



State of Louisiana
Department of Health and Hospitals
Office of Public Health

August 23, 2011

The Honorable Joel T. Chaisson, II, President
Louisiana State Senate
P.O. Box 94183, Capitol Station
Baton Rouge, LA 70804-9183

The Honorable Jim Tucker, Speaker
Louisiana State House of Representatives
P.O. Box 94062, Capitol Station
Baton Rouge, LA 70804-9062

The Honorable Kay Katz, Chairwoman
House Health and Welfare Committee
Louisiana State House of Representatives
P.O. Box 44486, Capitol Station
Baton Rouge, LA 70804-4486

Dear President Chaisson, Speaker Tucker, and Representative Katz:

House Resolution No. 110 of the 2011 Regular Session requires the Department of Health and Hospitals (DHH) to study rules relative to the preparation and sale of cane syrup and submit a report to the House Health and Welfare committee which contains recommendations relative to the ability of traditional cane syrup makers to prepare, package, and sell cane syrup produced in open facilities, cast iron kettles, or evaporators.

In order to allow traditional cane syrup makers to prepare, package, and sell cane syrup, as well as to provide for the safe production and consumption of syrup, DHH recommends that R.S. 40:4.9 be amended to include cane syrup products. R.S. 40:4.9 currently provides that jellies, preserves, jams, honey, and honeycomb products may be made in the home and sold to the public, as long as gross annual sales do not exceed five thousand dollars. Reference to cane syrup could simply be added to this statute in order to allow traditional cane syrup makers to prepare and sell cane syrup. For your convenience, attached to this letter is R.S. 40:4.9, with DHH's recommended changes to the statute.

Should you have any questions about this letter or any health care matter, please feel free to contact me at (225) 342-6188 or clayton.williams@la.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Clayton Williams".

Clayton Williams, MPH
Assistant Secretary

Enclosures

cc: The Honorable Members of the House Health and Welfare Committee
Representative Robert Johnson
Representative Gary Smith
David R. Poynter Legislative Research Library

DHH's recommended changes to add cane syrup to R.S. 40:4.9

Utilizing R.S. 40:4(A)(1) as a guide, the following edits were made in bold to denote suggested changes which may be proposed:

§4.9. Jellies, preserves, jams, honey, **cane syrup** and honeycomb products; preparation in home for public consumption

A. No provision of the state sanitary code or any provision of any other law or regulation that requires any equipment, design, construction, utensils, supplies, preparation, or services shall apply to the preparation of jellies, preserves, jams, honey, **cane syrup** and honeycomb products in the home for sale. This Section shall not be construed to allow the sale or distribution of any unwholesome food.

B. This Section shall not apply to any preparers of jellies, preserves, jams, honey, **cane syrup** and honeycomb products which are made at a home for sale, whose gross annual sales equal five thousand dollars or more.

C. The Department of Revenue shall provide to the Department of Health and Hospitals the names of all preparers of jellies, preserves, jams, honey, **cane syrup** and honeycomb products which are made at home for sale, whose gross annual sales equal five thousand dollars or more.