

Stricken language would be deleted from and underlined language would be added to present law.

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