

By: Hall

S.B. No. 1028

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

7 (2-b) "Cottage food production operation" means an
8 individual, operating out of the individual's home, who:

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

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

13 (ii) candy;

14 (iii) coated and uncoated nuts;

15 (iv) unroasted nut butters;

16 (v) fruit butters;

17 (vi) a canned jam or jelly;

18 (vii) a fruit pie;

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

21 (ix) popcorn and popcorn snacks;

22 (x) cereal, including granola;

23 (xi) dry mix;

24 (xii) vinegar;

1 (xiii) pickles;

2 (xiv) mustard;

3 (xv) roasted coffee or dry tea; or

4 (xvi) a dried herb or dried herb mix;

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

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

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

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