

**FINAL
FISCAL NOTE**

Drafting Number: LLS 12-0115
Prime Sponsor(s): Rep. Bradford
 Sen. Spence

Date: May 31, 2012
Bill Status: Postponed Indefinitely
Fiscal Analyst: Clare Pramuk (303-866-2677)

TITLE: CONCERNING THE SALE OF NONPOTENTIALLY HAZARDOUS FOOD PRODUCED IN A HOME KITCHEN FOR SALE DIRECTLY TO CONSUMERS FOR CONSUMPTION OFF PREMISES.

Fiscal Impact Summary	FY 2012-2013	FY 2013-2014
State Revenue	See State Revenue section.	
State Expenditures	See State Expenditures section.	
FTE Position Change		
Effective Date: The bill was postponed indefinitely by the Senate Agriculture, Natural Resources and Energy Committee on March 22, 2012.		
Appropriation Summary for FY 2012-2013: None required		
Local Government Impact: See Local Government Impact section of the fiscal note.		

Summary of Legislation

This bill allows people (producers) to produce nonpotentially hazardous foods in their own home kitchen for sale directly to consumers for off-site consumption. Nonpotentially hazardous foods do not include low-acid, acidified, or canned foods. Sales of these foods are limited to the producer's property, at a roadside stand, or at a farmers' market. The Department of Public Health and Environment or a county or district public health agency may register producers and charge a fee up to \$100 per producer per year. Products must be labeled and include specific information as well as a statement that the product was produced in a home kitchen that is not subject to state licensure or inspection. Producers must maintain adequate liability insurance, complete a food safety training course, and keep records regarding recipes and the procurement of ingredients.

Background

Nonpotentially hazardous foods are defined in current law as any food or beverage that, when stored under normal conditions without refrigeration, will not support the rapid and progressive growth of microorganisms that cause food infections or food intoxications.

State Revenue

This bill allows but does not require the Department of Public Health and Environment to register producers and charge a fee. The fiscal impact of the bill is conditional upon the department choosing to implement a registration system and charge a fee for registration. Any fiscal impact is expected to be minimal.

State Expenditures

As noted in the State Revenue section, the fiscal impact of the bill is conditional upon the department choosing to implement a registration system and charge a fee for registration. Any fiscal impact is expected to be minimal.

Local Government Impact

This bill allows but does not require a county or district public health agency to register producers and charge a fee. The fiscal impact of the bill is conditional upon a county or district public health agency choosing to implement a registration system and charge a fee for registration. Any fiscal impact is expected to be minimal.

Departments Contacted

Agriculture

Public Health and Environment

Revenue