

Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session
STAFF MEASURE SUMMARY
Senate Committee On Environment and Natural Resources

MEASURE: SB 320 A
CARRIER: Sen. Olsen

Fiscal: Has minimal fiscal impact

Revenue: No Revenue Impact

Action Date: 03/16/15

Action: Do Pass With Amendments. (Printed A-Eng.)

Meeting Dates: 02/18, 03/16

Vote:

Yeas: 5 - Dembrow, Edwards, Olsen, Prozanski, Thomsen

Prepared By: Beth Reiley, Committee Administrator

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 and does not contain marijuana; food is only sold to end user; food is not sold over internet; food is not potentially hazardous; food meets certain labeling requirements; and annual gross sales do not exceed \$20,000. Requires each individual involved in preparation of food at establishment for distribution to have successfully completed food handler training program. Requires food establishment to maintain and make available to Oregon 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:

- Access to baked goods in rural communities
- Opportunity for people to start small businesses
- Meat, fish and anything that requires refrigeration would not be included in the exemption

EFFECT OF COMMITTEE 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 320A 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, prepare baked or confectionary goods and their annual gross sales do not exceed \$20,000.