AN ACT

To enact R.S. 56:317, relative to fishing; to establish the Louisiana Catch and Cook Program within the Department of Wildlife and Fisheries; to allow retail food establishments to prepare certain recreational fish; to provide for the promulgation of rules; to provide penalties, terms, conditions, and requirements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 56:317 is hereby enacted to read as follows:

§317. Louisiana Catch and Cook Program; preparation of recreational fish in retail food establishments

A. Notwithstanding any provision of the state Sanitary Code or any other law or regulation to the contrary, it shall be lawful for retail food establishments to receive and prepare any freshwater or saltwater recreational fish as defined in R.S. 56:8.

B.(1) The secretary of the Department of Wildlife and Fisheries is hereby authorized to establish the Louisiana Catch and Cook Program, whereby a retail food establishment is authorized to prepare any fish legally taken by a licensed recreational fisherman for consumption by that recreational fisherman or any person in his party.

(2) The program shall be established through the promulgation and adoption of rules and regulations in conjunction with the Department of Health and Hospitals and in accordance with the Administrative Procedure Act. Such rules and regulations shall include but are not limited to the following which

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BY SENATOR ALLAIN AND REPRESENTATIVE STUART BISHOP
shall be enforced by Department of Health and Hospitals, office of public health:

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

(b) The retail food establishment shall receive only fish that have been cleaned, filleted, placed in clean, food-grade, single-service packaging, and properly refrigerated.

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

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

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

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

(g) The retail food establishment shall prepare and serve the fish to the recreational fisherman or any person in his party within four hours of receipt of the fish.

(h) Containers, preparation tables, cutting boards, utensils, and other food preparation equipment used to prepare and serve the fish shall be properly cleaned and sanitized in accordance with provisions of the state Sanitary Code prior to use preparing foods to serve to the general public.

(i) The fish shall be served directly to the recreational fisherman or any person in his party immediately upon the completion of cooking and shall not be served to the general public.
C. Any retail food establishment that wishes to participate in the Louisiana Catch and Cook Program shall apply to the Department of Wildlife and Fisheries to be issued a participation permit by the department. There shall be no fee for the application process or permit. The permit may be suspended or revoked by the department for any violation of the rules and regulations of this program. The Department of Wildlife and Fisheries shall provide the names and locations of each participating retail food establishment to the Department of Health and Hospitals, office of public health upon request.