

PRELIMINARY STAFF MEASURE SUMMARY**CARRIER:**

Senate Committee on Environment and Natural Resources

REVENUE: No revenue impact (-1)**FISCAL: Minimal fiscal impact (-1)****SUBSEQUENT REFERRAL TO: None****Action:****Vote:****Yeas:****Nays:****Exc.:****Prepared By:** Beth Reiley, Administrator**Meeting Dates:** 2/18, 3/16

WHAT THE MEASURE DOES: Exempts food establishments from statutes addressing sanitary regulations for food and food establishments if: establishment is located in residential dwelling; food prepared is baked or confectionary; food is only sold to end user; food is not potentially hazardous; food is labeled “this product is homemade and is not prepared in an inspected food establishment;” and annual gross sales do not exceed \$20,000. Requires food establishment to maintain and make available to Department of Agriculture (ODA) upon request records of annual sales and types of food produced for at least three years. Authorizes ODA to require food establishment be licensed under statutes addressing sanitary regulations for food and food establishments if establishment refuses to comply with ODA rules that the establishment be constructed and maintained in clean, healthful and sanitary conditions.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT: (Proposed -1 Amendment) Clarifies definition of food does not include any article containing marijuana. Prohibits food from being sold over the internet. Requires each individual involved in preparation of food at establishment for distribution to have successfully completed food handler training program. Requires label include contact information for food establishment, name of product, ingredients, volume or weight of product, applicable allergy warnings; and nutritional information if label provides any nutrient content claim, health claim or other nutritional information.

BACKGROUND: The Oregon Department of Agriculture is responsible for regulating production, processing, and distribution of food products. Under current law, anyone who would like to sell bakery products that are made in his or her home kitchen, must meet requirements and must obtain a domestic kitchen license.

Senate Bill 320 would exempt certain food establishments from having to obtain a domestic kitchen license if, in addition to other requirements, they are located in a residential dwelling and prepare baked or confectionary goods.