

Notification of Environmental Justice Assessment on Cottage Food Operations Agency Request Legislation

Updated April 1, 2024

WHAT

The Washington State Department of Health (DOH) is conducting an Environmental Justice Assessment regarding potential changes to state law in 2025. We are proposing to transfer oversight of Cottage Food Operations from the Washington State Department of Agriculture to DOH. Generally, Cottage Food Operators are people living in Washington who make "nonpotentially hazardous foods" like baked goods and jams in their home kitchen for direct sale to the consumer. To transfer oversight, we will ask the legislature to make changes to the current Cottage Foods law, [Chapter 69.22 RCW](#). Our intent is to create a new DOH Cottage Foods program that addresses the needs of Cottage Food Operators and ensures food safety for consumers.

The purpose of an Environmental Justice Assessment is to identify:

- Who might be most impacted by an agency action
- Environmental benefits, harms, and health impacts of the action
- Ways to minimize or eliminate negative environmental impacts
- How to equitably distribute positive environmental impacts

Visit our [Environmental Justice webpage](#) to learn more about Environmental Justice Assessments.

WHY

The DOH wants to shift the existing Cottage Food Operations program into the public health system. Moving the program to DOH will allow us to engage directly with community members who currently sell - or want to sell - food prepared in home kitchens. In addition, DOH will be better able to communicate about food safety and who is most vulnerable to foodborne illness. We want to develop our program with input from existing Cottage Food Operators, as well as other community members, to create a program that best serves both producers and consumers of these foods.

WHO

We are specifically trying to reach individuals who own or operate a home-based food business, those interested in starting a home-based food business, and those most susceptible to foodborne illness. These community members may include but are not limited to:

- Current or aspiring Cottage Food Operators
- Food vendors making food in their private home and selling it to the public
- Pregnant women, parents of children five or younger, the elderly, and those who are otherwise immunocompromised who purchase and consume Cottage Foods

If you identify as a member of one or more of these groups and would like to share your thoughts or connect with one of our staff, please email us at food.safety@doh.wa.gov. For other ways to get involved, check at the bottom of this page.

WHEN

Proposed Timeline for Agency Request Legislation

* Indicates planned period(s) for outreach and engagement

Date	Milestone
June-December 2023	Identify potential changes needed to the existing law
February 2024	Initiate Environmental Justice Assessment <ul style="list-style-type: none">• Notice will be posted to our webpage• Identify communities and populations potentially impacted by a new DOH Cottage Foods program• Develop tribal and community engagement strategies
* March 2024-May 2024	Begin tribal and community engagement <ul style="list-style-type: none">• Provide notice of opportunity for review and input on proposed changes to the Cottage Foods law• Update the Cottage Food Operations webpage with additional information• Listening sessions to learn more about the needs of Cottage Food Operators may be scheduled
* June 2024	Draft bill ready for review. Proposed changes to Chapter 69.22 RCW will be: <ul style="list-style-type: none">• Posted to our webpage• Emailed to permitted cottage food producers, interested parties, and community members
July 2025	Finalize bill and Environmental Justice Assessment based on tribal and community input
<i>If bill is accepted:</i>	
January 2025	Legislative session will determine the outcome of any next steps

HOW TO GET INVOLVED

We are identifying interested parties and planning ways we will engage impacted communities. To share your thoughts directly with our staff, please email food.safety@doh.wa.gov.

To stay connected, visit our webpage: [Cottage Food Operations – Proposed Legislation | Washington State Department of Health](#).

For questions about potential changes to the cottage food law or the environmental justice assessment, please contact food.safety@doh.wa.gov.



DOH 300-041 April 2024

To request this document in another format, call 1-800-525-0127. Deaf or hard of hearing customers, please call 711 (Washington Relay) or email civil.rights@doh.wa.gov.