

Stricken language would be deleted from and underlined language would be added to present law.
Act 399 of the Regular Session

State of Arkansas
91st General Assembly
Regular Session, 2017

As Engrossed: H2/6/17
A Bill

HOUSE BILL 1256

By: Representatives Sabin, *Lundstrum*

For An Act To Be Entitled

AN ACT TO AMEND THE PROVISIONS APPLICABLE TO SALES BY A COTTAGE FOOD PRODUCTION OPERATION; TO PROVIDE THAT SALES BY A COTTAGE FOOD PRODUCTION OPERATION AT AN ONLINE FARMERS' MARKET ARE EXEMPT FROM THE DEFINITION OF "FOOD SERVICE ESTABLISHMENT"; TO AMEND THE DEFINITION OF "COTTAGE FOOD PRODUCTION OPERATION"; AND FOR OTHER PURPOSES.

Subtitle

TO PROVIDE THAT SALES BY A COTTAGE FOOD PRODUCTION OPERATION AT AN ONLINE FARMERS' MARKET ARE EXEMPT FROM THE DEFINITION OF "FOOD SERVICE ESTABLISHMENT".

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 20-57-201(1), concerning the definition of "cottage food production operation" for the purposes of the Department of Health and the Public Health Advisory Board, is amended to read as follows:

(1) "Cottage food production operation" means a person who produces food items in the person's home that are not potentially hazardous foods, including without limitation:

- (A) Bakery products;*
- (B) Candy;*
- (C) Fruit butter;*
- (D) Jams;*



(E) *Jellies; ~~and~~*

(F) *Chocolate-covered fruit and berries that are not cut;*

and

(G) Similar products specified in rules adopted by the Department of Health;

SECTION 2. Arkansas Code § 20-57-201(2)(B)(vi)(a), concerning exemptions from the definition of "food service establishment" for purposes of the Department of Health and the Public Health Advisory Board, is amended to read as follows:

(vi)(a) A cottage food production operation, on the condition that the operation offers its products directly to the consumer:

(1) From the site where the products are produced;

(2) At a physical or online farmers' market;

(3) At a county fair; or

(4) At a special event.

/s/Sabin

APPROVED: 03/07/2017