

First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 11-0261.03 Kate Meyer

SENATE BILL 11-258

SENATE SPONSORSHIP

Schwartz,

HOUSE SPONSORSHIP

Vigil and Coram,

Senate Committees

Agriculture, Natural Resources, and Energy
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING LOCALLY PRODUCED FOODS, AND, IN CONNECTION**
102 **THEREWITH, AUTHORIZING THE DEPARTMENT OF PUBLIC**
103 **HEALTH AND ENVIRONMENT AND LOCAL BOARDS OF HEALTH TO**
104 **CREATE REGISTRIES OF GROWERS WHO PRODUCE FOOD**
105 **PRODUCTS IN THEIR HOME KITCHENS, PROMOTING LOCAL**
106 **FOODS, AND INCREASING ECONOMIC OPPORTUNITIES FOR LOCAL**
107 **FOOD PRODUCERS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

http://www.leg.state.co.us/bills/summaries.)

The bill increases consumer access to local fresh and value-added agricultural products.

Sections 2, 3, and 4 of the bill allow a grower to use his or her private home kitchen for the production of low-risk food to be sold at retail if:

- ! The grower registers with a registry created and maintained by the grower's district, county, or regional board of health;
- ! The food produced in the kitchen is a baked or dehydrated food or is an acid food product;
- ! The food incorporates a key or principal agronomic ingredient that was grown by the person;
- ! Net revenues from each eligible food product made in the home kitchen do not exceed \$5,000 in a calendar year; and
- ! The food is sold directly to ultimate consumers and only at the grower's residence or roadside stand, a farmers' market, a community-supported agricultural organization, or similar venue.

Section 4 further identifies prerequisites and procedures for registration, including training in food handling safety and mandatory label components of foods produced in home kitchens.

Section 5 allows the Colorado food systems advisory council to consider the feasibility of developing a subclassification of the "Colorado Proud" marketing program specifically devoted to stimulating purchases of fresh, locally sourced fruits and vegetables.

Section 6 adds promoting farmers' markets to the list of powers, functions, and duties of the Colorado department of agriculture.

Section 7 allows small egg producers to sell their eggs on the producers' premises or at local farmers' markets and applies the laws and rules regarding safe transport, including refrigeration and washing requirements, to such eggs.

Section 8 directs the Colorado department of transportation to promulgate rules regarding the safe placement of signs advertising farmers' markets and roadside stands.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and declares that facilitating greater access to markets and
4 consumers for small, local producers of fresh and value-added foods will
5 foster direct connections between people and local producers, which

1 connections will:

2 (a) Support economic development and agritourism in Colorado
3 communities by generating entrepreneurial opportunities, encouraging
4 direct-to-consumer sales of locally grown foods, and creating new jobs;

5 (b) Invigorate local food systems by easing impediments to local
6 markets; and

7 (c) Increase the self-reliance of Colorado communities.

8 (2) The general assembly further finds and declares that:

9 (a) Exempting from retail food establishment licensure
10 requirements, authorizing the department of public health and
11 environment and county, district, or regional boards of health to register
12 home kitchens, and encouraging those boards of health to work with the
13 local agricultural community to establish local food production programs
14 will support both local farmers and small-scale producers;

15 (b) Growers with locally registered home kitchens will have
16 sufficient incentives to be accountable to consumers and provide safe,
17 wholesome foods;

18 (c) At least eighteen states in which agriculture is important have
19 enacted "cottage food laws" that allow growers to produce nonhazardous
20 food in their home kitchens and sell that food to consumers; and

21 (d) Making fresh, locally produced foods more easily available to
22 all consumers will improve the healthy eating habits of all Coloradans.

23 (3) The general assembly also encourages entities that regulate,
24 affect, or are interested in local food production and related matters to
25 examine ways in which to revise zoning ordinances, building and health
26 codes, and other legal barriers to accommodate and encourage the
27 growing and use of local produce and the production of value-added

1 foods that use local produce. Such entities are also urged to initiate,
2 support, and set goals for farm-to-school program efforts, including
3 programs in which schools and other public entities generate and make
4 use of on-site produce and that incorporate into a farm-to-school
5 curriculum knowledge and consumption of locally sourced and
6 distributed foods, including those grown in geothermally heated and other
7 greenhouses.

8 **SECTION 2.** 25-4-1602 (14), Colorado Revised Statutes, is
9 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

10 **25-4-1602. Definitions.** As used in this part 16, unless the
11 context otherwise requires:

12 (14) "Retail food establishment" means a retail operation that
13 stores, prepares, or packages food for human consumption or serves or
14 otherwise provides food for human consumption to consumers directly or
15 indirectly through a delivery service, whether such food is consumed on
16 or off the premises or whether there is a charge for such food. "Retail
17 food establishment" does not mean:

18 (m) A HOME KITCHEN IN WHICH A GROWER REGISTERED UNDER
19 SECTION 25-4-1614 PRODUCES FOOD PRODUCTS SOLD DIRECTLY TO
20 CONSUMERS IN ACCORDANCE WITH THAT SECTION.

21 **SECTION 3.** 25-4-1603, Colorado Revised Statutes, is amended
22 to read:

23 **25-4-1603. Licensing, certification, and food protection**
24 **agency.** (1) The department is hereby designated the state licensing,
25 certification, and food protection agency for the purpose of protecting the
26 public health and ensuring a safe food supply in this state. ~~In addition to~~
27 ~~such designation,~~ The department is hereby ALSO authorized to regulate

1 and control retail food establishments, promulgate rules governing the
2 operation of such establishments, and uniformly enforce and administer
3 this part 16.

4 (2) NOTHING IN SUBSECTION (1) OF THIS SECTION AFFECTS OR
5 IMPAIRS THE ABILITY OF A COUNTY, DISTRICT, OR REGIONAL BOARD OF
6 HEALTH TO CREATE A REGISTRY OF GROWERS WHO SELL FOOD PRODUCTS
7 PRODUCED IN THE GROWERS' HOME KITCHENS IN ACCORDANCE WITH
8 SECTION 25-4-1614.

9 **SECTION 4.** Part 16 of article 4 of title 25, Colorado Revised
10 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
11 read:

12 **25-4-1614. Home kitchens - exemption - registration - _____**
13 **registries - report - rules - short title - definitions.** (1) THIS SECTION
14 SHALL BE KNOWN AND MAY BE CITED AS THE "COLORADO COTTAGE
15 FOODS ACT".

16 (2) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
17 CONTRARY, A COUNTY, DISTRICT, OR REGIONAL BOARD OF HEALTH THAT
18 IS AUTHORIZED TO ENFORCE THIS PART 16 AND RULES ADOPTED UNDER
19 THIS PART 16 MAY CREATE A REGISTRY OF GROWERS REGISTERED
20 PURSUANT TO THIS SECTION WHO SELL, DIRECTLY TO CONSUMERS, FOOD
21 PRODUCED IN THE GROWER'S PRIVATE HOME KITCHEN THAT IS LOCATED
22 WITHIN THE BOARD'S JURISDICTION. THE DEPARTMENT IS ALSO
23 AUTHORIZED TO CREATE A REGISTRY TO REGISTER GROWERS IN THE STATE
24 WHO USE THEIR HOME KITCHENS TO PREPARE FOOD FOR SALE DIRECTLY TO
25 CONSUMERS. _____

26 (3) (a) A GROWER MAY USE HIS OR HER HOME KITCHEN TO
27 PRODUCE FOODS FOR SALE ONLY IF THE GROWER SELLS THE FOODS

1 DIRECTLY TO ULTIMATE CONSUMERS AND REGISTERS WITH THE
2 DEPARTMENT OR A COUNTY, DISTRICT, OR REGIONAL BOARD OF HEALTH IN
3 ACCORDANCE WITH THIS SECTION.

4 (b) A REGISTRANT IS PERMITTED UNDER THIS SECTION TO SELL
5 ONLY NONPOTENTIALLY HAZARDOUS HOME KITCHEN-PREPARED
6 FOODS THAT DO NOT REQUIRE REFRIGERATION, INCLUDING SPICES,
7 DEHYDRATED PRODUCE, HONEY, JAMS, JELLIES, PRESERVES, FRUIT BUTTER,
8 AND BAKED GOODS.

9
10 (c) A REGISTRANT MUST HAVE GROWN THE PRINCIPAL AGRONOMIC
11 INGREDIENT OF ANY FOOD SOLD UNDER THIS SECTION, OR, FOR BAKED
12 GOODS, THE REGISTRANT MUST HAVE GROWN A KEY AGRONOMIC
13 INGREDIENT OF THE BAKED FOOD SOLD UNDER THIS SECTION.

14 (d) THE FOODS PRODUCED UNDER THIS SECTION MUST BE SOLD
15 ONLY:

16 (I) DIRECTLY TO ULTIMATE CONSUMERS; AND

17 (II) ON THE REGISTRANT'S PREMISES, AT THE REGISTRANT'S
18 ROADSIDE STAND, OR AT A FARMERS' MARKET, COMMUNITY-SUPPORTED
19 AGRICULTURE ORGANIZATION, OR SIMILAR VENUE.

20 (e) ONLY A GROWER WHO EARNS NET REVENUES OF FIVE
21 THOUSAND DOLLARS OR LESS PER CALENDAR YEAR FROM SALES OF EACH
22 FOOD PRODUCT PRODUCED IN THE GROWER'S HOME KITCHEN IS ELIGIBLE
23 FOR REGISTRATION UNDER THIS SECTION.

24 (f) TO BE REGISTERED PURSUANT TO THIS SECTION, A GROWER
25 MUST BE CERTIFIED IN SAFE FOOD HANDLING BY A THIRD-PARTY
26 CERTIFYING ENTITY, INCLUDING THE UNITED STATES DEPARTMENT OF
27 AGRICULTURE OR THE COLORADO STATE UNIVERSITY COOPERATIVE

1 EXTENSION SERVICE, AND MAINTAIN A STATUS OF GOOD STANDING IN
2 ACCORDANCE WITH THE CERTIFYING ENTITY'S PRACTICES AND
3 PROCEDURES, INCLUDING ATTENDING ANY CLASSES REQUIRED FOR
4 CERTIFICATION. ==

5 (4) IN ORDER TO REGISTER TO SELL FOODS UNDER THIS SECTION,
6 A GROWER MUST SUBMIT THE FOLLOWING TO THE DEPARTMENT OR TO THE
7 COUNTY, DISTRICT, OR REGIONAL BOARD OF HEALTH IN WHICH THE
8 GROWER'S HOME KITCHEN IS LOCATED:

9 (a) A REGISTRATION FEE IN AN AMOUNT DETERMINED BY THE
10 DEPARTMENT OR THE COUNTY, DISTRICT, OR REGIONAL BOARD OF HEALTH
11 TO BE SUFFICIENT TO RECOVER THE ACTUAL AND DIRECT COSTS OF
12 ADMINISTERING THIS SECTION, INCLUDING THE EXPENSES OF CREATING
13 AND MAINTAINING A REGISTRY OF REGISTRANTS LOCATED IN THE STATE
14 OR, FOR A COUNTY, DISTRICT, OR REGIONAL BOARD OF HEALTH REGISTRY,
15 WITHIN THAT BOARD'S JURISDICTION;

16 (b) AN AFFIDAVIT STATING THAT THE GROWER WILL COMPLY WITH
17 PARAGRAPH (e) OF SUBSECTION (3) OF THIS SECTION;

18 (c) A SAMPLE OF THE LABEL THAT THE GROWER INTENDS TO USE
19 AND THAT CONFORMS TO SUBSECTION (5) OF THIS SECTION; AND

20 (d) PROOF OF CERTIFICATION IN SAFE FOOD HANDLING PURSUANT
21 TO PARAGRAPH (f) OF SUBSECTION (3) OF THIS SECTION.

22 (5) (a) NO FOOD PRODUCT SHALL BE SOLD UNDER THIS SECTION
23 UNLESS IT HAS AN AFFIXED LABEL THAT INCLUDES AT LEAST THE
24 FOLLOWING INFORMATION:

25 (I) IDENTIFICATION OF THE PRODUCT;

26 (II) THE REGISTRANT'S NAME, THE ADDRESS AT WHICH THE FOOD
27 WAS PREPARED, AND THE REGISTRANT'S CURRENT TELEPHONE NUMBER;

1 (III) THE DATE ON WHICH THE FOOD WAS PRODUCED;

2 (IV) THE COMPLETE LIST OF INGREDIENTS; AND

3 (V) THE FOLLOWING DISCLAIMER: "THIS PRODUCT WAS PRODUCED
4 IN A HOME KITCHEN THAT IS NOT SUBJECT TO STATE LICENSURE OR
5 INSPECTION AND THAT MAY ALSO PROCESS COMMON FOOD ALLERGENS
6 SUCH AS TREE NUTS, PEANUTS, EGGS, SOY, WHEAT, MILK, FISH, AND
7 CRUSTACEAN SHELLFISH. THIS PRODUCT IS NOT INTENDED FOR RESALE."

8 (b) A FOOD PRODUCT SOLD UNDER THIS SECTION AND NOT
9 LABELED IN ACCORDANCE WITH PARAGRAPH (a) OF THIS SUBSECTION (5)
10 IS MISBRANDED AND IS SUBJECT TO FOOD SAMPLING AND INSPECTION
11 PURSUANT TO SUBSECTION (7) OF THIS SECTION.

12 (6) (a) (I) THE DEPARTMENT OR A COUNTY, DISTRICT, OR
13 REGIONAL BOARD OF HEALTH MAY PROMULGATE RULES AS NECESSARY TO
14 ADMINISTER THIS SECTION.

15 (II) THE DEPARTMENT OR A COUNTY, DISTRICT, OR REGIONAL
16 BOARD OF HEALTH MAY ADOPT POLICIES OR PROMULGATE RULES
17 REGARDING RECEIPT AND RETENTION OF DOCUMENTATION REQUIRED
18 UNDER THIS SECTION OR REQUIRED BY RULES PROMULGATED PURSUANT
19 TO THIS PARAGRAPH (a). THE ___ POLICIES OR RULES SHOULD ESTABLISH
20 METHODS TO IDENTIFY AND INVESTIGATE ALLEGATIONS OF FOOD-BORNE
21 ILLNESSES CONTRACTED FROM FOODS SOLD UNDER THIS SECTION.
22 HOWEVER, NOTHING IN THIS SECTION REQUIRES THE DEPARTMENT OR A
23 COUNTY, DISTRICT, OR REGIONAL BOARD OF HEALTH TO VERIFY THE
24 ACCURACY OR LEGITIMACY OF DOCUMENTATION SUBMITTED BY A
25 REGISTRANT OR PERSON SEEKING REGISTRATION UNDER THIS SECTION.

26 (b) THE DEPARTMENT SHALL DEPOSIT ANY FEE COLLECTED UNDER
27 PARAGRAPH (a) OF SUBSECTION (4) OF THIS SECTION IN THE FOOD

1 PROTECTION CASH FUND CREATED IN SECTION 25-4-1608. THE COUNTY,
2 DISTRICT, OR REGIONAL BOARD OF HEALTH SHALL DEPOSIT THE FEE
3 COLLECTED UNDER PARAGRAPH (a) OF SUBSECTION (4) OF THIS SECTION
4 IN THE APPROPRIATE COUNTY, DISTRICT, OR REGIONAL PUBLIC HEALTH
5 AGENCY FUND IN ACCORDANCE WITH SECTION 25-1-511.

6 (7) (a) A FOOD PRODUCT PRODUCED PURSUANT TO THIS SECTION
7 IS SUBJECT TO FOOD SAMPLING AND INSPECTION IF IT IS DETERMINED THAT
8 THE FOOD PRODUCT IS MISBRANDED PURSUANT TO SUBSECTION (5) OF THIS
9 SECTION OR IF A CONSUMER COMPLAINT HAS BEEN RECEIVED.

10 (b) IF THE DEPARTMENT OR A COUNTY, DISTRICT, OR REGIONAL
11 BOARD OF HEALTH HAS REASON TO BELIEVE THAT AN IMMINENT HEALTH
12 HAZARD EXISTS, IT MAY SUSPEND A REGISTRATION UNDER THIS SECTION
13 UNTIL IT DEEMS THAT THE HAZARDOUS SITUATION HAS BEEN ADDRESSED
14 TO THE SATISFACTION OF THE DEPARTMENT OR THE BOARD, AS
15 APPROPRIATE.

16 (c) THE DEPARTMENT OR A COUNTY, DISTRICT, OR REGIONAL
17 BOARD OF HEALTH MAY REVOKE A REGISTRATION UNDER THIS SECTION
18 FOR VIOLATION OF THIS SECTION OR RULES ADOPTED UNDER THIS SECTION
19 OR FOR OTHER GOOD CAUSE SHOWN, AFTER A HEARING CONDUCTED UPON
20 REASONABLE NOTICE TO THE REGISTRANT AND AT WHICH THE REGISTRANT
21 MAY BE PRESENT WITH COUNSEL AND MAY BE HEARD.

22 (8) A PERSON WHO PURCHASES A PRODUCT MADE BY A
23 REGISTRANT SHALL NOT RESELL THE PRODUCT.

24 (9) SECTIONS 25-4-1604 THROUGH 25-4-1613 DO NOT APPLY TO
25 THIS SECTION.

26 (10) DURING THE SECOND REGULAR SESSION OF THE SIXTY-NINTH
27 GENERAL ASSEMBLY, THE DEPARTMENT MAY REPORT TO THE JOINT HOUSE

1 AGRICULTURE, LIVESTOCK, AND NATURAL RESOURCES COMMITTEE AND
2 THE SENATE AGRICULTURE, NATURAL RESOURCES, AND ENERGY
3 COMMITTEE, OR ANY SUCCESSOR COMMITTEES, REGARDING REGISTRIES IN
4 THIS STATE, INCLUDING THE NUMBER OF REGISTRIES, THE NUMBER OF
5 REGISTRANTS IN EACH REGISTRY, AND ANY OTHER INFORMATION OR
6 RECOMMENDATION RELEVANT TO REGISTRIES.

7 (11) AS USED IN THIS SECTION:

8 == ==

9 (a) "GROWER" MEANS A NATURAL PERSON WHO IS A RESIDENT OF
10 COLORADO AND WHO GROWS THE PRINCIPAL OR A KEY AGRONOMIC
11 INGREDIENT OF ANY FOOD SOLD UNDER THIS SECTION, AS SPECIFIED IN
12 PARAGRAPH (c) OF SUBSECTION (3) OF THIS SECTION.

13 (b) "HOME" MEANS A PRIMARY RESIDENCE OCCUPIED BY THE
14 REGISTRANT PRODUCING THE FOOD UNDER THIS SECTION.

15 (c) "NONPOTENTIALLY HAZARDOUS" HAS THE MEANING SET FORTH
16 IN SECTION 25-4-1602.

17 (d) "REGISTRANT" MEANS A GROWER REGISTERED UNDER THIS
18 SECTION.

19 **SECTION 5.** 24-37.3-103, Colorado Revised Statutes, is
20 amended BY THE ADDITION OF THE FOLLOWING NEW
21 SUBSECTIONS to read:

22 **24-37.3-103. Council - purpose and duties.** (3) (a) THE
23 COUNCIL MAY ALSO STUDY THE FEASIBILITY OF CREATING COLORADO
24 "FRESH AND LOCAL", A SUBCLASSIFICATION OF THE "COLORADO PROUD"
25 PROGRAM THAT SPECIFICALLY EMPHASIZES BUYING FRESH COLORADO
26 PRODUCE AND OTHER PRODUCTS THAT ARE PRODUCED LOCALLY AND SOLD
27 DIRECTLY TO CONSUMERS AT FARMERS' MARKETS, ROADSIDE STANDS,

1 COMMUNITY-SUPPORTED AGRICULTURE ORGANIZATIONS, OR SIMILAR
2 VENUES.

3 (b) IF THE COUNCIL DOES STUDY A POTENTIAL COLORADO "FRESH
4 AND LOCAL" PROGRAM PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION
5 (3), THE COUNCIL SHALL MAKE RECOMMENDATIONS REGARDING A
6 PROGRAM TO THE DEPARTMENT OF AGRICULTURE. FURTHERMORE, IF,
7 PURSUANT TO A STUDY, THE COUNCIL DECIDES THAT A "FRESH AND
8 LOCAL" PROGRAM IS FEASIBLE, THE COUNCIL MAY COLLABORATE WITH
9 THE DEPARTMENT OF AGRICULTURE TO ESTABLISH METHODS AND
10 STANDARDS FOR IDENTIFYING PRODUCTS UNDER THE PROGRAM,
11 INCLUDING COPYRIGHT AND LOGO USE GUIDELINES AND RESTRICTIONS.

12 (4) CONSISTENT WITH THE COUNCIL'S MISSION, FUNCTIONS, AND
13 DUTIES, THE COUNCIL MAY SUPPORT AND ENCOURAGE EFFORTS TO SET
14 GOALS TO MAKE LOCAL FOODS AVAILABLE TO LOCAL INSTITUTIONS AND
15 SCHOOLS. IN ADDITION, THE COUNCIL MAY REVIEW SUCCESSFUL
16 PROGRAMS AND MODELS USED BY OTHER STATES TO FACILITATE ACCESS
17 TO LOCAL FOODS.

18 **SECTION 6.** 35-1-104 (1), Colorado Revised Statutes, is
19 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

20 **35-1-104. Functions, powers, and duties.** (1) The department
21 has and shall exercise the following functions, powers, and duties:

22 (h.5) TO PROMOTE, WITHIN EXISTING APPROPRIATIONS, FARMERS'
23 MARKETS LOCATED WITHIN THE STATE, INCLUDING SUPPORT OR
24 DEVELOPMENT OF FARMERS' MARKET ORGANIZATIONS AND WORKING
25 GROUPS AND THE PROVISION OF EDUCATION, OUTREACH, AND OTHER
26 ASSISTANCE;

27 **SECTION 7.** 35-21-105, Colorado Revised Statutes, is amended

1 to read:

2 **35-21-105. Exemption.** (1) ~~Any~~ EXCEPT AS PROVIDED IN
3 SUBSECTION (2) OF THIS SECTION, A person who produces and sells, only
4 ~~at retail~~ ON THE PREMISES AT WHICH THE EGGS WERE PRODUCED, AT A
5 FARMERS' MARKET, OR THROUGH A COMMUNITY-SUPPORTED
6 AGRICULTURAL ORGANIZATION, less than two hundred fifty dozen eggs
7 per month ~~shall be exempted~~ IS EXEMPT from ~~all provisions of this article;~~
8 except that such a producer may apply for a dealer's license and, upon
9 compliance with this article, be issued a dealer's license.

10 (2) A PERSON TRANSPORTING EGGS FOR SALE AT A FARMERS'
11 MARKET OR SIMILAR VENUE UNDER SUBSECTION (1) OF THIS SECTION
12 SHALL:

13 (a) COMPLY WITH THE TRANSPORT REQUIREMENTS OF SECTION
14 35-21-103 (3) AND ANY RULES, INCLUDING RULES REQUIRING
15 REFRIGERATION, PROMULGATED UNDER THIS ARTICLE REGARDING THE
16 SAFE TRANSPORT AND WASHING OF EGGS; AND

17 (b) AFFIX TO THE EGG PACKAGE A LABEL CONTAINING THE
18 ADDRESS AT WHICH THE EGGS ORIGINATED AND THE DATE ON WHICH THE
19 EGGS WERE PACKAGED. ANY EGGS NOT TREATED FOR SALMONELLA MUST
20 ALSO INCLUDE THE FOLLOWING STATEMENT ON THE PACKAGE: "SAFE
21 HANDLING INSTRUCTIONS: TO PREVENT ILLNESS FROM BACTERIA, KEEP
22 EGGS REFRIGERATED, COOK EGGS UNTIL YOLKS ARE FIRM, AND COOK ANY
23 FOODS CONTAINING EGGS THOROUGHLY".

24 == ==

25 **SECTION 8. Act subject to petition - effective date.** This act
26 shall take effect at 12:01 a.m. on the day following the expiration of the
27 ninety-day period after final adjournment of the general assembly (August

1 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a
2 referendum petition is filed pursuant to section 1 (3) of article V of the
3 state constitution against this act or an item, section, or part of this act
4 within such period, then the act, item, section, or part shall not take effect
5 unless approved by the people at the general election to be held in
6 November 2012 and shall take effect on the date of the official
7 declaration of the vote thereon by the governor.