
HOUSE BILL 2698

State of Washington

63rd Legislature

2014 Regular Session

By Representatives Freeman, Overstreet, Smith, and Tharinger

Read first time 01/27/14. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to expanding the products considered to be
2 potentially nonhazardous as they apply to cottage food operations; and
3 amending RCW 69.22.010.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 69.22.010 and 2011 c 281 s 1 are each amended to read
6 as follows:

7 The definitions in this section apply throughout this chapter
8 unless the context clearly requires otherwise.

9 (1) "Cottage food operation" means a person who produces cottage
10 food products only in the home kitchen of that person's primary
11 domestic residence in Washington and only for sale directly to the
12 consumer.

13 (2) "Cottage food products" means nonpotentially hazardous baked
14 goods, including baked candies; jams, jellies, preserves, and fruit
15 butters as defined in 21 C.F.R. Sec. 150 as it existed on July 22,
16 2011; and other nonpotentially hazardous foods identified by the
17 director in rule.

18 (3) "Department" means the department of agriculture.

19 (4) "Director" means the director of the department.

1 (5) "Domestic residence" means a single-family dwelling or an area
2 within a rental unit where a single person or family actually resides.
3 Domestic residence does not include:

4 (a) A group or communal residential setting within any type of
5 structure; or

6 (b) An outbuilding, shed, barn, or other similar structure.

7 (6) "Home kitchen" means a kitchen primarily intended for use by
8 the residents of a home. It may contain one or more stoves or ovens,
9 which may be a double oven, designed for residential use.

10 (7) "Permitted area" means the portion of a domestic residence
11 housing a home kitchen where the preparation, packaging, storage, or
12 handling of cottage food products occurs.

13 (8) "Potentially hazardous food" means foods requiring temperature
14 control for safety because they are capable of supporting the rapid
15 growth of pathogenic or toxigenic microorganisms, or the growth and
16 toxin production of *Clostridium botulinum*.

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