

# ALASKA STATE LEGISLATURE



## REPRESENTATIVE GERAN TARR

### **HB 217 Summary of changes from Version A to Version J ALASKA FOOD FREEDOM ACT**

#### **Removes sections of HB 217**

CS HB 217 (j) removes Sections 1 and 2 of HB 217 – the section of the bill relating to raw milk. The sponsor wants to learn more about raw milk, take recommendations, and introduce a raw milk bill next session.

#### **Changes existing sections of HB 217**

CS HB 217 (j) changes page 3, line 11 of HB 217

Old AS 17.20.335 Exemptions.

New AS 17.20.335 Exemptions for certain in-state food production.

Not a substantive change. The Department of Environmental Conservation has regulations (18 AAC 31.012) allowing “cottage foods” – food products with low health risks that are made in a non-permitted kitchen (such as jams, breads, pickles). We wanted the title of this section to be more descriptive.

CS HB 217 (j) amends AS 17.20.335 (a) to add

New *a food that is part of a gross sale of \$25,000 or less;*

Alaska’s “cottage food” industry is meant to help the small farmer, or a farmer who wants to test a new food product to see if it is marketable. Once they start making more money, they need to be “adding value” to their product in a kitchen certified by the state.

CS HB 217 (j) amends section Sec. 17.20.335 (b) to change what the label on these food products will say.

Old “THESE PRODUCTS ARE NOT SUBJECT TO REGULATION”

New “THIS PRODUCT WAS MADE IN A PRIVATE FACILITY THAT IS NOT SUBJECT TO STATE OR MUNICIPAL REGULATION”

Not a substantive change. Each product needs to be labeled so the consumer is informed that the product is not made in a licensed facility. We added municipal regulation, because we want

the state regulations to be broad enough that municipalities don't need to create their own rules.

**New sections**

CS HB 217 (j) adds (e) and (f) to AS 17.20.335

This section would legalize online sales of cottage foods. Customers could pay for a product online, then pick it up at a farmers market, the farm, or from a person designated by the farmer on the website. Currently the Department of Environmental Conservation allows sales of "cottage foods" through face-to-face transactions only, because they believe that a product sold directly to a consumer allows the consumer to ask specific questions for safety, i.e. about allergens, equipment used and hygiene of person selling the product. Sponsors believe websites can have even more traceability for health safety than face-to-face transactions due to phone numbers, location of farm, and online reviews from customers.

CS HB 217 (j) adds new sections 4 to 9 to AS 29.71 and AS 36.15

To encourage sales of Alaska Grown products, Alaska currently has a product preference law of seven percent for Alaska Grown agricultural and seafood products. These sections increase that preference to allow states, schools and municipalities to purchase, for example, Alaska Grown carrots or Kenai River Reds at costs up to 15 percent higher than the lowest-cost product. It also amends the required solicitations for requests for proposals for purchasing these products to explain why they didn't buy Alaska grown if price falls within this 15 percent price range.

CS HB 217 (j) adds new section 10 related to the Department of Natural Resources' new authority to collect fees from the Alaska Grown logo.

CS HB 217 (j) adds new section 11 to set the effective date of July 1, 2019.