

**WAC 16-149-020 Definitions.** (1) In addition to the definitions contained in this section and chapter 69.22 RCW, the definitions found in chapters 69.06, 69.07, and 15.130 RCW, chapters 16-165, 16-167, and 246-215 WAC, and Title 21 C.F.R. may apply.

(2) For the purposes of this chapter, the following definitions apply:

**"Adequate"** means that which is needed to accomplish the intended purpose in keeping with good public health practices.

**"Approved source"** means a food source that is routinely and regularly inspected by a regulatory authority.

**"Authorized person"** means a person or persons who work with the cottage food operator in the preparation of cottage food products under this chapter.

**"C.F.R."** means the Code of Federal Regulations.

**"Consumer"** means a person who is a member of the public, takes possession of food for personal and nonbusiness use; is not functioning as an operator of a food establishment, such as a restaurant, bed and breakfast, or other business operation, or food processing plant; and does not offer the food for resale.

**"Cottage food operation"** means a person who produces cottage food products only in the home kitchen of that person's primary domestic residence in Washington and only for sale directly to the consumer.

**"Cottage food operation permit"** means a permit to produce and sell cottage food products under chapter 69.22 RCW.

**"Cottage food products"** means nonpotentially hazardous baked goods, candies, jams, jellies, preserves, and fruit butters as defined in 21 C.F.R. 150 as it existed on July 22, 2011; and other nonpotentially hazardous foods identified in WAC 16-149-120.

**"Department"** means the department of agriculture.

**"Director"** means the director of the department of agriculture.

**"Domestic residence"** means a single-family dwelling or an area within a rental unit where a single person or family actually resides. A domestic residence does not include:

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

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

**"Food worker card"** means a food and beverage service worker's permit as required under chapter 69.06 RCW.

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

**"Labeling"** means written, printed or graphic matter affixed to or used in connection with the sales of a cottage food product and intended to communicate the characteristics of the cottage food product including, but not limited to, the origin, ingredients, quality, quantity, or nutritional benefits of the product.

**"Master or base recipe"** means a standard mixture of ingredients from which variations may be created by adding small amounts of differing flavorings, dried fruits, nuts, candies, or the like. For example, variations of master or base muffin recipe may be created by adding walnuts to create a walnut muffin, adding cranberries and orange zest to create orange cranberry muffins, and so on.

**"Permitted area"** means the portion of a domestic residence housing a home kitchen where the preparation, packaging, storage, or handling of cottage food products occurs.

**"Pet"** means any domesticated animal, regardless of species or number of legs, kept in the domestic residence.

**"Potable water"** means water that is in compliance with the Washington state department of health's drinking water quality standards in chapters 246-290 and 246-291 WAC.

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

[Statutory Authority: RCW 69.22.020 and 2020 c 171. WSR 20-17-019, § 16-149-020, filed 8/6/20, effective 9/6/20. Statutory Authority: RCW 69.22.020, 2015 c 196, 2015 c 203, and chapter 34.05 RCW. WSR 16-06-014, § 16-149-020, filed 2/19/16, effective 3/21/16. Statutory Authority: RCW 69.22.020 and chapter 34.05 RCW. WSR 12-12-016, § 16-149-020, filed 5/24/12, effective 6/24/12.]