86R8307 KKR-D

By:  Hall S.B. No. 1028

A BILL TO BE ENTITLED

AN ACT

relating to the locations at which a cottage food production operation may sell products.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Section 437.001(2-b), Health and Safety Code, is amended to read as follows:

(2-b)  "Cottage food production operation" means an individual, operating out of the individual's home, who:

(A)  produces at the individual's home, subject to Section 437.0196:

(i)  a baked good that is not a potentially hazardous food, as defined by Section 437.0196;

(ii)  candy;

(iii)  coated and uncoated nuts;

(iv)  unroasted nut butters;

(v)  fruit butters;

(vi)  a canned jam or jelly;

(vii)  a fruit pie;

(viii)  dehydrated fruit or vegetables, including dried beans;

(ix)  popcorn and popcorn snacks;

(x)  cereal, including granola;

(xi)  dry mix;

(xii)  vinegar;

(xiii)  pickles;

(xiv)  mustard;

(xv)  roasted coffee or dry tea; or

(xvi)  a dried herb or dried herb mix;

(B)  has an annual gross income of $50,000 or less from the sale of food described by Paragraph (A);

(C)  sells the foods produced under Paragraph (A) only directly to consumers at the individual's home, a farmers' market, a farm stand, or a municipal, county, or for-profit or nonprofit fair, festival, or event; and

(D)  delivers products to the consumer at the point of sale or another location designated by the consumer.

SECTION 2.  This Act takes effect September 1, 2019.