



**Substitute Senate Bill No. 233**

**Public Act No. 19-18**

**AN ACT CONCERNING COTTAGE FOOD PRODUCTS AND THE PRODUCTION OF HONEY AND MAPLE SYRUP.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 21a-62b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

For the purposes of this section and sections 21a-62c to 21a-62h, inclusive:

(1) "Commissioner" means the Commissioner of Consumer Protection or an authorized agent of the commissioner;

(2) "Cottage food operation" means any person who produces cottage food products only in the home kitchen of such person's private residential dwelling and only for sale directly to the consumer and who does not operate as a food service establishment pursuant to section 19a-36 or regulations adopted pursuant to section 21a-101, or a food retailer, distributor or manufacturer as defined in subsection (b) of section 21a-92 and section 21a-151;

(3) "Cottage food products" means nonpotentially hazardous baked goods, jams, jellies and other nonpotentially hazardous foods produced by a cottage food operation. "Cottage food products" does

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not include maple syrup or honey;

(4) "Food service establishment" means any establishment in which food is stored, offered for sale, processed or prepared, and includes the transportation of any food;

(5) "Private residential dwelling" means an owner or resident occupied dwelling. "Private residential dwelling" does not include any group or communal residential setting within any type of structure or outbuilding, shed, barn or other similar structure;

(6) "Home kitchen" means a kitchen designed and intended for use by the residents of a home but that is also used by a resident for the production of cottage food products and that may contain one or more stoves or ovens, which may be a double oven, designed for residential use. "Home kitchen" does not include commercial equipment typically used for large wholesale manufacturing;

(7) "Permitted area" means the portion of a private residential dwelling that contains a home kitchen where the preparation, packaging, storage or handling of cottage food products occurs; and

(8) "Potentially hazardous food" means a food that requires time and temperature control for safety to limit pathogenic microorganism growth or toxin formation.

Sec. 2. (NEW) (*Effective October 1, 2019*) (a) The preparation, packaging, labeling and sale of honey and maple syrup produced in this state shall not be subject to the provisions of sections 21a-91 to 21a-120, inclusive, and sections 21a-151 to 21a-160, inclusive, of the general statutes and shall be under the licensing, inspection and enforcement authority of the Commissioner of Agriculture and the commissioner's authorized agents.

(b) The Commissioner of Agriculture shall adopt regulations, in

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accordance with the provisions of chapter 54 of the general statutes, for the oversight of the production of honey and maple syrup by any person. Such regulations may include, but shall not be limited to, the establishment of a license for such honey and maple syrup producers and the establishment of required best practices for the limiting of pathogenic microorganism growth or toxin formation.

Sec. 3. Subsection (q) of section 1-1 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(q) Except as otherwise specifically defined, the words "agriculture" and "farming" shall include cultivation of the soil, dairying, forestry, raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training and management of livestock, including horses, bees, the production of honey, poultry, fur-bearing animals and wildlife, and the raising or harvesting of oysters, clams, mussels, other molluscan shellfish or fish; the operation, management, conservation, improvement or maintenance of a farm and its buildings, tools and equipment, or salvaging timber or cleared land of brush or other debris left by a storm, as an incident to such farming operations; the production or harvesting of maple syrup or maple sugar, or any agricultural commodity, including lumber, as an incident to ordinary farming operations or the harvesting of mushrooms, the hatching of poultry, or the construction, operation or maintenance of ditches, canals, reservoirs or waterways used exclusively for farming purposes; handling, planting, drying, packing, packaging, processing, freezing, grading, storing or delivering to storage or to market, or to a carrier for transportation to market, or for direct sale any agricultural or horticultural commodity as an incident to ordinary farming operations, or, in the case of fruits and vegetables, as an incident to the preparation of such fruits or vegetables for market or for direct sale.

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The term "farm" includes farm buildings, and accessory buildings thereto, nurseries, orchards, ranges, greenhouses, hoopouses and other temporary structures or other structures used primarily for the raising and, as an incident to ordinary farming operations, the sale of agricultural or horticultural commodities. The term "aquaculture" means the farming of the waters of the state and tidal wetlands and the production of protein food, including fish, oysters, clams, mussels and other molluscan shellfish, on leased, franchised and public underwater farm lands. Nothing herein shall restrict the power of a local zoning authority under chapter 124.

Approved June 21, 2019