

By: Harless

H.B. No. 3825

A BILL TO BE ENTITLED

AN ACT

relating to the limitation on annual gross income of cottage food production operations.

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 time and temperature control for safety 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;

1                   (xii) vinegar;

2                   (xiii) pickled fruit or vegetables,

3 including beets and carrots, that are preserved in vinegar, brine,

4 or a similar solution at an equilibrium pH value of 4.6 or less;

5                   (xiv) mustard;

6                   (xv) roasted coffee or dry tea;

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

8                   (xvii) plant-based acidified canned goods;

9                   (xviii) fermented vegetable products,

10 including products that are refrigerated to preserve quality;

11                   (xix) frozen raw and uncut fruit or

12 vegetables; or

13                   (xx) any other food that is not a time and

14 temperature control for safety food, as defined by Section

15 [437.0196](#);

16                   (B) has an annual gross income of \$150,000

17 [~~\$50,000~~] or less from the sale of food described by Paragraph (A);

18                   (C) sells the foods produced under Paragraph (A)

19 only directly to consumers; and

20                   (D) delivers products to the consumer at the

21 point of sale or another location designated by the consumer.

22           SECTION 2. This Act takes effect September 1, 2025.