

# SENATE BILL REPORT

## HB 2217

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As Passed Senate, March 5, 2020

**Title:** An act relating to cottage food product labeling requirements.

**Brief Description:** Concerning cottage food product labeling requirements.

**Sponsors:** Representatives Eslick, Leavitt, Chambers, Callan, Dent, Walsh, Corry, Jenkin, Van Werven, Shewmake, Young and Wylie.

**Brief History:** Passed House: 2/12/20, 95-0.

**Committee Activity:** Agriculture, Water, Natural Resources & Parks: 2/25/20, 2/28/20 [DP].

**Floor Activity:**

Passed Senate: 3/05/20, 48-1.

### Brief Summary of Bill

- Requires cottage food operations to include its cottage food permit number rather than its business address on the label of its cottage food products.

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## SENATE COMMITTEE ON AGRICULTURE, WATER, NATURAL RESOURCES & PARKS

**Majority Report:** Do pass.

Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford, McCoy, Rolfes and Short.

**Staff:** Karen Epps (786-7424)

**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. Examples of cottage food products are baked goods, jams, jellies, fruit butters, and preserves. In order to

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operate a cottage food business, a person must obtain a cottage food permit from WSDA. WSDA issues a unique number for each cottage food permit.

Cottage food products must be packaged and properly labeled with certain information including the address of the cottage food business; the name and ingredients of the product, including any allergen identification; and the product's net weight or volume. The label must also include a disclosure that the product was made in a home kitchen that was not subjected to standard inspection criteria.

**Summary of Bill:** A cottage food operation must include the WSDA-issued cottage food permit number rather than the business address on the label of its cottage food products.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

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

**Staff Summary of Public Testimony:** PRO: There are some people who have a cottage food operation who are concerned about the labeling requirement, specifically listing their home address on the label. They were concerned that people would come to their house uninvited. Using the cottage food permit number will still allow customers to find out where the operation is located. The cottage food industry allows people to work at home and make some extra money.

OTHER: The bill will not expand cottage food operations. The bill will not impact food safety and does not raise any food safety concerns. The bill does not have fiscal impacts for WSDA. The bill does not create two different regulatory structures between cottage food operations and food processors.

**Persons Testifying:** PRO: Representative Carolyn Eslick, Prime Sponsor.

OTHER: Evan Sheffels, WSDA.

**Persons Signed In To Testify But Not Testifying:** No one.