

**SHB 1500** - S COMM AMD

By Committee on Agriculture, Water, Natural Resources & Parks

**ADOPTED 03/22/2023**

1 Strike everything after the enacting clause and insert the  
2 following:

3 **"Sec. 1.** RCW 69.22.050 and 2015 c 196 s 1 are each amended to  
4 read as follows:

5 (1) ~~((The))~~ (a) Except as provided in (b) of this subsection, the  
6 annual gross sales of cottage food products may not exceed ~~((twenty-~~  
7 ~~five thousand dollars))~~ \$35,000. The determination of the maximum  
8 annual gross sales must be computed on the basis of the amount of  
9 gross sales within or at a particular domestic residence and may not  
10 be computed on a per person basis within or at an individual domestic  
11 residence.

12 (b) Every four years, the department shall review the cap on  
13 annual gross sales established in (a) of this subsection and increase  
14 the cap by expedited rule making, in accordance with RCW 34.05.353,  
15 based on that year's average consumer price index for the Seattle,  
16 Washington area for urban wage earners and clerical workers, all  
17 items, compiled by the bureau of labor statistics, United States  
18 department of labor.

19 (2) If gross sales exceed the maximum allowable annual gross  
20 sales amount established under subsection (1) of this section, the  
21 cottage food operation must either obtain a food processing plant  
22 license under chapter 69.07 RCW or cease operations.

23 (3) A cottage food operation exceeding the maximum allowable  
24 annual gross sales amount established under subsection (1) of this  
25 section is not entitled to a full or partial refund of any fees paid  
26 under RCW 69.22.030 or 69.22.040.

27 (4) The director may request in writing documentation to verify  
28 the annual gross sales figure.

29 **Sec. 2.** RCW 69.22.030 and 2011 c 281 s 3 are each amended to  
30 read as follows:

1 (1) All cottage food operations must be permitted (~~annually~~)  
2 every two years by the department on forms developed by the  
3 department. All permits and permit renewals must be made on forms  
4 developed by the director and be accompanied by an inspection fee as  
5 provided in RCW 69.22.040, a (~~seventy-five-dollar~~) \$75 public  
6 health review fee, and a (~~thirty-dollar~~) \$30 processing fee. All  
7 fees must be deposited into the food processing inspection account  
8 created in RCW 69.07.120.

9 (2) In addition to the provision of any information required by  
10 the director on forms developed under subsection (1) of this section  
11 and the payment of all fees, an applicant for a permit or a permit  
12 renewal as a cottage food operation must also provide documentation  
13 that all individuals to be involved in the preparation of cottage  
14 (~~foods [cottage food products]~~) food products have secured a food  
15 and beverage service worker's permit under chapter 69.06 RCW.

16 (3) All cottage food operations permitted under this section must  
17 include a signed document attesting, by opting to become permitted,  
18 that the permitted cottage food operation expressly grants to the  
19 director the right to enter the domestic residence housing the  
20 cottage food operation during normal business hours, or at other  
21 reasonable times, for the purposes of inspections under this chapter.

22 NEW SECTION. Sec. 3. A new section is added to chapter 69.22  
23 RCW to read as follows:

24 The department shall maintain sufficient full-time equivalent  
25 staff to ensure timely processing of permits required under this  
26 chapter and provide improved service levels to cottage food  
27 operations."

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28 On page 1, line 2 of the title, after "operations;" strike the  
29 remainder of the title and insert "amending RCW 69.22.050 and  
30 69.22.030; and adding a new section to chapter 69.22 RCW."

EFFECT: Provides that except as otherwise provided in the section, the annual gross sales of cottage food products may not exceed \$35,000 instead of \$50,000.

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