WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

House Bill 2458

FISCAL NOTE

BY DELEGATE SOBONYA AND MILLER, C.

[Introduced February 15, 2017; Referred

to the Committee on Health and Human Resources.]

1   A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,

2   designated §19-2-12, relating to exempting food prepared or processed in a private home

3   and curtilage or farm by the resident or owner and sold directly to the end consumer with

4   certain information attached from laws and rules relating to food labeling, inspections or

5   milk or milk products.

Be it enacted by the Legislature of West Virginia:

1   That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new

2   section, designated §19-2-12, to read as follows:

ARTICLE 2. MARKETING AGRICULTURAL PRODUCTS.

§19-2-12. Exemptions from food related laws or rules for certain individually produced agricultural products.

1   Any law or rule provided in, or promulgated under, chapters sixteen or nineteen of this

2   code which relates to food labeling, inspection of food establishments or milk or milk products

3   does not apply to any food prepared or processed in a private home and curtilage or farm by the

4   resident or owner of such property or his or her designee if such food is sold directly to the end

5   consumer and labeled with the producer's name and address, and the product ingredients with

6   the following disclosure in bold type: **"NOT FOR RESALE- PROCESSED AND PREPARED**

7   **WITHOUT STATE INSPECTION."**

NOTE: The purpose of this bill is to provide that food prepared or processed in a private home and curtilage or farm by the resident or owner and sold directly to the end consumer with certain information attached is exempt from laws and rules relating to food labeling, inspections or milk or milk products.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.