

CHAPTER 46
HB 307 - FINAL VERSION

20Mar2025... 0655h
1May2025... 1913EBA

2025 SESSION

25-0483
08/05

HOUSE BILL

307

AN ACT relative to the food production area for homestead food.

SPONSORS: Rep. Bixby, Straf. 13; Rep. J. Aron, Sull. 4; Rep. Aylward, Merr. 5; Rep. Comtois, Belk.
7; Rep. M. Murray, Hills. 37; Sen. Avard, Dist 12; Sen. Innis, Dist 7; Sen. Pearl, Dist 17

COMMITTEE: Environment and Agriculture

ANALYSIS

This bill allows homestead food production in a food production area.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to the food production area for homestead food.

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

1 46:1 Homestead Food Operation; Definition. Amend RSA 143-A:12, I(a) to read as follows:

2 (a) "Homestead food operation" means a person who produces homestead food products,
3 excluding potentially hazardous food, only in the home kitchen of that person's primary residence in New
4 Hampshire *or a food production area in the person's primary residence that has handwashing, equipment*
5 *and food storage, food contact surfaces, general sanitation, and pet exclusion areas. As used in this*
6 *subparagraph:*

7 (1) "Handwashing" means an area with access to a hand cleaning station with hot and
8 cold running potable water, soap, and sanitary hand drying provisions.

9 (2) "Equipment and food storage" means an area that allows for food, equipment, and
10 utensils to be stored in a manner that prevents contamination.

11 (3) "Food contact surfaces" means all food contact surfaces in an area able to be
12 cleaned and sanitized.

13 (4) "General sanitation" means an area maintained in a clean and sanitary condition, free
14 from pests and environmental contaminants, whose floors, walls, and ceiling surfaces are durable, smooth
15 and easily cleanable.

16 (5) "Pet exclusion" means an area that allows for the exclusion of pets during food
17 production.

18 46:2 Homestead Food Production Area. Amend RSA 143-A:12, IV to read as follows:

19 IV. All homestead food products sold in packages from the home ~~[kitchen,]~~ *or* farm stand of a
20 homestead food operation, at farmers' markets, or at retail food stores shall have individual labels on each
21 package containing the following information: name, address, and phone number of the homestead food
22 operation; name of the homestead food product; the ingredients of the homestead product, in descending
23 order of predominance by weight; and allergy information. Products made by homestead food operations
24 exempt from licensure shall also be clearly labeled with the following statement: "This product is exempt
25 from New Hampshire licensing and inspection." Products made by nonexempt homestead food
26 operations shall also be clearly labeled with the following statement: "This product is made in a
27 residential ~~[kitchen]~~ *food production area* licensed by the New Hampshire Department of Health and
28 Human Services."

29 46:3 Homestead Food Operation; Definition; Text of HB 150 Incorporated. RSA143-A:12, I(a) is
30 repealed and reenacted to read as follows:

31 (a) "Homestead food operation" means a person who produces homestead food products,
32 excluding potentially hazardous food, only in the home kitchen of that person's primary residence in New

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Hampshire or a food production area in the person's primary residence that has handwashing, equipment and food storage, food contact surfaces, general sanitation, and pet exclusion areas.

(1) As used in this subparagraph:

(A) "Handwashing" means an area with access to a hand cleaning station with hot and cold running potable water, soap, and sanitary hand drying provisions.

(B) "Equipment and food storage" means an area that allows for food, equipment, and utensils to be stored in a manner that prevents contamination.

(C) "Food contact surfaces" means all food contact surfaces in an area able to be cleaned and sanitized.

(D) "General sanitation" means an area maintained in a clean and sanitary condition, free from pests and environmental contaminants, whose floors, walls, and ceiling surfaces are durable, smooth and easily cleanable.

(E) "Pet exclusion" means an area that allows for the exclusion of pets during food production.

(2) A homestead food operation may use commercial kitchen equipment so long as the equipment is able to be cleaned and sanitized in the processing area. For purposes of this subparagraph, "commercial kitchen equipment" means the specialized tools and appliances used in professional kitchens to prepare, cook, and store food and that can withstand heavy use and high-volume cooking.

46:4 Homestead Food License; Text of HB 304 Incorporated. Amend RSA 143-A:12, IV(c)(2) to read as follows:

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

46:5 Contingency.

I. If HB 150 of the 2025 general legislative session becomes law, section 1 of this act shall not take effect and section 3 of this act shall take effect at 12:01 a.m. of the later occurring of either the effective date of HB 150 or 60 days after the passage of this act. If HB 150 does not become law, section 1 of this act shall take effect 60 days after its passage and section 3 of this act shall not take effect.

II. If HB 304 of the 2025 general legislative session becomes law, section 2 of this act shall not take effect and section 4 of this act shall take effect at 12:01 a.m. of the later occurring of either the effective date of HB 304 or 60 days after the passage date of this act. If HB 304 does not become law, section 2 of this act shall take effect 60 days after its passage and section 4 of this act shall not take effect.

46:6 Effective Date.

I. Sections 1 and 3 of this act shall take effect as provided in section 5, paragraph I of this act.

II. Sections 2 and 4 of this act shall take effect as provided in section 5, paragraph II of this act.

III. The remainder of this act shall take effect 60 days after its passage.

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Approved: May 29, 2025

Effective Date:

- I. Sec 1&3 eff as prov in sec 5 paragraph I
- II. Sec 2&4 eff as prov in sec 5 paragraph II
- III. Remainder eff July 28, 2025