

OFFICE OF LEGISLATIVE RESEARCH  
PUBLIC ACT SUMMARY



**PA 19-18—sSB 233**

*Environment Committee*

**AN ACT CONCERNING COTTAGE FOOD PRODUCTS AND THE PRODUCTION OF HONEY AND MAPLE SYRUP**

**SUMMARY:** This act generally transfers, from the Department of Consumer Protection (DCP) to the Department of Agriculture (DoAg), regulatory authority over maple syrup and honey production in Connecticut. It does so by exempting all in-state maple syrup and honey production from (1) needing to obtain a DCP food manufacturing license; (2) DCP regulation under the state’s cottage food law; and (3) regulation under the state Food, Drug and Cosmetic Act (FDCA), over which DCP has enforcement authority (see BACKGROUND). “Production” refers to the foods’ preparation, packaging, labeling, and sales.

The act instead subjects maple syrup and honey producers to licensing, inspection, and enforcement by the DoAg commissioner and his authorized agents. It requires the commissioner to adopt regulations for overseeing maple syrup and honey production, but it does not set a date by which he must do so. The regulations may include provisions establishing (1) a license for maple syrup and honey producers and (2) mandatory best practices to limit pathogenic microorganism growth or toxin formation (e.g., harmful bacteria).

Existing law, unchanged by the act, already exempts maple syrup prepared and sold on residential farms from the state FDCA and allows maple syrup to be prepared and sold in any room used as living quarters. The operation is exempt from state or local inspection, but each container offered for sale must state that the product was not prepared in a government-inspected kitchen. DCP enforces this law (CGS § 21a-24b).

Lastly, the act explicitly adds honey production to the state’s general definition of “agriculture” and “farming.”

EFFECTIVE DATE: October 1, 2019

**BACKGROUND**

*Uniform Food, Drug and Cosmetic Act*

The state FDCA provides DCP with enforcement authority over such things as adulterated or misbranded food products and deceptive advertising and marketing. Honey and maple syrup remain subject to the state FDCA’s federal counterpart that regulates certain foods and other products in interstate commerce and is enforced by the federal Food and Drug Administration.

*Cottage Food Law*

## OLR PUBLIC ACT SUMMARY

The state's cottage food law requires licensure of individuals who (1) produce certain foods only in their private residential dwelling's home kitchen and for sale directly to the consumer and (2) do not operate as a food service establishment, food retailer, distributor, or manufacturer.