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House Enrolled Act No. 1309 Guidelines

This act allows an individual to prepare and package non-potentially hazardous food products in the individual's home and allows the individual to sell the products at a roadside stand or farmer's market.

This document is to act as a guideline for House Enrolled Act Number 1309 and is not a replacement for the actual document. The foods that qualify under this Act are listed below. Other non-potentially hazardous foods may meet the requirement, but will be determined by the Indiana State Department of Health or the La Porte County Health Department if they are acceptable.

Definition:

Potentially Hazardous Food Product: For the purposes of IC 16-42-5-29, means a food that is natural or synthetic and requires temperature control because it is in a form capable of supporting any of the following:

- (1) The rapid and progressive growth of infectious or toxigenic microorganisms.
- (2) The growth and toxin production of Clostridium botulinum.
- (3) In raw shell eggs, the growth of Salmonella enteritidis.
 - (b) The term includes the following:
 - (1) A food of animal origin that is raw or heat treated.
 - (2) A food of plant origin that is heat treated or consists of raw seed sprouts.
 - (3) Cut melons.
 - (4) Garlic-in-oil mixtures that are not modified in a way that results in mixtures that do not support growth described in subsection (a).

Acceptable Food Products (without potentially hazardous fillings or toppings):

1. Non-vacuum packed jams and jellies
2. Yeast breads
3. Cookies
4. Muffins
5. Quick and sweet breads
6. Donuts
7. Pastries
8. Fruit pies
9. Danish

Some of the requirements are listed below. This list is not all inclusive. Please refer to the actual document.

- ✓ Food products must be made in individual's primary residence, prepared and stored safely and are not resold;
- ✓ Are not potentially hazardous;
- ✓ Is prepared by an individual who practices proper sanitary procedures including proper handwashing;
- ✓ Food products are properly labeled that includes **1.** Name and address; **2.** The common name of the food product; **3.** List of ingredients in descending order by predominance; **4.** The net weight or numerical count; **5.** The date the food product was processed; **6.** And the following statement in 10 point type, **"This product is home produced and processed and the production area has not been inspected by the state department of health."**

These guidelines will be updated periodically according to the updates of the law and/or interpretations presented by the Indiana State Department of Health.

Mission Statement:

"To engage and partner in a collaborative and responsive effort with the community and local organizations with respect to the diversity of the community to better serve present and future generations."