



IDAHO DEPARTMENT OF HEALTH & WELFARE
DIVISION OF PUBLIC HEALTH

Proposed Definitions to be Added to Idaho Food Code

Language that is proposed to be added is underlined. All other language is in the existing Idaho Food Code except language contained in parentheses.

Language in parentheses is proposed to be included as part of the 2016 Idaho Food Code that will be presented to the 2016 Idaho Legislature.

- 1) *"FOOD ESTABLISHMENT" does not include:*
 - a) *An ESTABLISHMENT that offers only pre-PACKAGED FOODS that are not potentially hazardous (TIME/TEMPERATURE CONTROL FOR SAFETY) FOODS;*
 - b) *A produce stand that only offers whole, uncut fresh fruits and vegetables;*
 - IDAPA 16.02.19.110.10** - Modification to Section 1-201.10 **FOOD ESTABLISHMENT** by deleting (3)(c)
 - d) *A kitchen in a private home if only FOOD that is not potentially hazardous (TIME/TEMPERATURE CONTROL FOR SAFETY) FOOD, is prepared for sale or service at a function such as a religious or charitable organization's bake sale if allowed by LAW and if the CONSUMER is informed by a clearly visible placard at the sales or service location that the FOOD is prepared in a kitchen that is not subject to regulation and inspection by the REGULATORY AUTHORITY;*
 - e) *An area where FOOD that is prepared as specified in Subparagraph (3)(d) of this definition is sold or offered for human consumption;*
 - f) *A kitchen in a private home; such as a small family day-care provider; or a bed-and-breakfast operation that prepares and offers FOOD to guests if the home is owner occupied, the number of available guest bedrooms does not exceed 10, breakfast is the only meal offered, the number of guests served does not exceed 18, and the CONSUMER is informed by statements contained in published advertisements, mailed brochures, and placards posted at the registration area that the FOOD is prepared in a kitchen that is not regulated and inspected by the REGULATORY AUTHORITY; or*
 - g) *A private home that receives catered or home-delivered FOOD.*
 - h) *Cottage food operations*

FOOD PROCESSING PLANT

- 1) "FOOD PROCESSING PLANT" means a commercial operation that manufactures, packages, labels, or stores FOOD for human consumption and does not provide FOOD directly to a CONSUMER.

IDAPA 16.02.19.110.09 Modification of Section 2-201-10 "Food Processing Plant" by deleting (2)

(Cottage food operation means a person or business preparing or producing cottage food products in the home kitchen of that person's primary residence or other designated kitchen or location

Cottage food product means non-TCS foods that are sold directly to a consumer. Examples of cottage foods include, but are not limited to: baked goods, fruit jams and jellies, fruit pies, breads, cakes, pastries and cookies, candies and confections, dried fruits, dry herbs, seasonings and mixtures, cereals, trail mixes and granola, nuts, vinegar, popcorn and popcorn balls, cotton candy.)