



Sen. Donne E. Trotter

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09800HB5354sam001

LRB098 19952 RPM 59220 a

1 AMENDMENT TO HOUSE BILL 5354

2 AMENDMENT NO. _____. Amend House Bill 5354 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Food Handling Regulation Enforcement Act is
5 amended by adding Section 3.4 as follows:

6 (410 ILCS 625/3.4 new)

7 Sec. 3.4. Home kitchen operation.

8 (a) For the purpose of this Section, "home kitchen
9 operation" means a person who produces or packages
10 non-potentially hazardous food in a kitchen of that person's
11 primary domestic residence for direct sale by the owner or a
12 family member, or for sale by a religious, charitable, or
13 nonprofit organization, stored in the residence where the food
14 is made. The following conditions must be met in order to
15 qualify as a home kitchen operation:

16 (1) Monthly gross sales do not exceed \$1,000.

1 (2) The food is a non-potentially hazardous baked food,
2 as defined in Section 4 of this Act.

3 (3) A written notice is provided to the purchaser that
4 the product was produced in a home kitchen.

5 (4) The non-potentially hazardous baked food packaging
6 conforms to the labeling requirements of the Illinois Food,
7 Drug and Cosmetic Act and includes the following
8 information on the label of each of its products:

9 (A) the name and address of the home kitchen
10 operation;

11 (B) the common or usual name of the food product;

12 (C) all ingredients of the food product, including
13 any colors, artificial flavors, and preservatives,
14 listed in descending order by predominance of weight
15 shown with common or usual names;

16 (D) the following phrase: "This product was
17 produced in a home kitchen not subject to public health
18 inspection that may also process common food
19 allergens.";

20 (E) the date the product was processed; and

21 (F) allergen labeling as specified in federal
22 labeling requirements.

23 (5) The name and residence of the person preparing and
24 selling products as a home kitchen operation is registered
25 with the unit of local government where the home kitchen
26 operation resides.

1 (6) The person preparing and selling products as a home
2 kitchen operation has a Department of Public Health
3 approved Food Service Sanitation Management Certificate.

4 (7) The home kitchen operation shall register with the
5 State-certified local public health department, which may
6 include a reasonable fee set by the State-certified local
7 public health department.

8 (b) The Department of Public Health or the health
9 department of a unit of local government may inspect a home
10 kitchen operation in the event of a complaint or disease
11 outbreak.

12 (c) The provision for direct sales in this Section applies
13 only to a home kitchen operation located in a municipality,
14 township, or county where the local governing body has adopted
15 an ordinance authorizing the direct sale of baked goods as
16 described in Section 4 of this Act.

17 Section 99. Effective date. This Act takes effect upon
18 becoming law."