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**Health Care & Wellness Committee**

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**HB 1076**

**Brief Description:** Permitting the donation of home-prepared foods to charitable organizations.

**Sponsors:** Representatives Graves, Bergquist, Griffey, Hargrove and Van Werven.

**Brief Summary of Bill**

- Requires the Washington State Board of Health to adopt rules permitting food banks to accept donations of foods prepared in a private residence.

**Hearing Date:** 1/17/17

**Staff:** Jim Morishima (786-7191).

**Background:**

The Washington State Board of Health (Board) establishes, by rule, minimum standards for the prevention of food-borne illness. The Board's rules are based on the 2001 Food Code, which is a model code adopted by the United States Food and Drug Administration. Local jurisdictions may adopt more stringent standards than the ones adopted by the Board.

A donated food distributing organization (food bank) may accept foods from a variety of sources, including:

- surplus food from a food establishment;
- muscle meat from wild or domesticated animals;
- food prepared in a donor kitchen (a non-residential kitchen used to prepare foods for donation), as long as potentially hazardous foods are served within eight hours of preparation; and
- commercially packaged frozen food.

A food bank may also accept the following foods prepared in a residential kitchen of a private home:

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- non-potentially hazardous, non-ready-to-eat foods handled, stored, or prepared in the kitchen;
- non-potentially hazardous baked goods handled, stored, or prepared in the kitchen; and
- non-potentially hazardous, ready-to-eat foods in intact commercial packages stored in the kitchen.

"Potentially hazardous foods" are foods that require time or temperature control for safety to limit pathogenic microorganism growth or toxin formation.

**Summary of Bill:**

The Board must adopt rules permitting food banks to accept the donation of foods prepared in private residences. The Board must adopt the rules no later than December 31, 2017.

**Appropriation:** None.

**Fiscal Note:** Requested on January 16, 2017.

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