

**Hall of the House of Representatives**  
91st General Assembly - Regular Session, 2017  
**Amendment Form**

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**Subtitle of House Bill No. 1256**

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

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**Amendment No. 1 to House Bill No. 1256**

Amend House Bill No. 1256 as originally introduced:

Add Representative Lundstrum as a cosponsor of the bill

AND

Page 1, delete line 12, and substitute the following:

"OF "FOOD SERVICE ESTABLISHMENT"; TO AMEND THE DEFINITION OF "COTTAGE FOOD PRODUCTION OPERATION"; AND FOR OTHER"

AND

Delete everything after the enacting clause and substitute the following:

"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:  
produced; (1) From the site where the products are  
market; (2) At a physical or online farmers'  
(3) At a county fair; or  
(4) At a special event."

The Amendment was read \_\_\_\_\_  
By: Representative Sabin  
JMB/JMB - 02-02-2017 08:39:57  
JMB227 \_\_\_\_\_ Chief Clerk