

## SB 643 -5 STAFF MEASURE SUMMARY

### Senate Committee On Natural Resources

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**Meeting Dates:** 1/25, 3/29

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#### **WHAT THE MEASURE DOES:**

Expands types of foods allowed under the state food safety program residential food establishment exemptions from baked goods and confectionary items to coffee beans, teas, popcorn, jams, jellies, honey, syrups, fruit butters, nut mixes, freeze-dried foods, dried and dehydrated foods, and powdered drink mixes. Removes requirements that exempt residential dwellings must sell food only to the end user and must have annual gross sales that do not exceed \$20,000. Allows a person to sell foods directly to the end user in any manner, including from the home, online, through the mail, and at events. Allows a person to sell foods to a retailer if the retailer agrees to store and display the foods separately from other foods and clearly indicate that the foods are homemade and not prepared in an inspected food establishment. Authorizes the Oregon Department of Agriculture (ODA) to provide a unique identification number for the product label upon request, as an alternative to the required address of the food establishment. Provides that ODA may prohibit pets from the food preparation area, but may not prohibit the food establishment from selling foods on the basis that there are pets in the residential dwelling.

*FISCAL: May have fiscal impact, but no statement yet issued.*

*REVENUE: May have revenue impact but no statement yet issued.*

#### **ISSUES DISCUSSED:**

#### **EFFECT OF AMENDMENT:**

-5 Replaces the measure. Defines "retailer" as a person who engages in the business of selling consumer goods to retail buyers, and clarifies the definition includes coffee shops and excludes restaurants. Expands types of foods allowed under the state food safety program residential food establishment exemptions from baked goods and confectionary items to packaged coffee beans, teas, popcorn, jams, jellies, honey, syrups, fruit butters, nut mixes, repackaged freeze-dried foods, repackaged dried and dehydrated foods, and powdered drink mixes. Modifies maximum annual gross sales requirement from \$20,000 with the possibility that the Oregon Department of Agriculture (ODA) may adopt rules to increase the limit, to \$50,000 with the requirement that ODA adjust the amount annually for inflation pursuant to the Consumer Price Index. Allows a person to sell foods directly to the end user in any manner, including from the home, online, through the mail, and at events. Allows a person to sell packaged foods to a retailer if the retailer agrees to store and display the foods separately from other foods and clearly indicate that the foods are homemade and not prepared in an inspected food establishment. Specifies label requirements including disclosure of the presence of pets or pet allergen potential, and the address of the food establishment or a unique identification number. Authorizes ODA to provide that identification number upon request, and to collect a reasonable fee for the service. Provides that ODA must prohibit pets from the food preparation area, but may not prohibit the food establishment from selling foods on the basis that there are pets in the residential dwelling.

*FISCAL: Has minimal fiscal impact*

*REVENUE: No revenue impact*

#### **BACKGROUND:**

**SB 643 -5 STAFF MEASURE SUMMARY**

Senate Bill 643 would expand the types of foods allowed under the state food safety program residential food establishment exemptions and would modify allowed sales methods and labeling requirements.