

HCS SS SB 525 -- FOOD PREPARATION

SPONSOR: Cunningham (Fraker)

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Professional Registration and Licensing by a vote of 21 to 2.

This bill allows a nonprofit organization to prepare food in a private home or other area for distribution to the end consumer at a charitable fundraising event.

The nonprofit organization must inform the consumer by placing a clearly visible placard at the serving location that states the food was prepared in a kitchen that is not subject to regulation and inspection by the regulatory authority.

Also, the nonprofit organization may notify the regulatory authority in writing or via email prior to the beginning of the event. If made, the notification must include the name of the nonprofit organization; date, time, and location of the event; and the name and contact information of the person responsible for the event.

The bill does not apply to a food establishment that is regulated by the Department of Health and Senior Services that provides food for the event.

The bill does not prohibit the department or local health agencies from investigating a foodborne outbreak or disease.

The provisions of Section 196.056, RSMo will not apply to the counties of Jackson, Jefferson, St. Charles, and St. Louis; Kansas City and the City of St. Louis.

The bill specifies that a cottage food production operation, which is defined as an individual operation out of the individual's home who produces a baked good, a canned jam or jelly, or a dried herb or herb mix for sale at the individual's home; has an annual gross income of \$50,000 or less; and sells the food produced only directly to consumers, is not a food service establishment and cannot be subject to any state or local food code laws or regulations. The Department of Health and Senior Services is required to establish rules requiring a cottage food production operation to label all foods intended for sale with the name and address of the operation and a statement that the food is not inspected by the department or a local health department. An operation cannot sell cottage foods through the Internet.

PROPONENTS: Supporters say that in certain areas of the state the

county health department has gone to an extreme in regulating what foods can be prepared and sold at charitable events by nonprofit organizations. The bill exempts these organizations from the inspection requirements of the local health department. Supporters also say that it allows a person to sell individually prepared baked goods, can goods, and other food items out of his or her home without being regulated by the Department of Health and Senior Services and the local health department.

Testifying for the bill was Senator Cunningham.

OPPONENTS: Those who oppose the bill say that local health officials try to work with these civic groups to educate them on the proper preparation, serving, and storage. Foodborne outbreaks can be very dangerous and costly and their main concern is public safety.

Testifying against the bill were Kala Welkenborg, Columbia/Boone County Public Health and Missouri Environmental Health Association and the Department of Health and Senior Services.