

April 16, 2019

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2269

That the House recede from its amendments as printed on pages 1367-1369 of the Senate Journal and pages 1537-1539 of the House Journal and that Engrossed Senate Bill No. 2269 be amended as follows:

Page 1, line 23, remove "The term does"

Page 1, line 24, remove "not include whole, uncut fresh fruits and vegetables"

Page 2, line 8, after "8." insert "Food means an article used for food or drink for human consumption."

9."

Page 2, line 9, replace "9." with "10."

Page 2, line 12, replace "10." with "11."

Page 2, line 14, replace "11." with "12."

Page 2, line 17, replace "12." with "13."

Page 2, line 23, replace "13." with "14."

Page 2, line 26, replace "14." with "15."

Page 2, line 30, replace "15." with "16."

Page 3, line 1, replace "16." with "17."

Page 3, after line 4, insert:

18. "Whole, uncut fresh fruits and vegetables" means a fruit or vegetable in its raw or natural state, including all fruits and vegetables that are washed, colored, or otherwise treated in an unpeeled natural form before marketing."

Page 3, line 25, remove the overstrike over "~~involve interstate commerce~~"

Page 3, line 25, remove "Occur outside the state"

Page 4, after line 29, insert:

7. Except for whole, uncut fresh fruits and vegetables, food prepared by a cottage food operator may not be sold or used for commercial consumption."

Page 5, line 9, remove "and"

Page 5, line 10, after "misbranded" insert "; and"

d. In the case of raw poultry or shell eggs transported by the cottage food operator, maintained frozen, except for shell eggs, which must be transported and maintained under refrigeration of forty-five degrees

Fahrenheit [7.2 degrees Celsius] or less if washed, or at room temperature if unwashed"

Page 5, line 14, remove "or"

Page 5, line 15, after "products" insert "are dehydrated or are freeze dried and the products"

Page 5, line 15, after "level" insert "; or

- c. The products are fresh cut fruits and vegetables that are blanched and frozen"

Page 5, line 16, remove "baked or"

Page 5, line 17, after "otherwise" insert "authorized under this section or"

Page 5, line 17, replace "A food" with "Food"

Page 5, line 18, remove "which is a cottage food product authorized for sale"

Page 5, remove line 19

Page 5, line 20, replace "a. If" with "must be labeled in accordance with the requirements of this chapter and if"

Page 5, line 20, after "transported" insert "by the cottage food operator"

Page 5, line 20, replace "frozen" with "at a temperature of forty degrees Fahrenheit [4.4 degrees Celsius] or less"

Page 5, line 20, remove ", except for"

Page 5, remove lines 21 and 22

Page 5, line 23, replace "b. Must be labeled in accordance with the requirements of this chapter" with "or, if a period of four hours or more occurs between transportation by the cottage food operator and delivery, must be maintained frozen by the cottage food operator. Cottage food products authorized for sale under this subsection are:

- a. Baked goods;
- b. Seed sprouts of any variety; and
- c. Fresh cut leafy greens, tomato, and melon"

Page 5, line 25, remove "in a baked good"

Page 5, line 27, remove "Seed sprouts of any variety."

Page 5, remove lines 28 through 31

Page 6, remove lines 1 and 2

Page 6, line 3, remove "9."

Page 6, line 4, replace "10." with "7."

Page 6, line 5, replace "11." with "8."

Page 6, line 24, after "Handled" insert "Refrigerated or"

Re-number accordingly