HB 505-FN - AS INTRODUCED

2025 SESSION

25-0548
08/11

HOUSE BILL ***505-FN***

AN ACT allowing the sale of freeze dried foods produced in homestead food operations.

SPONSORS: Rep. Schamberg, Merr. 6; Rep. J. Aron, Sull. 4

COMMITTEE: Environment and Agriculture

ANALYSIS

This bill allows the sale of freeze dried foods produced in homestead food operations.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

25-0548
08/11

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT allowing the sale of freeze dried foods produced in homestead food operations.

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

1 Homestead Food Licenses; Freeze Dried Food. Amend RSA 143-A:12 to read as follows:

143-A:12 Homestead Food License Required.

I. In this subdivision:

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

(b) "Potentially hazardous food" means foods requiring temperature control for safety because they are capable of supporting the rapid growth of pathogenic or toxigenic microorganisms, and the growth of toxin production of clostridium botulinum. Potentially hazardous foods also include low acid canned foods. ***Food that is freeze dried shall not be considered potentially hazardous food.***

(c) "Homestead food products" means all food except potentially hazardous food, and as defined in rule by the commissioner of the department of health and human services through rulemaking under RSA 143-A:13.

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

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

IV. All homestead food products sold in packages from the home kitchen, farm stand of a homestead food operation, at farmers' markets, or at retail food stores shall have individual labels on each package containing the following information: name, address, and phone number of the homestead food operation; name of the homestead food product; the ingredients of the homestead product, in descending order of predominance by weight; and allergy information. Products made by homestead food operations exempt from licensure shall also be clearly labeled with the following

statement: "This product is exempt from New Hampshire licensing and inspection." Products made by nonexempt homestead food operations shall also be clearly labeled with the following statement: "This product is made in a residential kitchen licensed by the New Hampshire Department of Health and Human Services." ***Freeze dried food shall contain appropriate oxygen absorbers when packaged for sale and shall contain the additional label "not for purposes of rehydrating".***

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

LBA
25-0548
Revised 1/28/25

HB 505-FN- FISCAL NOTE
AS INTRODUCED

AN ACT allowing the sale of freeze dried foods produced in homestead food operations.

FISCAL IMPACT:

The Legislative Budget Assistant has determined that this legislation has a total fiscal impact of less than $10,000 in each of the fiscal years 2025 through 2028.

AGENCIES CONTACTED:

Department of Health and Human Services