

1 AN ACT relating to homestead food operators and homestead food products.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 217C IS CREATED TO
4 READ AS FOLLOWS:

5 *As used in Sections 1 and 2 of this Act:*

6 *(1) "Homestead food operator" means a person who produces homestead food*
7 *products, excluding potentially hazardous food, only in the home kitchen of that*
8 *person's primary residence and only for sale directly to consumers within this*
9 *state from the homestead residence, whether by pickup or delivery, from the*
10 *owner's farm stand, at farmers' markets, community events, or online, and who*
11 *has less than a maximum annual gross sales of ten thousand dollars (\$10,000) of*
12 *food;*

13 *(2) "Potentially hazardous food" means a food requiring temperature control for*
14 *safety because the food is capable of supporting the rapid growth of pathogenic*
15 *or toxigenic microorganisms, and the growth of toxin production of clostridium*
16 *botulinum. Potentially hazardous food includes processed acidified and low-acid*
17 *canned food; and*

18 *(3) "Homestead food product" means all food produced by a homestead food*
19 *operator except potentially hazardous food.*

20 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 217C IS CREATED TO
21 READ AS FOLLOWS:

22 *(1) A homestead food operator who daily produces for sale less than twenty (20)*
23 *gallons of raw or pasteurized milk or processes less than twenty (20) gallons of*
24 *milk into cheese aged at least sixty (60) days, yogurt, cream, butter, or kefir shall*
25 *not require a permit from the Cabinet for Health and Family Services, provided*
26 *the products are sold as direct sales to food consumers within this state from the*
27 *homestead residence, whether by pickup or delivery, from the owner's farm stand,*

- 1 at farmers' markets, community events, or online.
- 2 **(2) Any homestead food product containing raw or pasteurized milk from the**
- 3 **homestead residence, farm stand, at farmers' markets, community events, or**
- 4 **online shall be clearly labeled. If the product is sold in containers provided by**
- 5 **the homestead food operator, the individual container shall display a label which**
- 6 **contains the:**
- 7 **(a) Name of the homestead food operator;**
- 8 **(b) Address of the homestead food operator;**
- 9 **(c) Phone number of the homestead food operator;**
- 10 **(d) Name of the product; and**
- 11 **(e) Following statement: "This product is made with raw or pasteurized milk**
- 12 **and is exempt from Kentucky licensing and inspection."**

13 ➔Section 3. The following KRS section is repealed:

14 217C.090 Sale of unpasteurized goat milk.