
DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 150 Reengrossed

2025 Regular Session

Coates

Abstract: Provides for the production and sale of homemade food to consumers.

Present law states that an individual may sell and produce homemade food, known as a low-risk food, made and packaged in the individual's home.

Present law provides that there is an exception to the sanitary code and other provisions of present law for the production of low-risk foods if the preparer's gross sales are less than \$30,000.

Proposed law changes present law by increasing the amount of allowed gross sales to less than \$150,000.

Proposed law defines "farm food product" as a 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.

Proposed law defines "non-potentially hazardous food" as a farm food product that does not require time or temperature control for safety to limit pathogenic microorganism growth or toxin formation.

Proposed law defines "potentially hazardous food" as a farm food product that requires time or temperature control for safety to limit pathogenic microorganism growth or toxin formation.

Proposed law provides that a farm food products preparer must have an identification number from the United States Department of Agriculture in order to sell a farm food products.

Present law states that provisions of the Sanitary Code and present law govern the sale of food to the public.

Proposed law creates an exception for farm food products sold by a farm food products preparer as long as the preparer generates less than \$50,000 in gross sales of farm food products.

Proposed law provides that a preparer of farm food products for sale shall maintain food production areas and equipment in a clean sanitary manner.

Proposed law stating that a preparer of farm food products must exclude pets from any part of the residence where farm food products are prepared while a product is being prepared.

Proposed law states that a farm food product may be sold in-person at the preparer's residential farm or a farmer's market.

Present law requires a farm food product preparer to use only pasteurized milk and pasteurized milk products when preparing farm food products for sale.

Proposed law retains present law.

Present law requires a farm food product preparer to label farm food products and clearly state all of the following:

- (1) The farm food product for sale is exempt from state licensing and inspection.
- (2) The preparer's name, address, and telephone number.
- (3) The ingredients, in descending order of predominance, of the farm food product.

Proposed law prohibits a preparer from selling a farm food product if it contains cannabidiol or tetrahydrocannabinol.

Proposed law prohibits an individual from selling a farm food product unless he registers to collect any applicable sales or use tax, as evidenced by a current sales tax certificate issued to the seller by the sales and use tax collector for the parish in which the sales occur.

Proposed law shall not apply to a farm food product preparer whose gross annual sales of farm food product equal \$50,000 or more.

Proposed law establishes requirements for delivering potentially hazardous food including delivery and time limitations in order to promote safe food handling.

Proposed law states that proposed law shall not interfere with the La. Dept. of Health's authority to investigate and respond to a report of foodborne illness, including issuing an order to a preparer to cease selling food that is unwholesome.

(Amends R.S. 40:4.9(B); Adds R.S. 40:4.13)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Change the term "homemade food" to "farm food product".
2. Limit the individuals authorized to sell farm food products to those who have a U.S. Dept. of Agriculture identification number.

3. Clarify that farm food product preparers are required to obtain a tax certificate and pay taxes on the sale of farm food products.
4. Provide that a farm food product preparer may sell products directly to consumers at the preparer's farm or a farmer's market.
5. Establish that proposed law shall not apply to farm food product preparers who exceed \$50,000 in gross sales of farm food products.
6. Remove language that would have repealed present law relative to homemade food.

The House Floor Amendments to the engrossed bill:

1. Increase the gross sales cap for low-risk foods from \$30,000 to \$150,000.
2. Make technical changes.