

HOUSE COMMITTEE AMENDMENTS

2025 Regular Session

Amendments proposed by House Committee on Health and Welfare to Original House Bill
No. 150 by Representative Coates

AMENDMENT NO. 1

On page 1, delete lines 2 through 7 in their entirety and insert the following:

"To enact R.S. 40:4.13, relative to the production of farm food products for sale to the public; to provide for definitions; to create an exemption to licensing requirements for certain food producers; to establish categories of farm food products based on temperature and safety requirements; to establish labeling requirements for farm food products; to provide for the collection of taxes; to establish income limitations; and to provide for related matters."

AMENDMENT NO. 2

On page 1, delete lines 9 through 19 in their entirety, delete pages 2 through 4 in their entirety, and insert the following:

"Section 1. R.S. 40:4.13 is hereby enacted to read as follows:

§4.13. Farm food production; requirements

A. As used in this Section, the following definitions apply:

(1) "Farm food product" means any homemade or home-grown food that is cooked, baked, preserved, acidified, fermented, or dehydrated and, if packaged, packaged at the residential farm of the preparer.

(2) "Non-potentially hazardous food" means a farm food product that does not require time or temperature control for safety to limit pathogenic microorganism growth or toxin formation.

(3) "Potentially hazardous food" means a farm food product that requires time or temperature control for safety to limit pathogenic microorganism growth or toxin formation or consists of animal muscle protein or fish protein.

(4) "Residential farm" means a farm food product preparer's residence where farm food products are grown, raised, or processed. To be considered a residential farm, the preparer's farm shall be registered with the United States Department of Agriculture and have a Farm Service Agency number identifying the farm.

B. No provision of the state Sanitary Code or any provision of any other law or regulation that requires any equipment, design, construction, utensils, supplies, preparation, or services shall apply to the preparation and sale of a farm food product except as provided for in this Section.

C. A preparer of a farm food product, which includes potentially and non-potentially hazardous foods, shall adhere to all of the following requirements:

(1) A preparer shall label any farm food product offered for sale. The label shall contain all of the following:

(a) A statement that the farm food product was grown that is exempt from state licensing and inspection.

(b) The name, address, and telephone number of the preparer.

(c) The ingredients of the farm food product in descending order of predominance.

(2) A preparer shall only use pasteurized milk or milk products in the preparation of a potentially hazardous food.

(3) A preparer shall maintain cooking and production areas used to produce a farm food product in a clean and sanitary manner.

(4) A preparer shall ensure cooking and production areas are free from domestic pets while preparing a farm food product.

1 (5) A preparer shall maintain all equipment used or connected with the
2 production, storing, or processing of a farm food product in a clean and sanitary
3 manner, free from any cracks and, wherever possible, be composed of a non-
4 corroding metal, or other smooth, impervious material. Stationary or non-readily
5 movable equipment shall be installed in a manner that allows for easy cleaning.

6 (6) A preparer shall not sell any farm food product containing cannabidiol
7 or tetrahydrocannabinol.

8 (7) A preparer shall not sell a farm food product unless the individual is
9 registered to collect any local sales and use taxes that are applicable to the sale of a
10 farm food product. As evidence of registration, the preparer shall possess a current
11 sales tax certificate issued to the preparer by the sales and use tax collector for the
12 parish in which the sales occur.

13 (8) A preparer shall own a farm that is registered with the United States
14 Department of Agriculture as evidenced by a Farm Service Agency number.

15 D. A preparer of potentially hazardous food shall adhere to all of the
16 following additional requirements:

17 (1) A preparer or an employee of a preparer shall deliver a potentially
18 hazardous food directly to the consumer at the preparer's farm or a farmer's market.

19 (2)(a) If a potentially hazardous food requires transportation prior to delivery
20 to the consumer, the preparer shall maintain the potentially hazardous food at an
21 appropriate temperature during transport to maintain food safety.

22 (b) A preparer shall not transport a potentially hazardous food more than
23 once or for a period of time longer than two hours.

24 E. A preparer of non-potentially hazardous foods may sell a non-potentially
25 hazardous food directly to a consumer on the preparer's farm or at a farmer's market.

26 F. Nothing in this Section shall interfere with the Louisiana Department of
27 Health's authority to investigate and respond to a report of foodborne illness,
28 including issuing an order to a preparer to cease selling food that is unwholesome.

29 G. This Section shall not apply to any preparer of a farm food product whose
30 gross annual sales of farm food products equal fifty thousand dollars or more."