

BILL SUMMARY
2nd Session of the 60th Legislature

Bill No.:	HB3720
Version:	POLPCS2
Request Number:	16330
Author:	Rep. Hall
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Impact:	\$0

Research Analysis

The proposed policy committee substitute 2 to HB 3720 creates the "Local Food Freedom Act". This measure:

- Excludes restaurants and businesses with sales exceeding One Million Five Hundred-Thousand Dollars (\$1,500,000.00);
- Defines a "local food product" as food including beverages produced at a local food establishment excluding products containing alcohol or cannabis;
- Defines "non-time or temperature controlled for safety" as food that does not require time or temperature control for safety to limit the rapid and progressive growth of infectious or toxigenic microorganisms;
- Defines "time or temperature-controlled for safety" as a food that requires time or temperature control for safety to limit infectious or toxigenic microorganism and is in a form capable of supporting rapid and progressive growth of infectious or toxigenic organisms;
- Requires local food products to meet the following conditions:
 - Local food products must be labeled as being produced at a facility exempt from government licensing and inspections and may contain allergens.
 - For non-time or temperature-controlled for safety local food products must be sold:
 - By the producer directly to the consumer either in person or by Internet or phone; or
 - By the producer's agent or third party vendor.
 - For time or temperature controlled for safety local food products must be sold:
 - By the producer directly to the consumer either in person or by Internet or phone; or
 - By direct delivery of local food products to the customer.
 - Producers of time or temperature-controlled for safety local food products must complete and pass food safety training. The Oklahoma Department of Agriculture, Food, and Forestry must make a list of approved food safety training vendors available on its website.
- Provides that labeling requirements and local food products comply with federal law;
- Provides that specific information be included on food labels and that labels use 10 point font for legibility.
- Permits the Department of Health to conduct investigations into foodborne illnesses;
- Permits the Department of Agriculture, Food, and Forestry to investigate compliance with food safety training and gross sales requirements; and
- Sets a fine not exceeding Three Hundred Dollars (\$300.00) for violations of this act.

Prepared By: Douglas Amos, House Research Staff

Fiscal Analysis

The second proposed policy committee substitute to HB 3720 statutorily updates the Homemade Food Freedom Act to the Local Food Freedom Act. The measure modifies the gross annual sales of prepared food threshold for a local food establishment from less than Seventy-Five Thousand Dollars (\$75,000.00) to less than One Million Five Hundred Thousand Dollars (\$1,500,000.00). Upon review, this measure has no direct fiscal or revenue considerations for the state.

Prepared By: Jay St Clair, House Fiscal Staff

Other Considerations

None.