

195 River Vista Place, Suite 308
Twin Falls, Idaho 83301



BILL ANALYSIS / SUMMARY

H0526

2026 Regular Session

2/5/2026

IDAHO DAIRYMEN'S ASSOCIATION POSITION: NEUTRAL

SHORT TITLE: Cottage food operations

SPONSOR(S): Rep. Jeff Ehlers, R–Meridian

COMMITTEE ASSIGNMENT: Health and Welfare Committee

STATEMENT OF PURPOSE: This legislation removes barriers for entrepreneurs starting a food business. The requirements for a new business to sell any time / temperature controlled foods are burdensome. This legislation allows small sellers (under \$5,000) to be able to get a start in selling these types of foods.

FISCAL NOTE: This legislation causes no increase or decrease in revenue, or additional expenditure of funds at the state or local level of government; therefore, this legislation has no fiscal impact.

BILL SUMMARY: House Bill 0526 allows a cottage food operation making sales that do not exceed five thousand dollars (\$5000) in cumulative gross receipts to sell time/temperature control for safety foods direct to consumer. "Cottage food operation" is not defined in current Code, or in the bill.

REASONING FOR POSITION: IDA opposes this bill because it allows for the sale of dairy products without the producer or operation being subject to licensing, inspection, labeling, identity, or quality standards currently in place to protect against foodborne illness, to preserve product integrity, and to promote consumer confidence. Time and temperature controls are of the utmost importance with respect to milk and dairy products, where critical pasteurization and sanitation protocols are implemented for the safety of the consumer. Small-scale processors of dairy products are no different than other processors as relates to product risk. IDA believes that all producers, processors and sellers of time/temperature-controlled milk and dairy products must follow the same consumer safety protocols.

IMPACTS TO AGRICULTURE: This bill allows for the sale of time and temperature regulated foods by any person selling five thousand dollars (\$5,000) or less without compliance with quality, safety, identity, labeling, or sanitation requirements that otherwise apply to large producers and processors. Allowing food products on the consumer market without adherence to consumer safety measures increases the risk of foodborne illness and human harm, which in turn will degrade consumer confidence in the food industry as a whole.

CONTACTS:

Rick Naerebout, CEO

(t) (208) 308-3383

(e) rick.naerebout@gmail.com

Jamie Neill, Govt. Affairs

(t) 206-604-5082

(e) jamie@idahodairymens.org

Bob Naerebout, Govt. Affairs

(t) 208-308-3382

(e) bnaerebout@gmail.com

David Claiborne, attorney

(t) 208-867-7062

(e) david@sawtoothlaw.com