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## DIGEST

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Simon

HB No. 775

**Abstract:** Provides for the Louisiana Cottage Food Law to apply to home processors of food for sale.

Proposed law shall be known as the "Louisiana Cottage Food Law".

Proposed law creates within the Louisiana Department of Agriculture and Forestry (LDAF) the Home-Based Processor Program ("program") for the purpose of stimulating local and small-scale food production in La. while protecting the health and safety of consumers.

Proposed law requires LDAF to promulgate in accordance with the APA all rules as are necessary to implement the program. Provides that the rules shall provide for and ensure, at minimum, all of the following:

- (1) Compliance by home-based processor with the federal food safety requirements provided in the Good Manufacturing Practices regulations, 21 CFR 110 et seq.
- (2) Limiting authorization of home-based commercial production to production of only those foods designated in rule as "low-risk". The department may define and designate such low-risk foods, which may include the following:
  - (a) Baked goods.
  - (b) Candies.
  - (c) Dried mixes.
  - (d) Honey and honeycomb products.
  - (e) Jams and jellies.
  - (f) Pickles and acidified foods.
  - (g) Sauces, syrup, and other liquids.
  - (h) Spices.

- (3) An application and permitting process.
- (4) An inspection and testing process to ensure food safety.
- (5) Penalties and enforcement.

Proposed law authorizes LDAF to provide in program rules for food labeling requirements.

Proposed law provides that eligibility for the program shall be limited to preparers of foods made at home for sale whose gross annual sales equal \$50,000 or less.

Present law provides that neither the state Sanitary Code nor any code, law, or regulation providing requirements relative to commercial food preparation shall apply to the preparation of jellies, preserves, jams, honey, honeycomb products, cakes, and cookies in the home for sale. Proposed law revises present law to provide that no such food preparation regulations shall apply to any home-based preparer of duly permitted in accordance with proposed law.

Proposed law deletes provisions in present law that would become inoperable pursuant to proposed law.

Proposed law stipulates that implementation of the program provided for in proposed law shall occur no sooner than July 1, 2015. Provides further that implementation of the program shall also be subject to appropriation of funds to LDAF.

Effective Jan. 1, 2015.

(Amends R.S. 40:4.9(A); Adds R.S. 3:251-260; Repeals R.S. 40:4.9(B) and (C))