

HOUSE BILL NO. 202

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES TAMMIE WILSON, Dick

Introduced: 3/23/11

Referred: Labor and Commerce, Resources

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the sale of food products by the producer to the consumer."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1.** AS 17.20 is amended by adding a new section to read:

4 **Sec. 17.20.355. Sale of food products by producers to consumers.** (a) A
5 producer may sell a food product to a consumer under this section if

6 (1) the producer owned the source of the food product before the
7 source of the food product was harvested, slaughtered, or processed;

8 (2) a person other than the producer or consumer is not a part of, or an
9 agent for, the sale or involved in the processing of the raw ingredients for the food
10 product; this paragraph does not prohibit a producer's employee or another individual
11 who is operating under the direct supervision of the producer from assisting the
12 producer in the production, processing, or sales of food products; in this paragraph,
13 being part of a sale includes transporting the product;

14 (3) the consumer to whom the food product is sold is the intended
15 consumer of the product, and the product is not intended to be resold or to be provided

1 generally to the public;

2 (4) the total dollar amount of the gross sales of food products the
3 producer sells in one calendar year does not exceed \$200,000; and

4 (5) the producer complies with the other requirements established for
5 the producer under this section.

6 (b) At the point of sale of a food product under this section, a producer shall
7 provide the consumer with a card that states the following: "This product has not been
8 inspected by any governmental agency and may be harmful to your health."

9 (c) A producer may maintain a sales log for all sales under this section. The
10 sales log may include the consumer's name, the consumer's physical address, the
11 consumer's mailing address, the consumer's electronic mailing address, if any, the
12 name of the product sold, and the quantity of the food products sold.

13 (d) Notwithstanding any other provision of this title or AS 03 to the contrary,
14 the sale of a food product under this section is not subject to other regulation, testing,
15 inspection, penalties, or enforcement by the Department of Environmental
16 Conservation or the Department of Natural Resources.

17 (e) The Department of Environmental Conservation may produce
18 informational material for each food product sold under this section.

19 (f) In this section,

20 (1) "consumer" means an individual who enters into a transaction for
21 personal, family, or household purposes;

22 (2) "food product" means a product used as food or drink for a human
23 being;

24 (3) "producer" means a person who grows, raises, or produces food.