

Alaska State Legislature

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Senate Bill 226 Sponsor Statement

“An Act relating to the sale of homemade food.”

Senate Bill 226 would amend Alaska’s Homemade Food regulations by separating high-botulism-risk foods from those that qualify for sale under the State of Alaska’s Homemade Food exemption and requires that these higher-risk foods be subject to appropriate food safety oversight.

We know Alaskans love to attend their local farmers’ markets in the summer and support the efforts of their neighbor growers. In recent years Alaska’s cottage industry has flourished under loosened regulations regarding the sale of jams, jellies, pickles and more to the delight of marketgoers. However, the sale of low-acid foods including meats, vegetables, and products that contain them, present a botulism risk if they are stored in vacuum-sealed jars or bags.

Two common examples of this are 1) soups that are preserved by canning in jars or cans or 2) meat jerky that is stored in vacuum-sealed bags. Currently, foods at risk of botulism, like these examples, are allowed to be sold as “non-potentially hazardous” foods by homemade food businesses, with no oversight or regulation, including through 3rd-party agents like cafes and grocery stores.

Foodborne botulism is known historically as one of the most lethal poisons to humans and animals. Botulism poisoning (simply called “botulism”) is a rare but serious illness that occurs when the neurotoxin produced by the bacteria *Clostridium botulinum* attacks the body’s nerves and causes difficulty breathing, muscle paralysis, and even death. During the 8 years between 2017 and 2024, 24 cases of foodborne botulism were reported in Alaska, which has one of the highest rates in the U.S., often accounting for as many as 50% of cases reported in the U.S. in a single year. Symptoms of botulism typically begin 18–36 hours after exposure but can begin as much as 10 days later.

The benefit of this small and focused change would not limit Homemade Food producers from making and selling the great majority of what these businesses typically offer: jams, jellies, bread and other baked goods, pickles, prepared foods like sandwiches and salads, kombucha, and frozen pizza, to name only a few. However, these foods would be subject to scrutiny under the Department of Environmental Conservation.

Reducing the risk of botulism protects Alaskans, and protects small, local businesses from the economic and legal devastation that would occur should their product cause even one botulism case. The State would also be better protected from the required, robust, and expensive response of State agencies to botulism cases and outbreaks.