

# SENATE BILL REPORT

## HB 1622

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As Reported by Senate Committee On:  
Agriculture, Water & Rural Economic Development, March 17, 2015

**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:** Representatives Young, Blake, Caldier, Scott, Shea and Takko.

**Brief History:** Passed House: 3/03/15, 97-0.

**Committee Activity:** Agriculture, Water & Rural Economic Development: 3/12/15, 3/17/15 [DPA].

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### SENATE COMMITTEE ON AGRICULTURE, WATER & RURAL ECONOMIC DEVELOPMENT

**Majority Report:** Do pass as amended.

Signed by Senators Warnick, Chair; Hatfield, Ranking Minority Member; Hobbs and Honeyford.

**Staff:** Diane Smith (786-7410)

**Background:** The Washington State Department of Agriculture (WSDA) is authorized to adopt rules that allow for cottage food operations. Permitted cottage food operations are exempt from the state's commercial food service regulations and from licensing by public health jurisdictions. A cottage food operation is defined as a person who produces, in the kitchen of their domestic residence, a food that is not potentially hazardous.

Items that are expressly allowed to be sold by a cottage food operation, according to the rules adopted by WSDA, include the following:

- baked good products that are cooked in an oven, such as loaf breads, rolls, biscuits, muffins, cakes, scones, cookies, crackers, cereals, trail mixes, candies that are cooked in an oven, certain pies, and nut mixes;
- standardized jams, jellies, preserves, and fruit butters;
- recombined and packaged dry herbs, seasoning, and mixtures that are obtained from approved sources; and

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- flavored vinegars.

Potentially hazardous foods that are not allowed to be produced by a cottage food operator are those that require temperature control and are capable of supporting the rapid growth of pathogenic or toxigenic microorganisms.

**Summary of Bill (Recommended Amendments):** The statutory list of allowable food products that may be sold by a cottage food operation is expanded to include both baked candies and candies made on a stovetop.

Marijuana cannot be an ingredient in any cottage food.

**EFFECT OF CHANGES MADE BY AGRICULTURE, WATER & RURAL ECONOMIC DEVELOPMENT COMMITTEE (Recommended Amendments):** Marijuana cannot be an ingredient in any cottage food.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony on House Bill:** PRO: This bill is good for helping small operations get off the ground and for young people to test their skills and derive a bit of income, especially at farmers' markets.

**Persons Testifying:** PRO: Representative Young, prime sponsor.

**Persons Signed in to Testify But Not Testifying:** No one.