

FEB 18 1998
STATE GOVERNMENT

HOUSE FILE 2325
BY SCHRADER

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to foods prepared at a residence for sale on a
2 retail basis for off-premises consumption.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2325

1 Section 1. Section 137A.1, subsection 5, paragraph b, Code
2 1997, is amended to read as follows:

3 b. Premises ~~which-are-licensed~~ defined as a home food
4 establishment ~~as-defined~~ in section 137D.1.

5 Sec. 2. NEW SECTION. 137D.9 EXEMPTION.

6 This chapter shall not apply to a home food establishment
7 having gross annual sales of prepared food of one thousand
8 dollars or less, if the person who prepares the food sells or
9 offers to sell the food on or off the premises of the home
10 food establishment.

11 EXPLANATION

12 Code chapter 137A regulates food establishments which
13 include businesses where food is kept, produced, prepared, or
14 distributed for commercial purposes for off-the-premises
15 consumption. Food establishments are licensed and regulated
16 by the department of inspections and appeals. A special
17 category of food establishment is referred to as a home food
18 establishment which is a residence in which prepared food is
19 created for sale or resale, for consumption off the premises,
20 if the business has gross annual sales of less than twenty
21 thousand dollars. These businesses are also subject to a
22 license and regulations which are administered by the
23 department. This bill exempts from departmental regulation
24 home food establishments having gross annual sales of prepared
25 food of \$1,000 or less, if the person who prepares the food
26 sells or offers to sell the food on or off the premises of the
27 residence.

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