

Joplin Food Code

<http://joplinmo.org/index.aspx?nid=356>

9-401.10 Compliance Requirements for Cottage Foods. Cottage Food Production Operations must comply with all requirements as set forth in Chapter 196, RSMo, Section 196.298.

9-402.11 Rules and Deviations for Cottage Food. The regulatory authority has the final decision making authority of what foods may be produced and sold as Cottage Foods.

9-401.12 Cottage Food Sales. Direct sales to the end consumer shall be made from the domestic residence or individual stand.

9-402.13 Inspection or Investigation. In the event of a foodborne outbreak involving a Cottage Food, the regulatory authority has the authority to conduct an inspection and/or investigation of the operation.

9-401.14 Embargo. In the event that any Cottage Food is found to be unsafe, adulterated, or otherwise unfit for human consumption, the regulatory authority has the authority to confiscate or destroy the product.

Missouri Revised Statutes

Chapter 196 Food, Drugs and Tobacco

Section 196.298.1

August 28, 2015

Definitions--operation not deemed food service establishment, when--no state or local regulation.

196.298. 1. As used in this section, the following terms shall mean:

(1) "Baked good", includes cookies, cakes, breads, danish, donuts, pastries, pies, and other items that are prepared by baking the item in an oven. A baked good does not include a potentially hazardous food item as defined by department rule;

(2) "Cottage food production operation", an individual operation out of the individual's home who:

(a) Produces a baked good, a canned jam or jelly, or a dried herb or herb mix for sale at the individual's home;

(b) Has an annual gross income of fifty thousand dollars or less from the sale of food described in paragraph (a) of this subdivision; and

(c) Sells the food produced under paragraph (a) of this subdivision only directly to consumers;

(3) "Department", the department of health and senior services;

(4) "Home", a primary residence that contains a kitchen and appliances designed for common residential usage.

2. A cottage food production operation is not a food service establishment and shall not be subject to any health or food code laws or regulations of the state or department other than this section and rules promulgated thereunder for a cottage food production operation.

3. (1) A local health department shall not regulate the production of food at a cottage food production operation.

(2) Each local health department and the department shall maintain a record of a complaint made by a person against a cottage food production operation.

4. The department shall promulgate rules requiring a cottage food production operation to label all of the foods described in this section which the operation intends to sell to consumers. The label shall include the name and address of the cottage food production operation and a statement that the food is not inspected by the department or local health department.

5. A cottage food production operation shall not sell any foods described in this section through the internet.

6. Nothing in this section shall be construed to prohibit the authority of the department of health and senior services or local health departments to conduct an investigation of a food-borne disease or outbreak.

(L. 2014 S.B. 525)