

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 644, Page 6, Section 195.815,  
2 Line 28, by inserting after all of said section and line the following:  
3

4 "196.298. 1. As used in this section, the following terms shall mean:

5 (1) "Baked good", includes cookies, cakes, breads, danish, donuts, pastries, pies, and other items that  
6 are prepared by baking the item in an oven. A baked good does not include a potentially hazardous food item  
7 as defined by department rule;

8 (2) "Cottage food production operation", an individual operation out of the individual's home who:

9 (a) Produces a baked good, a canned jam or jelly, or a dried herb or herb mix for sale at the  
10 individual's home;

11 (b) Has an annual gross income of fifty thousand dollars or less from the sale of food described in  
12 paragraph (a) of this subdivision; and

13 (c) Sells the food produced under paragraph (a) of this subdivision only directly to consumers;

14 (3) "Department", the department of health and senior services;

15 (4) "Home", a primary residence that contains a kitchen and appliances designed for common  
16 residential usage.

17 2. A cottage food production operation is not a food service establishment and shall not be subject to  
18 any health or food code laws or regulations of the state or department other than this section and rules  
19 promulgated thereunder for a cottage food production operation.

20 3. (1) A local health department shall not regulate the production of food at a cottage food  
21 production operation.

22 (2) Each local health department and the department shall maintain a record of a complaint made by  
23 a person against a cottage food production operation.

24 4. The department shall promulgate rules requiring a cottage food production operation to label all of  
25 the foods described in this section which the operation intends to sell to consumers. The label shall include  
26 the name and address of the cottage food production operation and a statement that the food is not inspected  
27 by the department or local health department.

28 5. A cottage food production operation shall not sell any foods described in this section through the  
29 internet unless both the cottage food production operation and the purchaser are located in this state.

30 6. Nothing in this section shall be construed to prohibit the authority of the department of health and  
31 senior services or local health departments to conduct an investigation of a food-borne disease or outbreak.";  
32 and  
33

34 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Action Taken \_\_\_\_\_ Date \_\_\_\_\_