

Chairman Beltz and Members of the House Agriculture Committee, my name is Jenetta Sawyer and I am the owner of Jenetta's Simple Treats LLC, a cottage bakery located right outside Minot in the small town of Surrey. My husband was recently stationed at Minot AFB. As a military family and my husband 12 years of service (and counting), we are no strangers to change, adjusting our lives to fit within the mission at our new locations, and finding our places within the community. And though our family has only been here since September of 2024, North Dakota and Minot already feel like home.

My business was founded in July of 2022 while we were stationed at Nellis AFB in Las Vegas, Nevada. In just over a year in September of 2023, my son and I relocated to Florida where we called Eglin AFB our home while my husband commissioned and did additional training to become a missileer. Then in September of 2024, we moved yet again here, to North Dakota. That means in less than 3 years, our multiple moves have allowed me the opportunity to learn the ins and outs of local and state Cottage Food Laws for three separate states.

According to Chapter 23-09.5 in the state of North Dakota, a cottage bakery is defined as an "individual who produces or packages cottage food products in a kitchen designed and intended for use by the residents of a private home". Due to The Food Freedom Act that North Dakota adopted in 2017, North Dakota is one of the best states to bake, produce, and sell foods in. North Dakota and three other states adapted the The Food Freedom Act which adjusted and removed several laws that ultimately put the power back into the producers and consumers of local and state foods. Thanks to these laws, in North Dakota we are *allowed* to use traditional buttercream, cream cheese frostings, fresh fruits, participate in markets and events, provide samples that are prepackaged or on display, and we are not capped to yearly sales limits. These are some major wins compared to other states I have baked in.

However, according to 23-09.5-02 Section 3a, "Transactions under this section may not: involve interstate commerce", which refers to not being allowed to ship goods in or out of the state of North Dakota. [HHS ND Cottage Food Outline](#). And though the bill that is being brought forward, SB 2386 is working to adjust and change a few different parts, I personally want to just focus on the shipping and online sales for my testimony.

According to Castiron, which is a platform that many food establishments use within their business, 35/50 states allow shipping in and/or out of state, yet North Dakota is not on that list. [Castiron Article](#)

As a military family, I have had the privilege and opportunity to bake in three different states: Nevada, Florida, and now North Dakota, each with their own

Cottage Food Laws that I have had to abide by. However, by not allowing shipping and online sales, it creates a difficulty for many cottage bakeries who are already established in the state and those who are inbound. With North Dakota, and focusing on Minot, we have a large oil and military presence. Many incoming cottage bakeries are already established and trying to market to a new community and state. When we move from state to state, we are losing loyal customers. It takes us longer to regain and build within the community as we seem brand new to our new clientele. I would also like to point out that this shipping law *only* applies to cottage bakeries. This *does not* apply to commercial or store front bakeries as they have a different set of rules and regulations they abide by..

I urge you to adjust our current Cottage Food Laws and continue to stand with our Food Freedom Acts set forth in 2017. By allowing cottage bakers the ability to ship goods and accept online sales, we will be creating more balanced businesses within our own community. Families like mine would be able to continue to serve communities outside of North Dakota while we work tirelessly to rebuild in our new location, continue to have income flow during our transitions, and have the ability to scale our business both in and out of state. Personally, I feel the benefits are endless.

Thank you for taking the time to hear my testimony. I hope that by it, you too may see how much of an impact this chance can have on the other Cottage Bakers and their families within the state. I ask for your support of this bill that supports military families and small businesses like mine. Our family is thankful to be here in North Dakota and to call it home for as long as we can.