

## Legislative Session Update-Dave Boone, Legislative Chairman

The '10 Legislative Session began as it typically does, with a flurry of bills being introduced. We initially focused our attention on eight bills, two of which involved farm kitchen issues, and one involving wood smoke. The “wood smoke” bill, among other things, proposed to specifically add wood smoke as a public health nuisance in 19-13-B1. CEHA testified in opposition to this portion of the bill. Our rationale was that local health departments already have the authority to cite smoke as a nuisance if appropriate, and passage of the bill may also necessitate investigating and citing such things as campfires, barbeques, etc., which we did not feel was the intent of the bill. Surprisingly, the prohibition of outdoor wood burning furnaces, which also was contained in the bill, did not seem to raise as much controversy. Ultimately, the bill did not receive a favorable recommendation from the Environment Committee, and died.

CEHA also testified in opposition to “An Act Allowing the Production and Sale of Acidified Food Products on Residential Farms”. This bill would allow the making of items such as pickles, salsa, etc. in farm home kitchens, and exempt such kitchens from oversight, as in the manner of “jams/jellies”. Testimony was prepared with the assistance of CEHA’s Food Committee. Sly legislators included the identical provisions in another bill “An Act Concerning Farms, Food, and Jobs”, which CEHA also testified in opposition to. This bill passed, and became Public Act 10-103, effective from passage.

PA 10-103 allows items with a pH < 4.6 to be made in farm kitchens, provided the items are not what we typically consider “potentially hazardous foods”, and sold provided they are labeled as not being prepared in a government inspected kitchen. The “picklers” must have passed a food safety exam, confirm the acidity of the product using a laboratory, and use coliform-free water. The act also modifies the definition of a Farmer’s Market so they may be one-day events. In discussing the impact of this bill with the staff in my office, we began to wonder what would prevent a homeowner with a residential garden from making and selling their homegrown salsa? What criteria makes a farm is not really7 defined in CGS 1-1, which the Act references.

Another bill of interest to sanitarians is PA 10-90, An Act Concerning the Operation of Child Day Care Centers and Group Day Care Homes in Public Schools. This bill addressed the “physical plant” requirements for day cares operating in schools. The Act states that until DPH develops establishes separate physical plant considerations for daycares in a school setting, the current physical plant requirements will continue to apply.

The session adjourned May 5, and the CEHA Legislative Committee sighed with relief. I sincerely thank the CEHA members on the Legislative Committee, Jessica Fletcher, CEHA Food Committee chair, and our friends at CADH and DPH for their help and support this season.