

# FINAL BILL REPORT

## HB 1622

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### C 203 L 15

Synopsis as Enacted

**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.

**House Committee on Agriculture & Natural Resources**  
**Senate Committee on Agriculture, Water & Rural Economic Development**

#### **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 the WSDA, include:

- 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
- 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.

Examples of prohibited foods, as provided in the rules adopted by the WSDA, include:

- fresh or dried meat or meat products (including jerky);
- canned fruits, vegetables, vegetable butters, and salsas;
- fish or shellfish products;
- canned pickled products;

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- raw seed sprouts;
- bakery goods that require any type of refrigeration;
- tempered or molded chocolate;
- milk and dairy products;
- cut fresh fruits or vegetables and products made from them;
- garlic in oil mixtures;
- juices made from fresh fruits or vegetables;
- ice or ice products;
- barbeque sauces, ketchups, or mustards; and
- focaccia-style breads with vegetables or cheeses.

**Summary:**

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.

Cottage food products containing the active ingredient in cannabis are specifically prohibited.

**Votes on Final Passage:**

House	97	0	
Senate	49	0	(Senate amended)
House	95	0	(House concurred)

**Effective:** July 24, 2015