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

1	State of Arkansas	As Engrossed: H2/6/17	
2	91st General Assembly	A Bill	
3	Regular Session, 2017		HOUSE BILL 1256
4			
5	By: Representatives Sabin, I	undstrum	
6			
7		For An Act To Be Entitled	
8	AN ACT TO AMEND THE PROVISIONS APPLICABLE TO SALES BY		
9	A COTTAGE FOOD PRODUCTION OPERATION; TO PROVIDE THAT		
10	SALES BY A COTTAGE FOOD PRODUCTION OPERATION AT AN		
11	ONLINE FARMERS' MARKET ARE EXEMPT FROM THE DEFINITION		
12	OF "FOOD	SERVICE ESTABLISHMENT"; TO AMEND THE	,
13	DEFINITIC	N OF "COTTAGE FOOD PRODUCTION OPERAT	ION";
14	AND FOR C	THER PURPOSES.	
15			
16			
17		Subtitle	
18	TO I	PROVIDE THAT SALES BY A COTTAGE FOOD	
19	PRODUCTION OPERATION AT AN ONLINE		
20	FARMERS' MARKET ARE EXEMPT FROM THE		
21	DEFINITION OF "FOOD SERVICE		
22	ESTABLISHMENT".		
23			
24			
25	BE IT ENACTED BY THE	GENERAL ASSEMBLY OF THE STATE OF ARK	ANSAS:
26			
27	SECTION 1. Ark	ansas Code § 20-57-201(1), concernin	g the definition of
28	"cottage food product	ion operation" for the purposes of t	he Department of
29	Health and the Public	: Health Advisory Board, is amended t	o read as follows:
30	(1) "Cottage food production operation" means a person who		
31	produces food items i	in the person's home that are not pot	entially hazardous
32	foods, including with	out limitation:	
33	(A)	Bakery products;	
34	(B)	Candy;	
35	(C)	Fruit butter;	
36	<i>(D)</i>	Jams;	



.

1	(E) Jellies; and		
2	(F) <u>Chocolate-covered fruit and berries that are not cut;</u>		
3	and		
4	(G) Similar products specified in rules adopted by the		
5	Department of Health;		
6			
7	SECTION 2. Arkansas Code § 20-57-201(2)(B)(vi)(a), concerning		
8	exemptions from the definition of "food service establishment" for purposes		
9	of the Department of Health and the Public Health Advisory Board, is amended		
10	to read as follows:		
11	(vi)(a) A cottage food production operation, on the		
12	condition that the operation offers its products directly to the consumer:		
13	<i>(1) From the site where the products are</i>		
14	produced;		
15	(2) At a <u>physical or online</u> farmers'		
16	market;		
17	(3) At a county fair; or		
18	(4) At a special event.		
19			
20	/s/Sabin		
21			
22			
23	APPROVED: 03/07/2017		
24			
25 26			
20			
28			
29			
30			
31			
32			
33			
34			
35			
36			

2