

HOUSE BILL REPORT

SB 6047

As Reported by House Committee On: Agriculture & Natural Resources

Title: An act relating to setting a maximum annual gross sales amount for cottage food operations.

Brief Description: Setting a maximum annual gross sales amount for cottage food operations.

Sponsors: Senators Rolfes and Hewitt; by request of Department of Agriculture.

Brief History:

Committee Activity:

Agriculture & Natural Resources: 2/20/14, 2/25/14 [DP].

Brief Summary of Bill

- Increases the gross income limit for cottage food operations from \$15,000 to \$25,000.

HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

Majority Report: Do pass. Signed by 12 members: Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Chandler, Haigh, Hurst, Kretz, Orcutt, Pettigrew, Schmick and Warnick.

Minority Report: Do not pass. Signed by 3 members: Representatives Dunshee, Stanford and Van De Wege.

Staff: Jason Callahan (786-7117).

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 are

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jams, jellies, fruit butters, and preserves. 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.

To qualify as a cottage food product, the product must be produced in the kitchen of a single-family dwelling, or an area with a rental unit where a single person or family actually resides, from which no more than a total gross annual sales of \$15,000 is generated. The WSDA must increase the \$15,000 annual gross sales limit biennially to adjust for inflation.

Summary of Bill:

The gross income limit for cottage food operations is increased from \$15,000 to \$25,000. The biennial increase to that limit to synch with increases in cost of living is removed; however, the WSDA retains the authority to raise the limit by rule.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The provisions of this bill strike a balance between allowing the producers of high value cottage foods to continue their trade and protecting the health and safety of the consuming public. The \$25,000 gross income cap synchs up with federal rules for food processors and allows entrepreneurs to continue selling at farmer's markets.

(Opposed) None.

Persons Testifying: Senator Rolfes, prime sponsor; and Kirk Robinson, Washington State Department of Agriculture.

Persons Signed In To Testify But Not Testifying: None.