

COMMITTEE ON COMMERCE  
SENATE AMENDMENTS TO H.B. 2509  
(Reference to House engrossed bill)

1 Page 10, between lines 5 and 6, insert:

2 "B. IF A COTTAGE FOOD PRODUCT IS OFFERED FOR SALE ONLINE, THE ONLINE  
3 PLATFORM MUST PROVIDE A NOTIFICATION THAT INCLUDES ALL OF THE FOLLOWING:  
4 1. THE NAME AND REGISTRATION NUMBER OF THE FOOD PREPARER.  
5 2. A LIST OF ALL INGREDIENTS IN THE COTTAGE FOOD PRODUCT AND THE  
6 COTTAGE FOOD PRODUCT'S PRODUCTION DATE.  
7 3. THE FOLLOWING STATEMENT: "THIS PRODUCT WAS PRODUCED IN A HOME  
8 KITCHEN THAT MAY PROCESS COMMON FOOD ALLERGENS AND IS NOT SUBJECT TO PUBLIC  
9 HEALTH INSPECTION.""

10 Reletter to conform

11 Line 13, strike "PRODUCER" insert "PREPARER:  
12 1."

13 Between lines 14 and 15, insert:

14 "2. MAY NOT STORE COTTAGE FOOD PRODUCTS OR FOOD PREPARATION  
15 EQUIPMENT OUTSIDE OF THE FOOD PREPARER'S HOME."

16 Between lines 35 and 36, insert:

17 "F. A COTTAGE FOOD PRODUCT MAY NOT:  
18 1. BE USED AS AN INGREDIENT IN FOOD PRODUCTS SOLD AT A PERMITTED  
19 RETAIL FOOD ESTABLISHMENT.  
20 2. INCLUDE MARIJUANA OR MARIJUANA BY-PRODUCTS.  
21 G. A COTTAGE FOOD PRODUCT SHALL CONTAIN ONLY INGREDIENTS THAT ARE  
22 FROM SOURCES THAT ARE APPROVED BY LAW.  
23 H. A HOME KITCHEN THAT IS USED TO PREPARE COTTAGE FOOD PRODUCTS MAY  
24 NOT OPERATE AS A COMMISSARY FOR THE PURPOSES OF SECTION 36-1761."

1 Page 10, line 39, strike "OR A COUNTY"

2 Line 40, after "ANY" insert "REPORTED"

3 After line 44, insert:

4 "4. DOES NOT AFFECT ANY COUNTY OR MUNICIPAL BUILDING CODE, ZONING  
5 CODE OR ORDINANCE OR OTHER LAND USE REGULATION."

6 Page 11, line 2, after "PRODUCTS" insert "THAT ARE"; strike the period insert  
7 "AND THAT INCLUDE BOTH OF THE FOLLOWING:

8 1. A PROVISION REQUIRING SUSPENSION OR REVOCATION OF AN INDIVIDUAL'S  
9 REGISTRATION FOR FAILING TO COMPLY WITH THE REQUIREMENTS OF THIS ARTICLE OR  
10 IMPEDING IN THE INVESTIGATION OF A REPORTED FOODBORNE ILLNESS.

11 2. GUIDANCE RELATING TO APPROVED INGREDIENT SOURCES."

12 Between lines 3 and 4, insert:

13 "D. A COUNTY MAY NOT BE REQUIRED TO ENFORCE THIS ARTICLE.

14 E. THIS ARTICLE DOES NOT PREVENT THE DEPARTMENT AND A LOCAL HEALTH  
15 AGENCY, ENVIRONMENTAL AGENCY OR PUBLIC HEALTH SERVICES AGENCY FROM ENTERING  
16 INTO A DELEGATION AGREEMENT TO ENFORCE THIS ARTICLE."

17 Amend title to conform

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03/07/2023  
2:20 PM  
C: MH