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Sequence Number: 09-20-14
 Notice ID(s): 2226
 File Date: 09-23-14

Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Department of Agriculture
Division:	Division of Consumer & Industry Services
Contact Person:	David Waddell
Address:	Post Office Box 40627, Nashville, Tennessee 37204
Phone:	(615) 873-5331
Email:	david.waddell@tn.gov

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	Liz Sneed
Address:	Post Office Box 40627, Nashville, Tennessee 37204
Phone:	(615) 837-5116
Email:	liz.sneed@tn.gov

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	Ed Jones Auditorium, Ellington Agricultural Center		
Address 2:	416 Hogan Road		
City:	Nashville, Tennessee		
Zip:	37220		
Hearing Date :	11/17/14		
Hearing Time:	10:00 a.m.	<input checked="" type="checkbox"/> CST/CDT	<input type="checkbox"/> EST/EDT

Additional Hearing Information:

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Revision Type (check all that apply):

- Amendment
- New
- Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
0080-04-12	Standard of Identity - Honey
Rule Number	Rule Title
0080-04-12-.01	Purpose
0080-04-12-.02	Definitions
0080-04-12-.03	Essential Composition and Quality Factors

Chapter Number	Chapter Title
0080-04-12	Standard of Identity - Honey
Rule Number	Rule Title
0080-04-12-.04	Labeling

Chapter 0080-04-12
Standard of Identity – Honey

0080-04-12-.01 Purpose.

This standard applies to all honey produced by honey bees from nectar and covers all styles of honey presentation that are processed and ultimately intended for direct consumption and to all honey packed, processed or intended for sale in bulk containers as honey, that may be repacked for retail sale or for sale or use as an ingredient in other foods.

Authority: T. C. A. § 53-1-205.

0080-04-12-.02 Definitions.

- (1) "Honey" means the natural food product resulting from the harvest of nectar by honeybees and the natural activities of the honeybees in processing nectar. It consists essentially of different sugars, predominantly fructose and glucose as well as other substances such as organic acids, enzymes and solid particles derived from honey collection. The color of honey can vary from nearly colorless to dark brown. The consistency can be fluid, viscous or partially to completely crystallized. The flavor and aroma vary, but are derived from the plant's origin.
- (2) "Blossom Honey" or "Nectar Honey" is the honey which comes from nectars of plants.
- (3) "Honeydew Honey" is the honey which comes mainly from excretions of plant sucking insects (Hemiptera) on the living parts of plants or secretions of living parts of plants.

Authority: T. C. A. § 53-1-205.

0080-04-12-.03 Essential Composition and Quality Factors.

- (1) A product sold or offered for sale as honey shall not have added to it any food additives, as defined in T.C.A. § 53-1-102(15), nor shall any other additions be made other than honey. It shall not have begun to ferment or effervesce and no pollen or constituent unique to honey may be removed except where unavoidable in the removal of foreign matter. Honey shall not be heated or processed to such an extent that its essential composition is changed or its quality is impaired. Chemical or biochemical treatments shall not be used to influence honey crystallization.
- (2) Moisture Content. No water may be added to honey in the course of extraction or packing for sale or resale as honey. Honey shall not have a moisture content exceeding 20%.
- (3) Sugars Content.
 - (a) The ratio of fructose to glucose shall be greater than 0.9.
 - (b) Fructose and Glucose (Sum of Both) shall not be less than 60g/100g.
 - (c) The Maltose content shall not exceed 10%.
 - (d) The sucrose content shall not be more than 5g/100g with the following exceptions:
 1. Alfalfa (*Medicago sativa*), Citrus spp., False Acacia (*Robinia pseudoacacia*), French Honeysuckle (*Hedysarum*), Menzies Banksia (*Banksia menziesii*), Red Gum (*Eucalyptus camaldulensis*), Leatherwood

(*Eucryphia lucida*), *Eucryphia milligani* – not more than 10g/100g.

2. Lavender (*Lavandula* spp) and Borage (*Borago officinalis*) – not more than 15g/100g.

- (e) There shall be no oligosaccharides indicative of invert syrup.
- (4) The absolute value of Carbon Stable Isotope Ratio Analysis (CSIRA) shall be more negative than -20.0.
- (5) CSIRA Internal Standard Procedure with a protein value minus honey value shall not be more negative than -1.0.

Authority: T. C. A. § 53-1-205.

0080-04-12-.04 Labeling.

- (1) Products conforming to the standard of identity as adopted in this rule shall be designated "honey". Foods containing honey and any flavoring, spice or other added ingredient or if honey is processed in such a way that a modification to honey occurs that materially changes the flavor, color, viscosity or other material characteristics of pure honey, then such foods shall be distinguished in the food name from honey by declaration of the food additive or modification.
- (2) Honey may be designated according to floral or plant source if it comes predominately from that particular source and has the organoleptic, physicochemical and microscopic properties corresponding with that origin.
- (3) Where honey has been designated according to floral or plant source paragraph (2), then the common name or the botanical name of the floral source shall be used in conjunction with or joined with the word "honey".
- (4) Honey may be designated by the name of the geographical or topographical region if the honey was produced exclusively within the area referred to in the designation.
- (5) The styles of honey identified in subparagraphs (5)(b) and (c) shall be declared on packaging labeling as "Comb Honey", "Cut Comb in Honey", "Honey with Comb" or "Chunk Honey" as appropriate.
- (6) Honey may be designated according to the following styles:
 - (a) "Honey" which is honey in liquid or crystalline state or a mixture of the two;
 - (b) "Comb Honey" which is honey stored by bees in the cells of freshly built broodless combs and which is sold in sealed whole combs or sections of such combs;
 - (c) "Cut Comb in Honey", "Honey with Comb" or "Chunk Honey" which is honey containing one or more pieces of comb honey.

Authority: T. C. A. § 53-1-205.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: Sept. 22, 2014

Signature: *Julius T. Johnson*

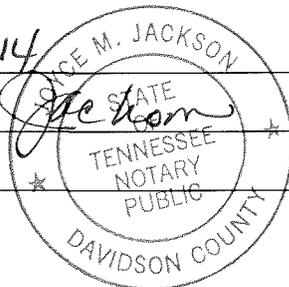
Name of Officer: Julius T. Johnson

Title of Officer: Commissioner

Subscribed and sworn to before me on: Sept. 22, 2014

Notary Public Signature: *Joyce M. Jackson*

My commission expires on: 09/11/2017



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Filed with the Department of State on: 09-23-14

Tre Hargett

Tre Hargett
Secretary of State

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