

**BILL SUMMARY**  
1<sup>st</sup> Session of the 58<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>SB 854</b>
<b>Version:</b>	<b>Engrossed Senate</b>
<b>Request Number:</b>	<b>N/A</b>
<b>Author:</b>	<b>Rep. Crosswhite Hader</b>
<b>Date:</b>	<b>4/7/2021</b>
<b>Impact:</b>	<b>See Analysis Below</b>

**Research Analysis**

SB 854 renames the Home Bakery Act of 2013 to the Home Food Processing Act. The measure allows a home food establishment to sell non-time/non-temperature control for safety food on site. The measure modifies the “home food establishment” by allowing the establishment to have gross annual sales of up to \$100,000.00. Current law establishes the cap at \$20,000.00.

The measure also requires the establishment to produce non-time/non-temperature control for safety food, which includes jams, spices, candies, and dried goods. Home food establishments may not prepare and sell food that requires temperature control and time to eliminate harmful microbes, such as raw meat, sprouts, cut melons, cut leafy greens, cut tomatoes, or mixtures of cut tomatoes. Food already processed to achieve sterility is not included in the definition of time/temperature control for safety food. Home food establishments must affix a label to products produced by such establishments in a format approved by the Food and Drug Administration.

The measure adds retail establishments and restaurants to the list of places where the non-time/non-temperature control for safety food can be sold.

Prepared By: Dan Brooks

**Fiscal Analysis**

SB 854 is similar to HB 1032 in that it eliminates the need for some home food establishments to have a license if their gross sells are under a certain amount. In this measure that amount is \$100,000. New license from the State Department of Health for such producers currently is \$425 and renewal licenses is \$335. If the Department losses between 20 and 50 new license that would result in a loss of yearly revenue of \$8,500 - \$21,500. Additionally, if the Department losses between 200 and 500 renewal license yearly, that results in a revenue loss of \$67,000 - \$167,500. Total the loss may be \$75,000 - \$188,750 in revenue yearly.

The Department of Agriculture, Food and Forestry does not foresee a fiscal impact from this measure.

Therefore, the impact to the State would likely be an increase in appropriations to the State Department of Health.

Prepared By: Mariah Searock

## **Other Considerations**

None.

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