

# Joint Committee on Agriculture and Fisheries

## Bill Summary

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<b>Bill Number:</b>	H.114
<b>Title:</b>	An Act to promote economic opportunities for cottage food entrepreneurs
<b>Sponsors:</b>	Representative Boldyga of Southwick
<b>Cosponsors:</b>	None
<b>Hearing Date:</b>	Wednesday, July 9, 2025 at 1:00 PM - 05:00 PM, A-1
<b>Reporting Date:</b>	Sunday, September 7, 2025
<b>Similar Matters:</b>	H.140 (Representative Uyterhoeven - Similar) S.69 (Senator Oliveira - Similar)

### Prior History

2023-2024: Filed as H.758; Referred to the Joint Committee on Environment & Natural Resources; Discharged to the Joint Committee on Agriculture; Accompanied a new draft S.2761; Reported favorably the the Senate Committee on Ways and Means where no further action was taken.

### Current Law

Chapter 94 of the Massachusetts General Laws relates to the inspection and sale of food, drugs, and various articles. Section 1 of chapter 94r defines the terms used in this chapter. Section 146 of chapter 94 governs the powers of food inspection which are delegated by the Commonwealth to local boards of health. These powers include the authority to inspect meat, fish, and produce which are created or sold within their region of authority, fees to be charged for inspections, and the seizure and destruction of materials which are infected with a contagious disease or otherwise do not meet health standards. This section also gives local boards of health the authority to create their own rules and regulations for the purpose of ensuring the health and safety of food products under their purview, subject to a public hearing process. It also exempts certain articles of food from local boards of health control if they are sold within Boston's market limits at certain times and with certain other limitations.

## **Summary**

This bill prevents local boards of health from regulating cottage food operations. This type of operation is defined in the bill as one where an individual prepares food in their domestic kitchen for direct-to-consumer sale. It also defines a cottage food product as the item which is sold in this arrangement.

This bill also exempts cottage food operations from any permitting or licensing process at the local or state level, though they are not exempt from tax laws. The Department of Public Health will still be empowered to investigate foodborne illnesses which are believed to be associated with a cottage food operation.

The cottage food operation would have to include information to the consumer, including the operation's name, address, the food product's name, all ingredients used, and the statement: "This product was produced at a private residence that is exempt from Massachusetts licensing and inspection requirements. This product may contain allergens". These requirements must be conveyed to the consumer even if these products are sold online or by phone.

This bill would also require the Department of Public Health to establish a voluntary list for cottage food operations. If an operation chooses to be added to this list, they can receive an identification number from the Department to use in place of their address. An application to be added to this list would be required to include the operator's full name, address, phone number, and email address.