

SENATE BILL 1689

By Ketron

AN ACT to amend Tennessee Code Annotated, Title 53,
relative to food sold at farmers' markets.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 53-1-102(29), is amended by adding the following language to the end of the subdivision:

"Selling" does not include infrequent casual sales of nonpotentially hazardous foods at farmers markets as provided in § 53-8-117.

SECTION 2. Tennessee Code Annotated, Section 53-8-117, is amended by deleting the section in its entirety and by substituting instead the following:

Section 53-8-117.

(a) As used in this section,

(1) "Home based kitchen" means a cooking facility located in a residence; and

(2) "Nonpotentially hazardous foods" means jam, jellies, candy, ice cream and baked goods.

(b) Nonpotentially hazardous foods prepared in a home based kitchen may be sold at farmers' markets located in this state by the preparer of such food.

(c) Notwithstanding any provision of law to the contrary, no person engaged in the preparation and sale of nonpotentially hazardous foods at farmers' markets located in this state shall be required to obtain any food product, food preparation or food handling license, certification or training,

including, but not limited to, training under domestic kitchen rules, from the department of agriculture or any other department of state government.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.