

SENATE BILL REPORT

SHB 2698

As of February 21, 2014

Title: An act relating to expanding the products considered to be potentially nonhazardous as they apply to cottage food operations.

Brief Description: Expanding the products considered to be potentially nonhazardous as they apply to cottage food operations.

Sponsors: House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Freeman, Overstreet, Smith and Tharinger).

Brief History: Passed House: 2/17/14, 98-0.

Committee Activity: Agriculture, Water & Rural Economic Development: 2/24/14.

SENATE COMMITTEE ON AGRICULTURE, WATER & RURAL ECONOMIC DEVELOPMENT

Staff: Diane Smith (786-7410)

Background: Non-potentially hazardous foods prepared in a home kitchen for sale directly to the consumer may be licensed as cottage foods by the Washington State Department of Agriculture (WSDA) if annual gross sales are under \$15,000 per year. The permit processing fee is \$30 per year, paid to WSDA. In addition, there is a public health review fee of \$75, and an annual inspection fee of \$125 for a total of \$230. All fees are paid into the agricultural local fund.

Cottage food products are non-potentially hazardous baked goods, jams, jellies, preserves, and fruit butters as those terms are defined in federal regulations, and other non-hazardous foods as they are identified by WSDA by rule. Cottage food operations are persons who produce cottage food products in the home kitchen of their primary domestic residence only for sale directly to the consumer.

The annual gross sales ceiling is set by WSDA under statute and requires WSDA to set the amount at \$15,000 from the beginning of the program, which was established in the 2011 legislative session and issued its first permit in June 2012. Beginning January 1, 2013, WSDA must increase this amount biennially to reflect inflation. The Cottage Food Permit exempts the holder from compliance with the Washington Food Processing Act.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill: The definition of cottage food products includes baked candies and candies made on a stovetop.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.