

By: Senator(s) Hill, Burton, Doty,
Fillingane, Gandy, Hopson, Jackson (11th),
Jolly, Massey, McDaniel, Montgomery, Parker,
Sojourner, Watson

To: Agriculture

SENATE BILL NO. 2553
(As Sent to Governor)

1 AN ACT TO EXEMPT COTTAGE FOOD PRODUCTION OPERATIONS FROM
2 REGULATION; TO RENAME THE MISSISSIPPI SMALL FARM DEVELOPMENT
3 CENTER AT ALCORN STATE UNIVERSITY AS THE MISSISSIPPI SMALL FARM
4 AND AGRIBUSINESS CENTER; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** (1) (a) A cottage food operation must comply
7 with the applicable requirements of this chapter but is exempt
8 from the permitting requirements of Section 41-3-18 if the cottage
9 food operation complies with the section and has annual gross
10 sales of cottage food products that do not exceed Twenty Thousand
11 Dollars (\$20,000.00).

12 (b) For purposes of this subsection, a cottage food
13 operations annual gross sales include all sales of cottage food
14 products at any location, regardless of the types of products sold
15 or the number of persons involved in the operation. A cottage
16 food operation must provide the department, upon request, with
17 written documentation to verify the operation's annual gross
18 sales.



19 (2) A cottage food operation may not sell or offer for sale
20 cottage food products over the Internet, by mail order, or at
21 wholesale or to a retail establishment. Cottage food products are
22 nonpotentially hazardous food products as defined by the
23 department.

24 (3) A cottage food operation may only sell cottage food
25 products which are prepackaged with a label affixed that contains
26 the following information:

27 (a) The name and address of the cottage food operation.

28 (b) The name of the cottage food product.

29 (c) The ingredients of the cottage food product, in
30 descending order of predominance by weight.

31 (d) The net weight or net volume of the cottage food
32 product.

33 (e) Allergen information as specified by federal
34 labeling requirements.

35 (f) If any nutritional claim is made, appropriate
36 nutritional information as specified by federal labeling
37 requirements.

38 (g) The following statement printed in at least
39 ten-point type in a color that provides a clear contrast to the
40 background of the label: "Made in a cottage food operation that
41 is not subject to Mississippi's food safety regulations."



42 (4) This section does not exempt a cottage food operation
43 from any federal tax law, rule, regulation, or certificate that
44 applies to all cottage food operations.

45 (5) (a) The department may investigate any complaint which
46 alleges that a cottage food operation has violated an applicable
47 provision of this chapter or rule adopted under this chapter.

48 (b) Only upon receipt of a complaint, the department's
49 authorized officer or employee may enter and inspect the premises
50 of a cottage food operation to determine compliance with this
51 chapter and department rules. A cottage food operation's refusal
52 to permit the department's authorized officer or employee entry to
53 the premises or to conduct the inspection is grounds for
54 disciplinary action pursuant to Section 41-3-59.

55 (6) This section does not apply to a person operating under
56 a food permit issued pursuant to Section 41-3-18.

57 **SECTION 2.** The Mississippi Small Farm Development Center
58 (MSFDC) on the campus of Alcorn State University in Lorman,
59 Mississippi, shall be renamed the Mississippi Small Farm and
60 Agribusiness Center (MSFAC).

61 **SECTION 3.** This act shall take effect and be in force from
62 and after its passage.

