CHAPTER 33-33-10
PREPARATION OF COTTAGE FOOD PRODUCTS FOR SALE

Section
33-33-10-01 Definitions
33-33-10-02 Cottage Food Products
33-33-10-03 Safe Handling Instructions and Product Disclosure Statement
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33-33-10-01. Definitions.

Repealed effective October 1, 2021.

33-33-10-02. Cottage food products.

Repealed effective October 1, 2021.

33-33-10-03. Safe handling instructions and product disclosure statement.

Repealed effective October 1, 2021.

33-33-10-04. Illness or environment health complaint investigation.

1. Authorized representatives of the department or local regulating authority may access a cottage food production area of a cottage food operator's private home, point of sale, or venue where transactions of cottage foods take place to conduct an investigation upon complaint of an illness or environmental health. The cottage food operator may request to see the representatives' credentials.

2. If the department or local regulatory authority determines, as part of an investigation conducted in accordance with subsection 9 of North Dakota Century Code section 23-09.5-02 the source of an environmental health hazard or an illness complaint is associated with preparation, processing, packaging, or point of sale of a cottage food product, or otherwise associated with the cottage food operation, and poses a threat to public health or safety, where all reasonable measures have not been taken to ensure a cottage food product is not adulterated, contaminated by undesirable micro-organisms, or that cottage food product is misbranded or misrepresented to the informed end consumer, the cottage food operator will be notified and the department will act in accordance with North Dakota Century Code chapter 19-02.1.

3. The cottage food operator shall prepare and submit to the department a plan of correction in accordance with the minimum standards of these rules and North Dakota Century Code chapter 23-09.5. The plan shall contain adequate information to enable the department to determine whether the proposed corrective action measures will abate or prevent ongoing threat to public health.

History: Effective January 1, 2020.
General Authority: NDCC 23-01-03(3)
Law Implemented: NDCC 19-02.1, 23-09.5-02(9)

33-33-10-05. Infectious disease.

A cottage food operator or member of the cottage food operator's private home afflicted with symptoms consistent with a contagious or infectious disease may not knowingly:

1. Handle or prepare cottage food products; or

2. Work in a cottage food production area.

History: Effective January 1, 2020.
General Authority: NDCC 23-01-03(3)
Law Implemented: NDCC 23-01-03(3), 23-09.5