

More than a Bake Sale: Oregon Home Baking Bill





This Workshop is part
of a four part series:

01

Part 1: Farm Direct, Producer Processed Exemption, February 4, Veneta

02

Part 2: Domestic Kitchen Licensing, February 18, Coburg

03

Part 3: OR Home Bakery Bill, March 4, Creswell

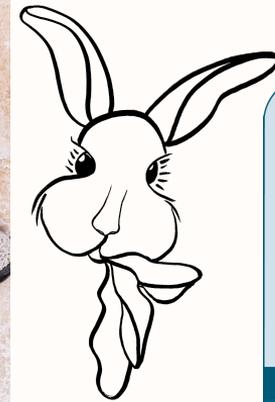
04

Part 4: Lane County Temporary Restaurant Licensing, March 11, Oakridge

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Agenda

1. Intro to the Home Bakery Bill
2. What can you make?
3. How can you make it?
4. Where can you sell?
5. Additional Resources



Introduction



Introduction to the Home Baking Bill



History

Passed in 2016, this bill is designed to give entrepreneurs, especially in rural areas, a low barrier way to begin a food business focused on baked goods.



Basic Premise

A person may bake certain, low-risk types of baked goods and confections in their home without a license for sale direct to consumer.

A kitchen whisk with a silver handle and multiple thin metal wires is positioned diagonally across the frame. In the bottom left corner, there is a small white square bowl filled with dark, possibly dried, seeds or herbs. The background is a white mesh fabric, and several light-colored, oval-shaped seeds are scattered across it. The text "What Can You Make?" is overlaid in a bold, red, sans-serif font in the center of the image.

What Can You Make?

What Can You Make?

Non-“Potentially Hazardous” Baked Goods

Including bread, rolls, cakes, pies, doughnuts, pastries, cookies, biscuits, crackers and all similar goods made for human consumption.

Some Confections

Candy or sweets, such as salted caramels, marshmallow bars, chocolate covered marshmallows, and hard candy

What IS “potentially hazardous?”



Potentially Hazardous



Requiring refrigeration

Baked goods that require refrigeration after production, such as pies, cakes, or pastries containing cream, custard, meringue, or cream cheese icings or fillings



Fresh Fruit

Candied fresh fruit products, including caramel and candy apples



Focaccia Style Breads

Focaccia-style breads containing vegetables or cheese



Meat and Fish

Baked goods containing fresh, frozen, or dried meat, or fish or shellfish products (e.g., potpies or pastries with those ingredients)

Other Product Notes

No
Marijuana
Edibles!



Gluten Free
Labelling
Requires some
Extra Care.
[FDA Guidelines](#)



Pet Treats don't
need any
licensing if they
don't contain
meat.



Not Sure if your Product Qualifies?

Call the ODA Food Safety Office and have a
hypothetical conversation:

ODA Food Safety
635 Capitol St NE
Salem, OR 97301
Phone: 503-986-4720

How Can You Make It?



How Can You Make It?



Your Home Kitchen



Sanitation Standards/Food Handler Training



Labelling

How Can You Make It?



Your Home Kitchen

Defined in the law as:

“A home or area within a rental unit, in which a person or persons make their primary residence.”

Cannot be rented specifically for baking under this exemption.



How Can You Make It?



Sanitation Standards/Food Handler Training

You are required to follow the same standards of sanitation as other food production facilities:

- Hand Washing.
- Separation of chemicals and contaminants.
- Clean prep area and utensils before and after use.
- KEEP PETS OUT

For more info, read the [sanitation statute for food production facilities.](#)

How Can You Make It?



Food Handler Training

Everyone involved in producing food for sale under the OR Home Baking Bill must undergo Food Handler Training

- Takes about an hour online
- Costs \$10
- Good for 3 years
- Get started [HERE](#)



Labeling

- ◀ General
- ◀ Placard or Difficult Labelling
- ◀ Allergens
- ◀ Health Claims

Labeling



General Requirements

All Products must have:

- “This product is homemade and is not prepared in an inspected food establishment.”
- The business name, phone number, and address for the food establishment;
- The name of the product
- The ingredients of the product in descending order by weight;
- The net weight or net volume of the product



Labeling



Difficult Labeling

What if your product is not easily labeled? You have a couple other options:

- Big, specialty items (like a wedding cake)
 - You can include all labeling requirements on a receipt or similar document you deliver to that consumer with the product
- Single serving items (like selling a cookie or muffin in a bakery bag at a farmers market)
 - A placard at the location that states, “This product is homemade and is not prepared in an inspected food establishment.”
 - And you must have all required label information available upon request.

Labelling

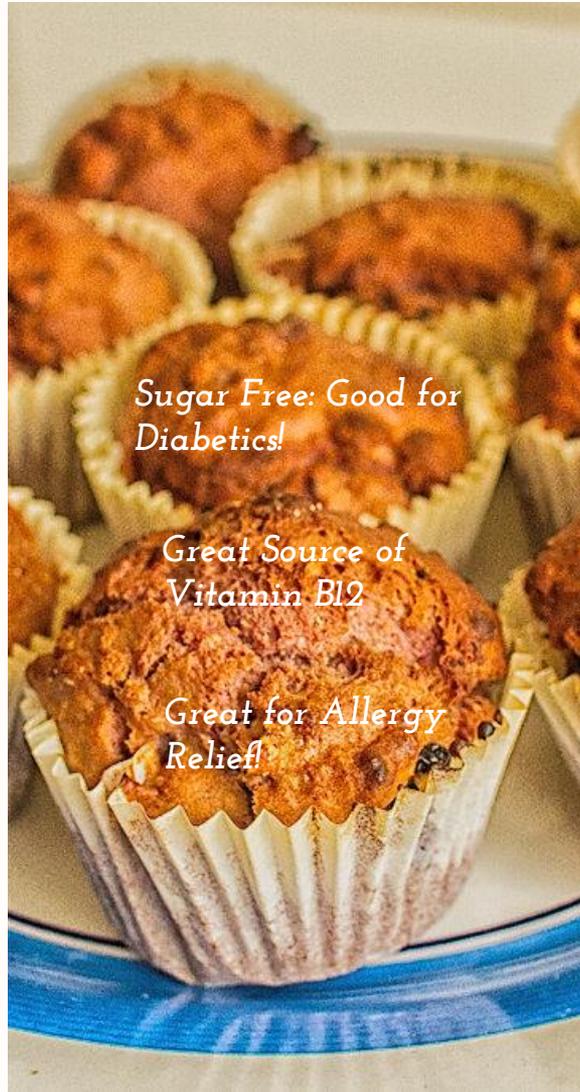


Health and Nutrient Claims

In general, Home Baking Bill products do not need to have “Nutrition Facts” labels.

BUT

If the label provides any nutrient content claim, health claim, or other nutritional information, add the appropriate product nutritional information as described in [Title 21, Part 101 of the Code of Federal Regulations](#)



Labeling



Common Allergens

You must highlight these common allergens in your ingredient list:

- **Milk** (any protein from milk, butter, cream, dry milk, whey, or casein)
- **Eggs** (e.g., whites, yolks, albumen, or powdered eggs)
- **Soy** (e.g., soybeans, soy lecithin, soy protein, or soy flour)
- **Wheat** (includes spelt, semolina, kamut, and triticale)
- **Seafood***** (e.g., salmon, tuna, eel, bass, flounder, or cod)
- **Crustacean shellfish***** (e.g., crab, lobster, or shrimp)
- **Peanuts** (e.g., peanut butter or peanut meal)
- **Tree nuts***** (e.g., pecans, walnuts, hazelnuts, cashews, coconut, or pine nuts)

***[FALCPA](#) requires the specific type of nut to be declared for tree nuts (e.g., almonds, pecans, or walnuts) and the species to be declared for fish (e.g., bass, flounder, or cod) and crustacean shellfish (e.g., crab, lobster, or shrimp).

Could you ever be inspected by ODA?

The short answer is YES.

You will not be regularly inspected and don't have to submit any license applications, but if there is a complaint or problem you could be inspected and required to get more licensing. The most common reasons for this are:

The home bakery refuses to comply with ODA rules that the food establishment be constructed and maintained in a clean, healthful, and sanitary condition.

The home bakery is operated outside of the Home Baking Exemption's parameters.

The home bakery is directly linked to a foodborne illness outbreak.



Want advice on your specific labelling or sanitation question?

Call the ODA Food Safety Office and have a
hypothetical conversation:

ODA Food Safety
635 Capitol St NE
Salem, OR 97301
Phone: 503-986-4720

Where Can You Sell Your Products?



Sales Limit!

The Home Baking Bill only covers production in an unlicensed home kitchen UP TO \$20,000 gross sales annually!

Keep sales records available for 3 years as a precaution.



Direct to Consumer Sales Only!



Farmers Market

You can sell at local farmers markets if you meet their requirements!



Community Festivals

You can vend at one time or seasonal festivals!



From your Home

Sell to family, friends, or the public directly from your home!



Roadside/Farm Stands

Sell to the public and take advantage of Oregon Tourism with roadside sales.



Sales outlets that are NOT allowed for Home Baking Bill products.

- Third Party Distributors
- Wholesalers
- Grocery Stores
- Restaurants
- Catering companies
- Institutions for their cafeterias like schools or nursing homes.
- Online sales with shipping
 - You can take orders online or over the phone if the person picks up and pays for the goods in person.

MORE RESOURCES

- ◀ Farmers Market Contacts and Advice
 - ▶ Oregon Farmers Market Association
 - ▶ Check out [their website](#) for info and contacts for your local farmers market!
- ◀ Community Festival Contacts
 - ▶ Oregon Festivals and Events Association
 - ▶ Check out [their website](#) for info on upcoming festivals in your area!
- ◀ ODA Food Safety Office
 - ▶ Phone: 503-986-4720
- ◀ OSU Extension Office
 - ▶ Lane County office in Eugene: (541) 344-5859



A wire whisk is positioned diagonally across the frame. In the bottom left corner, there is a white bowl filled with dark, possibly roasted, seeds. Another white bowl is partially visible at the very bottom edge. The background is a light-colored surface with a repeating pattern of small 'x' marks. Scattered across the surface are several light-colored, elongated seeds, likely almonds.

Questions?

Thank you!