

Regular Session, 2013

SENATE BILL NO. 18

BY SENATOR WARD

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PUBLIC HEALTH. Provides for cake and cookie products and preparation of cakes and cookies in home for public consumption. (8/1/13)

1 AN ACT
2 To enact R.S. 40:4.13, relative to cake and cookie products and the application of the state
3 sanitary code; to provide for preparation of cakes and cookies in home for public
4 consumption; to provide for the promulgation of rules and regulations; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:4.13 is hereby enacted to read as follows:

8 **§4.13. Cakes and cookies; preparation in home for public consumption**

9 **A. No provision of the state sanitary code or any provision of any other**
10 **law or regulation that requires any equipment, design, construction, utensils,**
11 **supplies, preparation, or services shall apply to the preparation of cakes and**
12 **cookies in the home for sale.**

13 **B. This Section shall not be construed to allow the sale or distribution**
14 **of any unwholesome food.**

15 **C. This Section shall not apply to any preparers of cakes and cookies**
16 **that are made at a home for sale, whose gross annual sales equal fifty thousand**
17 **dollars or more.**

1 **D. The Department of Revenue shall provide to the Department of**
2 **Health and Hospitals the names of all preparers of cakes and cookies that are**
3 **made at home for sale, whose gross annual sales equal fifty thousand dollars or**
4 **more. The Department of Revenue shall promulgate rules, regulations, and**
5 **procedures necessary to effectuate this Section in accordance with the**
6 **Administrative Procedure Act.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Christopher D. Adams.

DIGEST

Proposed law provides no provision of the state sanitary code or any provision of any other law or regulation that requires any equipment, design, construction, utensils, supplies, preparation, or services shall apply to the preparation of cakes and cookies in the home for sale.

Proposed law shall not apply to any preparers of cakes and cookies that are made at a home for sale, whose gross annual sales equal \$50,000 or more.

Proposed law provides the Department of Revenue shall provide to the Department of Health and Hospitals the names of all preparers of cakes and cookies that are made at home for sale, whose gross annual sales equal \$50,000 or more. Requires the Department of Revenue to promulgate necessary rules, regulations, and procedures in accordance with the APA.

Effective August 1, 2013.

(Adds R.S. 40:4.13)