

RESOLUTION NO.
OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

WHEREAS, in accordance with California Health and Safety Code Part 7, California Retail Food code, local agencies shall be responsible for the oversight and permitting of establishments that prepare food for retail distribution; and

WHEREAS, local public health and environmental health departments work to prevent and reduce the spread of foodborne illnesses in their communities; and

WHEREAS, effective January 1, 2013, California Assembly Bill (AB) 1616 allows individuals to prepare and/or package for sale certain non-potentially hazardous foods in private-home kitchens, often referred to as the “Cottage Food law”; and

WHEREAS, the California Department of Public Health maintains a list of potentially and non-potentially hazardous foods; and

WHEREAS, non-potentially hazardous foods are those that do not support the rapid growth of bacteria when held outside of refrigerated temperatures, and potentially hazardous food are those that must be maintained and cooked at specific temperatures to avoid spreading pathogens; and

WHEREAS, proposed bill AB 626 California Retail Food Code, first introduced to the California State Legislature on February 14, 2017, intends to amend the existing California Retail Food Code by legalizing the microenterprise home kitchen operation (MEHKO); and

WHEREAS, AB 626 allows for MEHKOs to prepare and sell potentially hazardous food items to the public that were banned from production in private home kitchens under existing law; and

WHEREAS, AB 626 allows for MEHKOs to not be regulated by public health and environmental health departments to the same standard as commercial kitchens; and

WHEREAS, AB 626 will increase the likelihood of foodborne illness outbreaks by allowing newly legalized MEHKOs to sell potentially hazardous food to the public; and

WHEREAS, foodborne illnesses can result in missed work, extensive treatment, hospitalization, and death; and

WHEREAS, when outbreaks occur, local health departments must conduct costly investigations, impacting county resources; and

WHEREAS, the Assembly Committee on Health, in the 2017 CA A 626 Bill Analysis, dated April 21, 2017, lists the California State Associate of Counties, Urban Counties of California, Rural County Representatives of California, County Health Executives Association of California, and Health Officers Association of California as opponents of AB 626 who concur that it is a dangerous expansion of California's cottage food law; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of El Dorado strongly urges the California State Legislature to oppose AB 626, which would allow potentially hazardous foods cooked in home kitchens to be sold to consumers in the State of California.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 26th day of June 2018 by the following vote of said Board:

Attest:	Ayes:
James M. Mitrisin	Noes:
Clerk of the Board of Supervisors	Absent:

Deputy Clerk

Michael Ranalli, Chair
Board of Supervisors