

May 21, 2015

Representative Clem  
Chairman  
House Committee on Rural Communities, Land Use and Water  
900 Court St NE  
Salem, Oregon 97301

**Senate Bill 320 A Oppose**

The Honorable Chairman Clem and Committee Members,

After watching the last hearing on SB 320 A and reading the testimony submitted on this bill I am still opposed to this bill. As I said in my last testimony I had a home candy business and I went through the Oregon Department of Agriculture (ODA) process every year that my candy business was open. Again, I never thought that the yearly inspection by ODA and being registered with them and paying a fee was unreasonable if I wanted to provide a product to the public for sale.

After the last hearing I approached ODA and my county planning department as if I was starting my candy business up. In 20 years the process has not changed from when I did my candy business from my home kitchen. The ODA fee is \$152.00 if you make from 0-50,000 dollars in a year. If my memory is correct the fee was \$100.00 a year 20 years ago. Then I contacted my county planning department on applying for a home occupation permit. This has not changed either. It is still free as long as I use only 25% of my home and I have no complaints over parking or deliveries. If my neighbors complain then I will have to adjust my home occupation plan or pay a fee of \$1,125. This is much simpler than what this bill has become. Having the food handler's permit in lieu of an ODA inspection is not the same function that ODA performs. The greatest expense is having insurance for this business. Which is optional, but I would not do a home occupation business without insurance. The other large expense is payroll expenses.

**I still feel that providing safe food to the consumer is of the highest priority even if you are a small business operating from your home and wanting to sell at Farmer's Markets. I don't care if the income is \$20,000 or less...food safety is still the most important issue. How would you know when a business is over the \$20,000 threshold if they are not registered with ODA or some other agency? Labeling is already required by ODA.**

I was a 4-H leader for 32 years and I can tell you that I made sure certain families did not provide homemade food items to the club or for fund raisers after I had been to their homes. I always made it a priority to make home visits to make assessments of the home for food prep even for fair competition. Usually they prepared the food in my kitchen under my supervision.

The supporters of this bill are looking for ways for someone to make money using their home. The ODA inspection process and fee is not the road block here. The road block is getting the start up funds for a home business. Ingredients are very expensive and if you do a business plan the ingredients and labor are your road blocks not ODA. When I had my candy business I would make a chocolate, etc, ingredient order of \$5,000 at a time to get the quantity to meet economies of scale for a profit. The ingredients to make "high sugar/confection" goods are not cheap.

Just because it is homemade does not make it safe even with high sugar content. ODA needs to inspect every operation each year. ODA was never out of line with requirements in my opinion. They built a relationship with me and were always very helpful.

Sincerely,

Mickey Killingsworth  
Past Home Candy Maker  
And  
Still a Simple Shepherd  
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