as pet food. Most commonly, they require the following warning: “May Contain Harmful Bacteria.”
 2. Ga. Comp. R. & Regs. 40-5-8-.02
- b. Prohibited Foods
 - i. Feed Garbage to Swine
 1. Swine Health Protection Act (“SHPA”) requires that meat and animal-byproduct-containing food scraps are heat treated before being fed to swine. However, states can impose additional regulations including more stringent heat treatments, conditions on vegetable food scraps, regulations on what can be feed to owner’s own swine, import regulations, etc. For the purposes of this discussion, only regulations addressing restrictions on the importation of garbage-fed swine are relevant.
 2. Ga. Comp. R. & Regs. 40-13-2-.08
- X. Dead Animals and Animal Parts
 - a. Dog and Cat Meat
 - i. Prohibition
 1. These laws impose prohibit the sale of companion animals for human consumption or otherwise prohibit human consumption of dog and cat meat.
 2. Ga. Code Ann., § 26-2-160
 - b. Animals that Died Other Than By Slaughter
 - i. Prohibition or Permitting
 1. These laws impose import restrictions on certain types of dead domestic animals. Some require that no domestic animal carcass can be imported or sold within the state if the animal in question died other than by slaughter—except as authorized by a special

- permit awarded by the state. These laws are intended to limit risks to public health.
 - 2. Ga. Comp. R. & Regs. 40-13-5-.06
 - c. Alligator Meat and Hides
 - i. Tagging and Licensing Requirements
 - 1. These laws impose tagging, permitting, or other licensing requirements on anyone manufacturing or selling alligator hides or meat within the state. Some require documentation from the state of origin. They seek to increase oversight of the alligator farming industry and cut down on the amount of illegal sales and poaching.
 - 2. Ga. Comp. R. & Regs. 391-4-13-.03
 - 3. GA ST § 27-3-19
- XI. Invasive Pests, Plants, and Disease
 - a. Ash Trees
 - i. Emerald Ash Borer
 - 1. The emerald ash borer is a green jewel beetle from Asia that causes nearly 100% mortality of ash trees in an infected area within 10 years. These laws supplement federal regulation and establish additional quarantines, prohibit the importation of regulated articles, or impose other conditions or inspection systems affecting regulated articles prior to import.
 - 2. Ga. Comp. R. & Regs. 224-3-.03
 - 3. Ga. Comp. R. & Regs. 40-4-25-.01
 - 4. Ga. Comp. R. & Regs. 40-4-25-.03
 - b. Peach, Plum, Apricot, Nectarine, and Almond Trees
 - i. Phony Peach Disease
 - 1. These laws impose quarantines on other import restrictions on plants or plant products that have been known to carry *Xylella fastidiosa*, the bacteria that causes phony peach disease. These regulations are intended to protect local fruit tree stocks and limit the spread of the disease that stops infected trees from bearing fruit.
 - 2. Ga. Comp. R. & Regs. 40-4-13-.01
 - 3. Ga. Comp. R. & Regs. 40-4-13-.05
 - c. Blueberries and Huckleberries
 - i. Blueberry Scorch Virus
 - 1. These laws impose quarantines on blueberries or huckleberries that may have been exposed to the blueberry scorch virus. They are intended to protect local berry producers.
 - 2. Ga. Comp. R. & Regs. 40-4-24-.04
 - d. Cotton
 - i. Boll Weevil and Pink Bollworm

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1. The boll weevil and pink bollworm are both insects that feed on cotton buds and seeds and led to the devastation of the cotton industry in the 1920's. These laws are intended to supplement federal regulations. They impose quarantines, restrict movement of products, and establish programs to treat all infected cotton with pesticides.
 2. Ga. Comp. R. & Regs. 40-24-1-.08
- e. Vegetables
- i. Certification of Vegetables
 1. These laws require all vegetable plants shipped into the state to be accompanied by an authorized certificate from the originating state. The certificate must declare the plants appear to be free from injurious insects, pests, or plant diseases, and that said vegetable plants were properly treated during their growing season to prevent the establishment of injurious insects, pests or plant diseases. They are intended to protect native plants and in-state consumer interests.
 2. Ga. Comp. R. & Regs. 40-4-7-.05
- f. Produce Generally
- i. Fruit Flies
 1. Most of these laws require a certification of inspection or treatment for fruit flies prior to importing produce into the state for sale. They apply to various species of fruit fly and are intended to limit the spread of these insects.
 2. Ga. Comp. R. & Regs. 40-4-7-.06
- g. Plants Generally
- i. Standards for Movement
 1. These laws impose standards under which plants may be imported into the state. They are intended to ensure shipments are healthy and reduce the spread of disease.
 2. Ga. Comp. R. & Regs. 40-4-9-.04
- h. Noxious Weeds
1. These laws augment and supplement the federal list of noxious weeds according to the concerns of a particular state. Some prohibit any importation of a plant or seedling, while others set maximum allowances for noxious weed seeds that may be intermixed with any other agricultural seed sold within the state. They are intended to inhibit the spread of undesirable plants and weeds throughout the United States.
 2. Ga. Comp. R. & Regs. 40-12-4-.01
 3. 2018 GA REG TEXT 490144 (NS)
- i. Soil and Fertilizer
- i. Labeling and Registration

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1. These laws impose conditions on the labeling of soils, fertilizers, and other horticultural growing materials, including specific provisions for certain ingredients, provenance, and the like. Some require producers to disclose the use of waste-derived products, arsenic, mercury, poisons, and other materials. Other regulations require that manufacturers register prior to selling such products within the state. These laws are intended to inform consumers and increase producer transparency.
 2. Ga. Comp. R. & Regs. 40-4-21-.03
- XII. Procurement
 - a. Agricultural Goods
 - i. These laws regulate government bid and solicitation preferences for products or services. Often they impose preferences for in-state producers of agricultural products.
 - ii. Ga. Code Ann., § 50-5-60
 - iii. Ga. Code Ann., § 50-5-61
- XIII. General Prohibitions
 - a. Toxins in Packaging
 - i. Materials Used to Package Agricultural Products
 1. Some states have made it illegal to sell products in packaging that contains certain heavy metals, regardless of whether the product was manufactured or packaged within the state. This is because packaging with heavy metals can contaminate a state's landfills and expose citizens of the state to health hazards. These laws prohibit the sale of products or packaging materials containing dangerous toxins.
 2. Ga. Code Ann., § 12-8-162
- XIV. Miscellaneous
 - a. None