

HB 304 - VERSION ADOPTED BY BOTH BODIES

2025 SESSION

25-0482

08/05

HOUSE BILL **304**

AN ACT relative to labeling requirements for food produced in homestead kitchens.

SPONSORS: Rep. Bixby, Straf. 13; Rep. J. Aron, Sull. 4; Rep. Aylward, Merr. 5; Rep. Comtois, Belk. 7; Rep. M. Murray, Hills. 37; Sen. Innis, Dist 7; Sen. Pearl, Dist 17

COMMITTEE: Environment and Agriculture

ANALYSIS

This bill details labeling requirements for food products produced in homestead kitchens.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to labeling requirements for food produced in homestead kitchens.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Homestead Food License Required. Amend RSA 143-A:12, IV to read as follows:

2 IV.(a) All homestead food products sold in packages from the home [~~kitchen,~~] **or** farm stand
3 of a homestead food operation, [~~at farmers' markets, or at retail food stores~~] shall have **one of the**
4 **following** individual labels on each package containing the following information:

5 (1) Name, **physical or e-mail** address, and phone number of the homestead food
6 operation; name of the homestead food product; the ingredients of the homestead product, in
7 descending order of predominance by weight; and allergy information.

8 (2) **Name, physical or e-mail address, and phone number of the homestead**
9 **food operation; name of the homestead food product; allergy information as established in**
10 **rules; and a QR code or website where the ingredients of the homestead product, in**
11 **descending order of predominance by weight, are listed and must be accompanied by a**
12 **physical sign at the display location where the ingredients of the homestead product, in**
13 **descending order of predominance by weight are listed.**

14 (b) **All homestead food products sold in packages from farmers' markets or to**
15 **restaurants or other retail food establishments, over the Internet, by mail order, or to**
16 **wholesalers, brokers, or other food distributors who will resell the homestead product shall**
17 **have individual labels on each package containing the following information: name,**
18 **physical or e-mail address, and phone number of the homestead food operation; name of**
19 **the homestead food product; the ingredients of the homestead product, in descending order**
20 **of predominance by weight; and allergy information.**

21 (c)(1) Products made by homestead food operations exempt from licensure shall also be
22 clearly labeled with the following statement: "This product is exempt from New Hampshire
23 licensing and inspection."

24 (2) Products made by nonexempt homestead food operations shall also be clearly
25 labeled with the following statement: "This product is made in a residential kitchen licensed by the
26 New Hampshire Department of Health and Human Services."

27 2 Food Service Licensure; Exemptions; Homestead Food Operations. Amend RSA 143-A:5, VII
28 to read as follows:

29 VII. Homestead food operations selling food, excluding potentially hazardous food as defined
30 in RSA 143-A:12, I(b), [~~from the homestead residence, at the owner's farm stand, or at farmers'~~

1 ~~markets]~~ ***from the homestead residence, at the owner's own farm stand, at farmers' markets,***
2 ***or at retail food stores.***

3 3 Homestead Food License. Amend RSA 143-A:12, II-III to read as follows:

4 II. Homestead food operations selling [~~less than the maximum annual gross sales of food as~~
5 ~~defined in RSA 143-A:5, VII]~~ ***food***, excluding potentially hazardous food, from the homestead
6 residence, at the owner's own farm stand, at farmers' markets, or at retail food stores are exempt
7 from licensure and departmental inspection under this subdivision, except that the department may
8 inspect when the department has reason to suspect an imminent health hazard as defined in RSA
9 143-A:3, IV-b.

10 III. Homestead food operations that [~~exceed the maximum annual gross sales of food as~~
11 ~~defined in RSA 143-A:5, VII or homestead food operations who]~~ wish to sell food products, excluding
12 potentially hazardous food, to restaurants or other retail food establishments, over the Internet, by
13 mail order, or to wholesalers, brokers, or other food distributors who will resell the homestead
14 product shall be licensed under [~~RSA 143-A:4~~] ***RSA 143-A:13.***

15 4 Rulemaking. Amend RSA 143-A:13, III to read as follows:

16 III. Licensing requirements for homestead food operations [~~exceeding the annual maximum~~
17 ~~gross sales limit or homestead food operations]~~ who wish to sell food products, excluding potentially
18 hazardous foods, to restaurants or other retail food establishments, over the Internet, by mail order,
19 or to wholesalers, brokers, or other food distributors who will resell the homestead food product.

20 5 Effective Date. This act shall take effect 60 days after its passage.