



State Senator Sheila Harsdorf

Date: January 15, 2014

To: Senate Committee on Energy, Consumer Protection, and Government Reform

Fr: Senator Sheila Harsdorf

Re: Senate Bill 435—Sale of homemade baked and canned goods

Dear Chair Cowles and Committee Members,

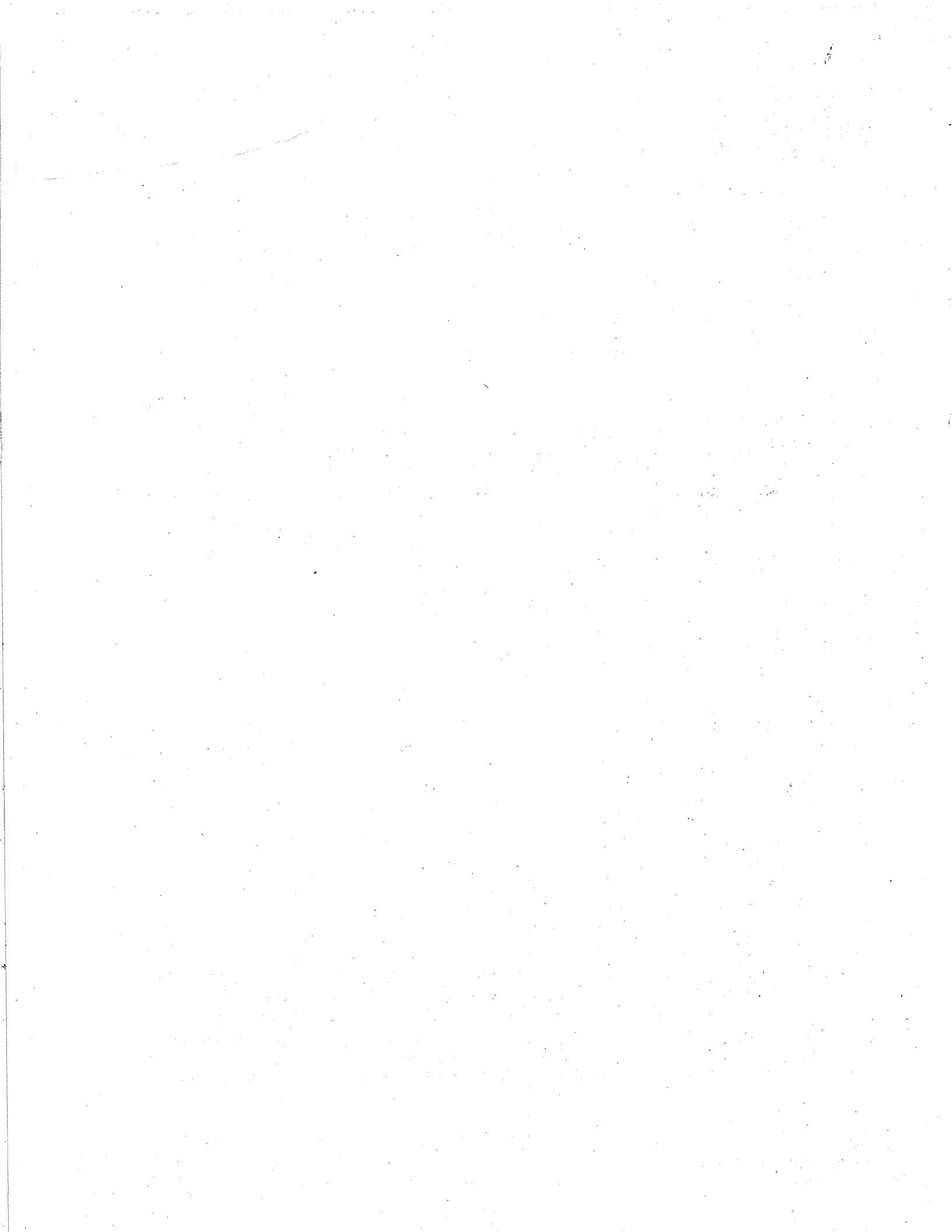
Thank you for holding a public hearing on Senate Bill 435 (SB 435), sometimes referred to as the “Cookie Bill” and allowing me to speak in support of this legislation that would allow home bakers to sell certain baked goods without requiring a food processing license from the state. This legislation also updates provisions for home canners passed previously under the “Pickle Bill.”

As you may recall, two sessions ago, in response to input from entrepreneurs seeking to work within their homes, the Legislature passed the “Pickle Bill” (2009 Wisconsin Act 101) to allow individuals to make and sell certain home canned foods. SB 435 builds upon the “Pickle Bill” to extend similar provisions to home bakers. Additionally, SB 435 updates the “Pickle Bill” for home canners by increasing the amount of money a home canner under the home canning license exemption may make in gross sales from \$5,000 to less than \$10,000 annually. This increase will put Wisconsin more in line with our neighboring states.

In regards to home bakers, SB 435 exempts home bakers from the requirement to obtain a food processing plant license to make and sell nonhazardous, home baked goods if they receive less than \$10,000 annually in gross sales. The Department of Agriculture, Trade, and Consumer Protection (DATCP) considers baked goods to be nonhazardous if they are acidic or have a low moisture content that does not support the growth of dangerous bacteria known to cause illness.

Under SB 435, home canned and baked goods must adhere to labeling requirements. SB 435 allows home canned and baked goods to be sold through face-to-face sales, opening up additional marketing opportunities rather than stipulating that sales must occur at a community or social event or at a farmers’ market.

Additionally, for baked goods, home bakers must register with DATCP, have a written recall plan in place in case a food recall of the baked goods is necessary, and record when and where baked goods are sold. This bill instructs DATCP to provide food safety and storage guidelines and information on the types of foods that are allowed to be sold under the home baker exemption. Lastly, individuals under the food processing license exemption must complete a food safety class approved by DATCP and submit proof of completion to the Department.

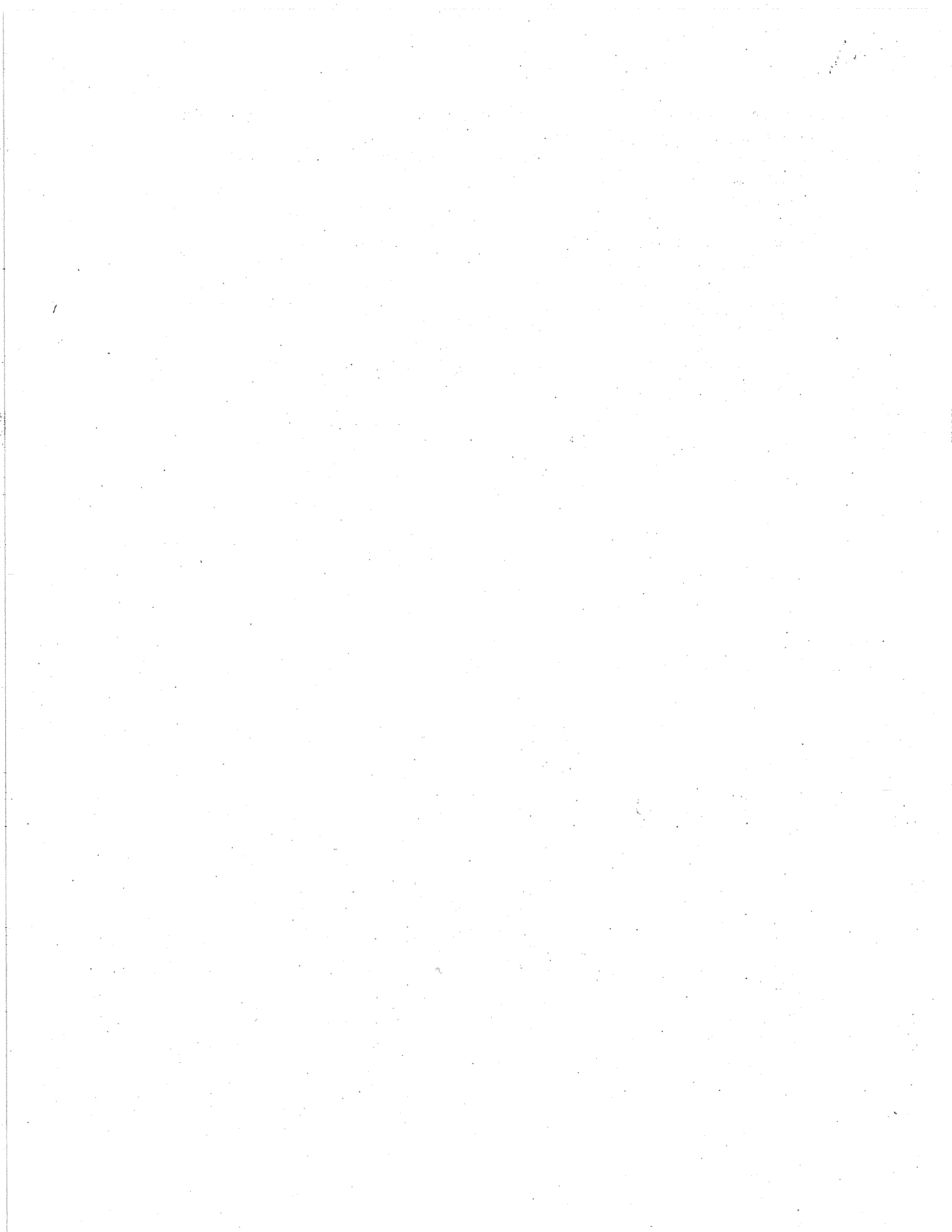


It can be expensive and challenging for individuals to rent or access industrial kitchen space in order to prepare baked goods. I believe SB 435 is an important measure that will help remove barriers for existing small businesses and new entrepreneurs while providing appropriate consumer protections.

Currently over thirty other states allow for cottage food businesses, and Wisconsin is only one of two states that has passed home canning legislation without allowing similar provisions for home baked goods.

I urge your support for this legislation in order to encourage Wisconsinites to start and grow their own business.

Thank you again for allowing me to speak in favor of the passage of SB 435. I welcome the opportunity to take questions.





EDWARD BROOKS

STATE REPRESENTATIVE

Testimony – Senate Bill 435

Senate Committee on Energy, Consumer Protection, and Government Reform

January 15, 2014

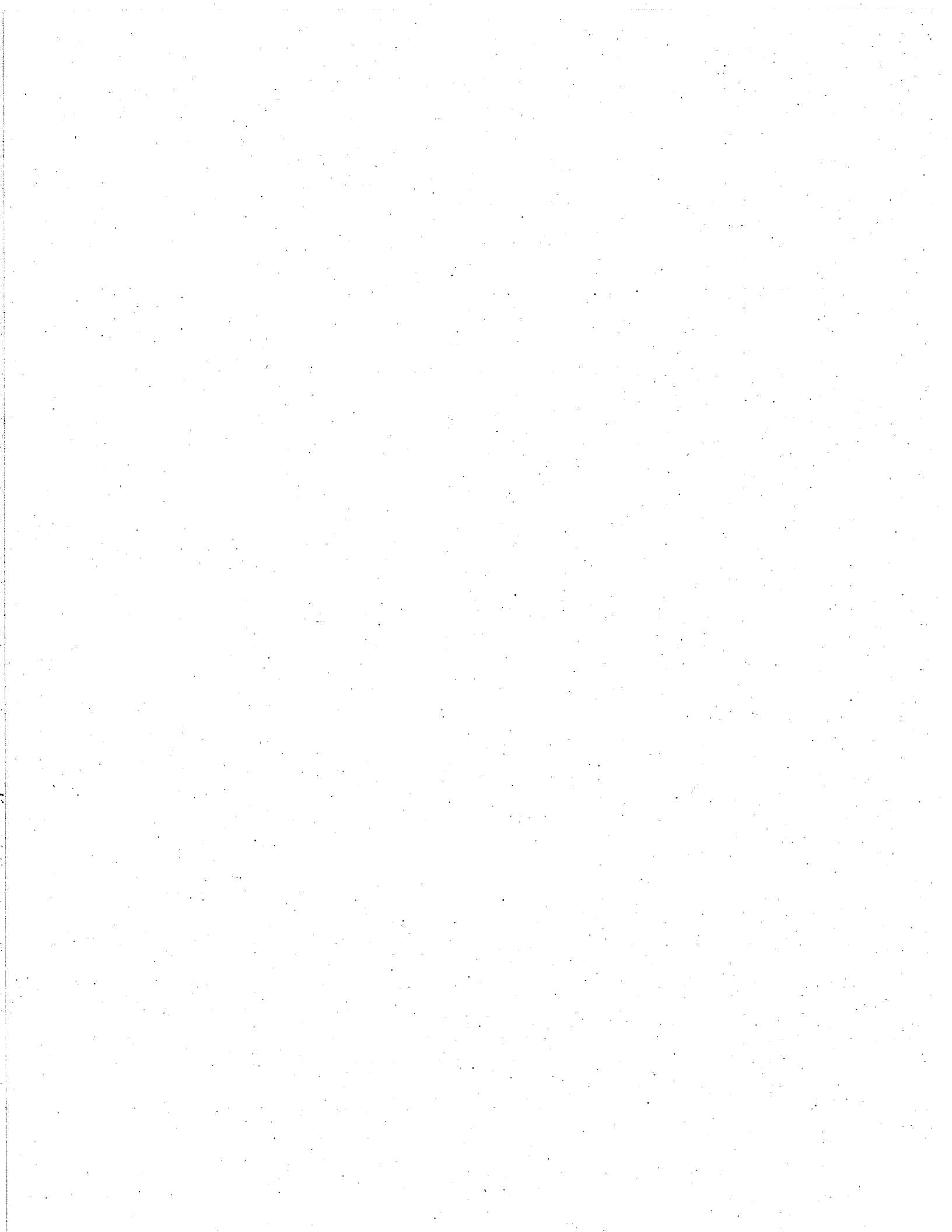
Chairman Cowles and Members,

Thank you for the opportunity to testify before you today in favor of Senate Bill 435, which is fondly referred to as “the Cookie Bill”. In Wisconsin, we take pride in our entrepreneurial spirit, and as legislators, we need to do what we can to allow folks to translate that spirit into action. SB 435 allows people to turn ideas into small businesses.

SB 435 exempts home bakers from the need to obtain food processing plant licenses from DATCP, thus removing a regulatory barrier to small business creation. At the same time, this bill preserves critical protections that will preserve both public health and the sterling reputation of Wisconsin food products.

Cottage food legislation is not new in Wisconsin. SB 435 builds on the success of 2009 ACT 101, “the pickle bill”, which made it easier for entrepreneurs to sell home canned goods. Cottage food legislation is also catching on in other states. Already twenty-five states have passed bills relating to the sale of home baked goods, including Minnesota, Illinois, and Michigan. It is time for Wisconsin to do the same.

In authoring this bill, Senator Harsdorf, Rep. Ringhand and I took great care to get input from a variety of stakeholders. We consulted with the Wisconsin Grocers Association, Farmers Union, DATCP, and several constituents with experience in home baking. The end result is a bill that is good for new small business owners, existing businesses, farmers, and consumers. In short, this bill is good for Wisconsin. I appreciate the work Senator Harsdorf has done to move this companion bill to AB 182 forward in the senate. I hope the committee will recommend SB 435 for passage so Wisconsin’s budding entrepreneurs’ can get to work baking!





Jan. 14, 2014

Dear Legislators:

My wife Dela and I support Senate Bill 435 as a companion to Assembly Bill 182 extending exemptions from state food processing licenses to those who produce homemade baked goods sold in face-to-face encounters with consumers at a sales volume less than \$10,000 annually.

With our family, Dela and I have practiced Community Supported Agriculture for 19 years as Scotch Hill Farm near Brodhead, Wis. We produce about 60 varieties of vegetables, also hay and grain, on 45 acres of owned and rented land.

About 90 percent of our income is from raising vegetable crops, which we sell almost entirely to households that subscribe with us for a growing season. In the early years we worked to establish our farming business, we also worked other full- and part-time jobs. We did this for more than 15 years to support our family as we used our proceeds to acquire new and used equipment, greenhouses, all the resources and experience necessary to establish and operate a farm.

We are now one of the four oldest growers in the 56-member Madison area CSA coalition, which changed its name to Fair Share CSA Coalition several years ago. This coalition requires that our farm be certified organic, which involves an extensive annual application procedure, detailed documentation and recordkeeping, as well as annual on-site inspections. This certification helps ensure the safety and health of the raw products we produce for people to eat.

I'm sure you are well aware that farming at any scale of production, whether conventional or organic, is typically capital intensive. So much equipment and infrastructure is required to produce efficiently that profit margins can be quite small. We spend, and we spend, and we spend, mostly within our local economy. We give back far more than we take, and we do it because we love this work that protects soil and feeds people. We do it because it is the sort of life and work we desire for our children and their children. It is our legacy.

Growing seasons in Wisconsin, especially for sensitive vegetable crops, are also curtailed in winter, even given use of high tunnel greenhouses, row cover and commercial-grade plastic to extend cool-season crop production into January and February. Many costs extend into winter months, and regular growing season start-up costs (land rent, equipment maintenance, seed and input purchases) must be met each winter.

To cope with these challenges, Dela and I helped organize and participated in winter farmers markets in a number of state-line cities, some of them operating now for 10 years. We developed farmstead skin care products, which we sold with root and cool season crops at these markets.

Adding preserved vegetable production and sale under the recent state canned goods exemption from processing licensing, increased our ability to cover year-round farm expenses in these sales, too. It added about \$1,000 in gross income to our farm, which is only about \$80 in actual profit. Yet it contributed to the whole of our farm and helped us meet rising production and living costs.

Proposed additional exemption from licensing for baking on-farm will further strengthen our family's ability to meet expenses over winter. As certified organic growers, we must rotate our vegetables widely with other crops to keep insects and plant diseases in check. Baking will give us another means of adding value to grains we grow in rotation. We'll be able to clean and grind our own organic wheat on a small scale for this purpose.

This measure will help us further diversify and insulate our farm from the inevitable ups and downs in economic conditions, which have been particularly challenging since 2009. We already have the basis for a market in some 200 households that purchase our fresh produce in a supportive, ongoing relationship.

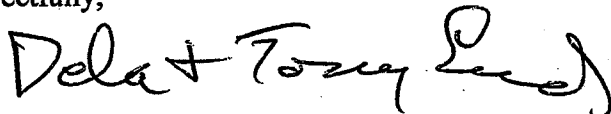
My wife and I believe many small farms and young adults who want to farm will benefit from passage of this proposal, too. We've been active members in the Wisconsin Farmers Union. We served formerly on the Collaborative Regional Alliance for Farmer Training steering committee. We've hosted a number of farm apprentices and workshops at Scotch Hill Farm. In 20 years, we've witnessed steady, consistent growth in interest in alternative farming as an occupation, vocation and way of life.

There is a great need for practical measures such as this exemption to facilitate start-up, expansion and operation of small farming businesses in this state. It costs the state little if anything. It increases local production and business activity. It stems a little, the flow of dollars from Wisconsin to other states. It increases food security and control over our food supply.

Dela and I urge this bill's adoption. We ask only that you remove food safety course and fee requirements attached to this measure. We believe them to be unnecessary encumbrances and unfair requirements for simple baking processes widely being practiced without any health or safety problem for many years in such venues as bed and breakfast establishments, club, school and church bake sales.

We sincerely thank you for supporting our wider community of farmers and consumers in this bill and for encouraging enterprise and self-reliance in our households and on our small farms.

Respectfully,



Tony and Dela Ends
910 Scotch Hill Road, Brodhead, WI 53520
www.scotchhillfarm.com 608 897-4288

Leo Skarlupka
W387 Hillside Drive
De Pere, WI 54115
leo117@netnet.net

January 15, 2014

Testimony in Support of Senate Bill 435

Chairman Cowles and Committee Members,

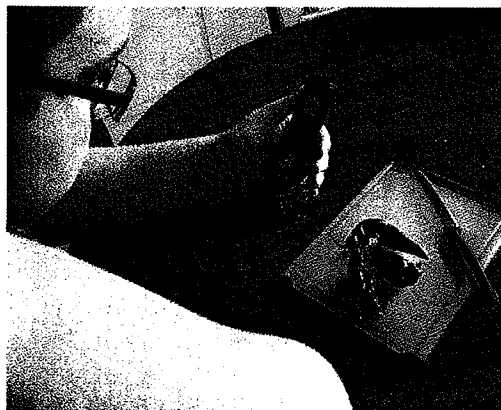
My name is Leo Skarlupka. I am from De Pere, Wisconsin. I am 15 years old and am a freshman at West De Pere High School. I take classes in our Agricultural Science program, and I am a member of the West De Pere FFA chapter.

FFA members usually do ongoing projects outside of school to gain experience in agriculture and business. My FFA project is raising hot pepper plants from seed, and now I am working on developing my own line of canned hot pepper products.

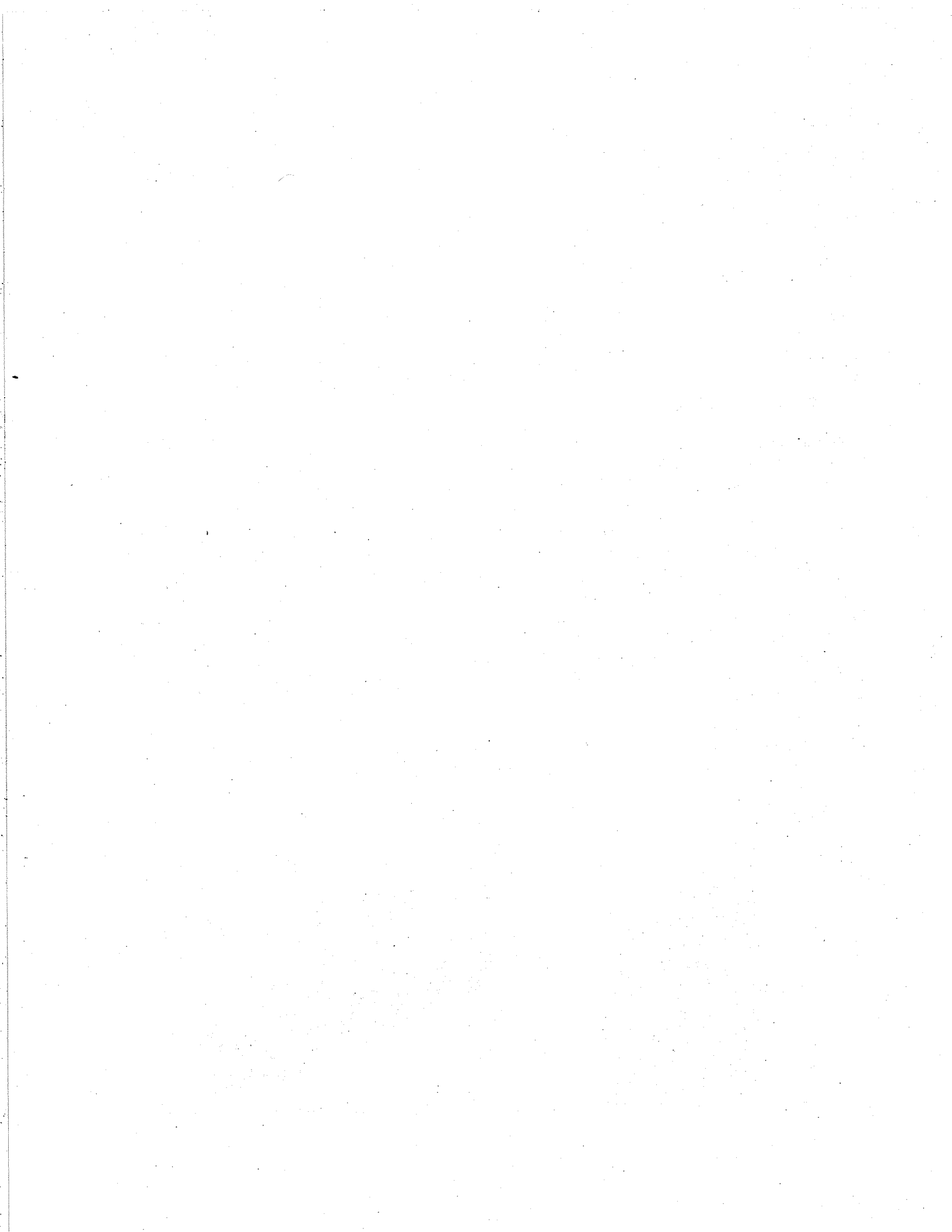
When I researched how I could go about selling my canned products, I was surprised under the current law I could not sell directly to people. I hope the committee passes SB 435 because this legislation would allow me to sell directly face to face any hot pepper products I make. Under current law, I would either have to sell only at a farmer's market or church bazaar, and wait for the customer to come to me while I sit at a table. I think I could build a better business if I could go after the sales and sell directly without needing a farmer's market. I have met a lot of people interested in purchasing my hot pepper products and they are willing to buy directly from me, BUT current law prohibits that. If SB 435 becomes law, it will positively impact my first business experience and I anticipate increased sales. And, I'd like to make money.

I understand that the law will still require me to label with certain information, take a sanitation workshop and follow appropriate canning procedures, and I am prepared to do that.

Thank you. I appreciate your support of SB 435.



Ghost peppers in my greenhouse, and testing the pH level of a habanero raspberry jelly.



January 8, 2014

Senator Robert Cowles, Chair; and,
Members of Energy, Consumer Protection, and Government Reform
Capitol Building
Madison, Wisconsin

RE: SB #435 Sale of Handmade Baked Good and Handmade Canned Goods

Please report my support of proposed bill #435, Sale of Handmade Baked Goods and Handmade Canned Goods, also known as the "Cookie Bill." Unfortunately I am unable to attend the public hearing on this matter.

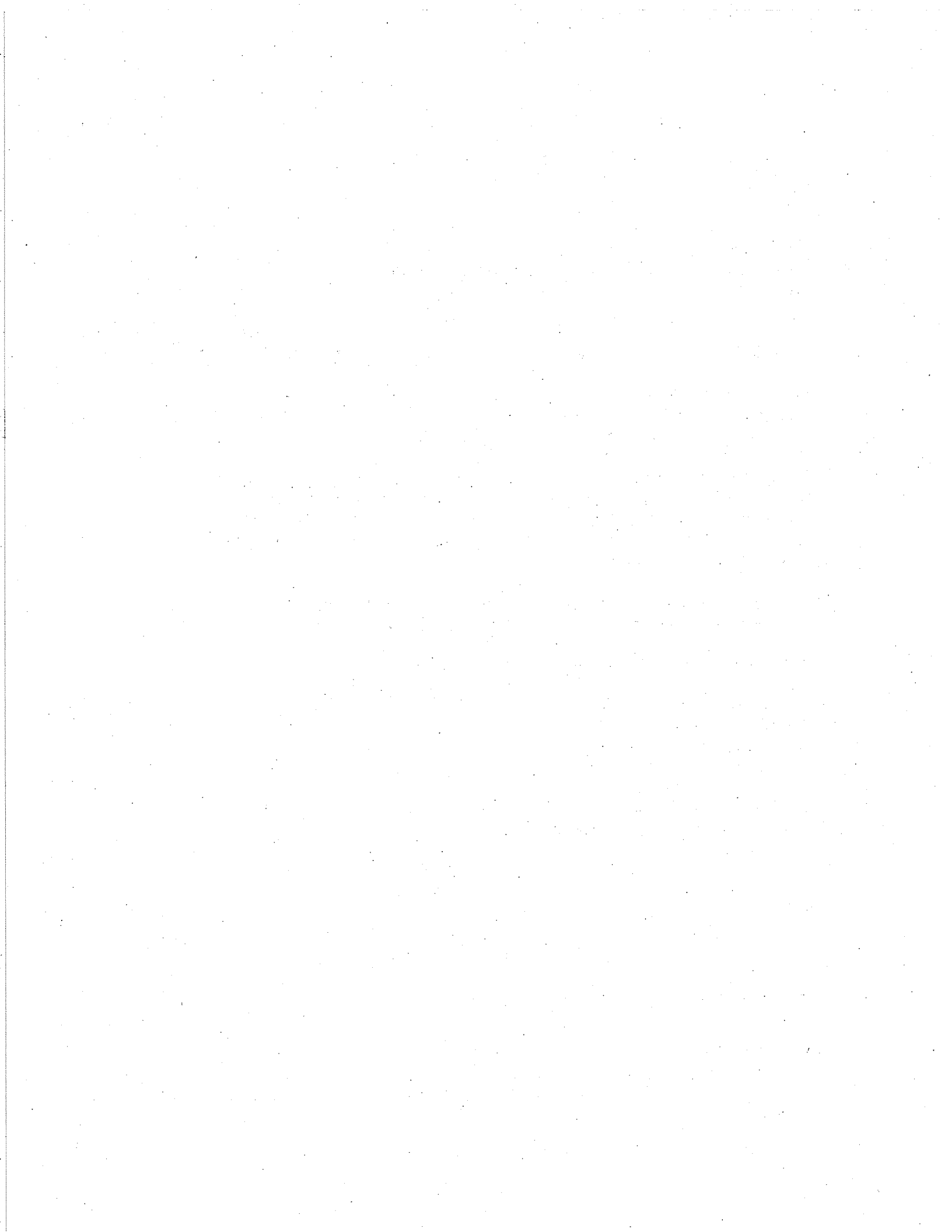
If passed, this legislation will provide positive benefits to local farms, including means to increase farm income from locally grown crops. As a local grower of organically produced berries, I would like to offer customers a selection of handmade baked goods both during the growing season and at an annual event featuring our harvest, arts and functional wares in our cottage barn next to the orchard.

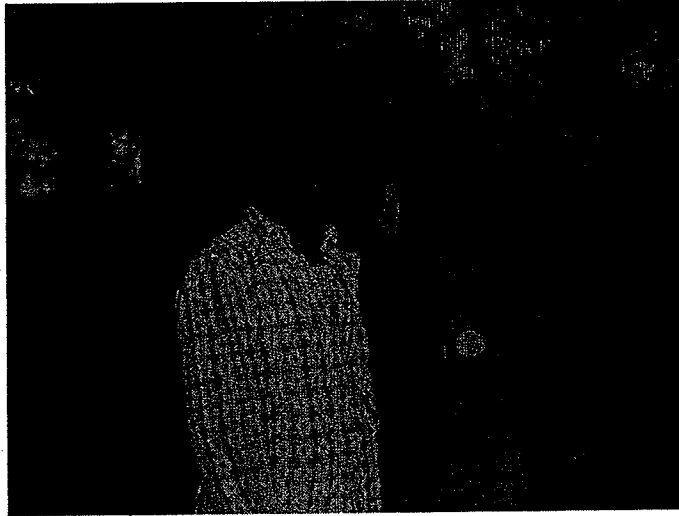
In summary, value added products from local farms benefits the local economy, individual consumer and the producer. It is a win, win, win scenario.

Thank you for your support of Senate Bill 435.

Jill Barthen Berke
Blue Ridge Growers
246 Carlson Lane
River Falls, Wisc. 54022

Facebook Blue Ridge Growers, River Falls
Email: blueridge@baldwin-telecom.net



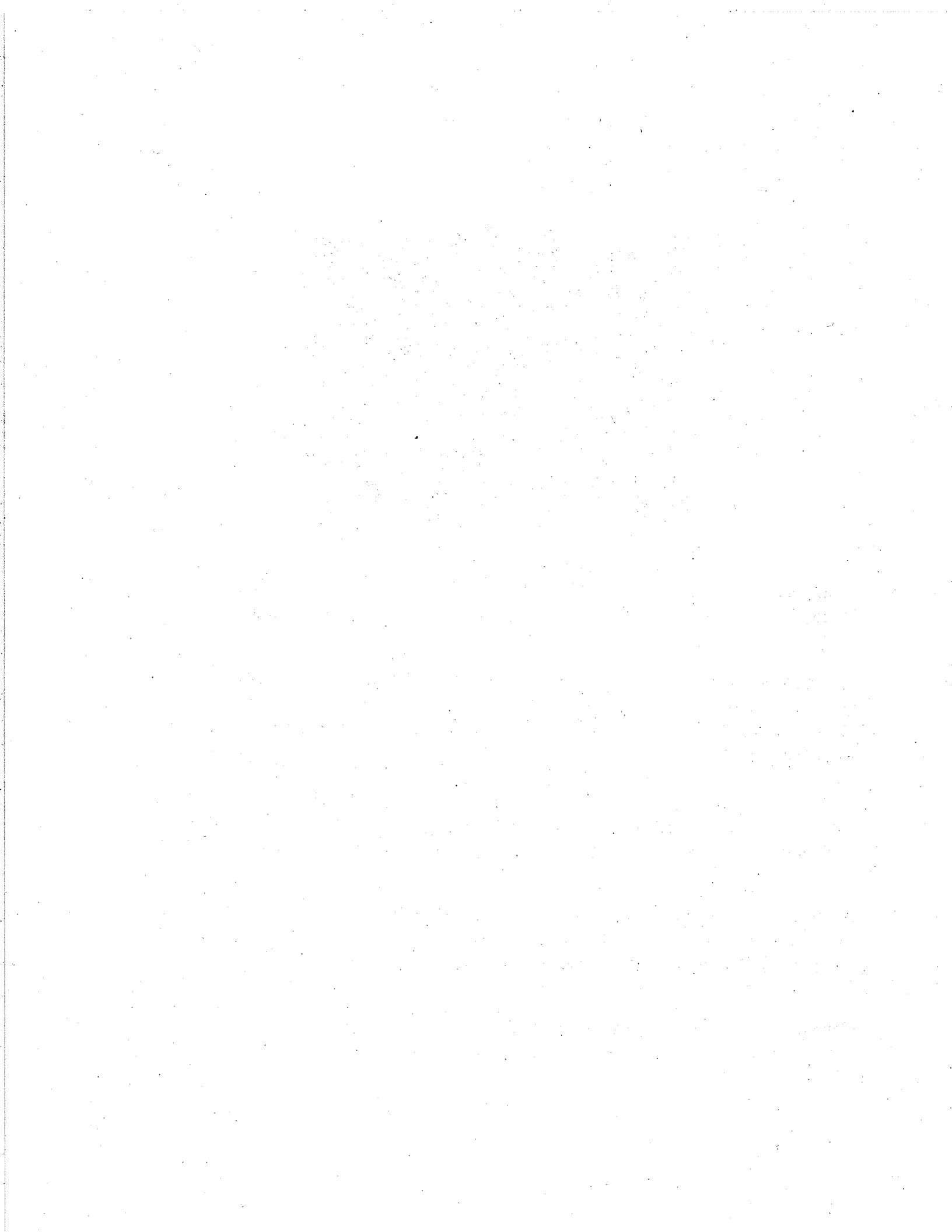


Hello, my name is Cere Yeager. My mom Eleanor and I are very interested in the issue of getting baked goods covered under cottage industry legislation.

For the last few months, my mom and I have been thinking about selling baked goods at our local farmers markets, but as we have been doing our research we realized the costs will be prohibitive. It's not just the licenses we would need, but the costs associated with renting a state-approved kitchen. We found a kitchen we could rent an hour's drive away, so there is the time and gas it would take to get there. The rent is high (considering we are only working small-scale), they would require us to get an insurance policy, and since it would be used by other facilities there's a strong likelihood it would not be available all the times we would need it.

I would really love to be selling my baked goods at the markets, but right now it's just not possible for us with the costs being what they are. I would like to see the Cookie Bill pass to open up new business opportunities for us!

Cere and Eleanor Yeager, Rhinelander, WI



The Cookie Bill is a great idea because it will allow the home baker to sell their product at Farmer's Markets, etc and for entrepreneurs to test the waters before jumping all in which would increase the chances of success.

I have been making Stollen, a traditional German Christmas bread, using my Grandma's recipe for over 20 years. I initially took over making it for my immediate family but over time, I was making it for numerous relatives and friends to the point that I was making approximately 24 loaves. I was encouraged to market my stollen and finally took the plunge in 2012. In 2012, I was able to use the facilities at a local bakery at no cost but in return gave the bakery a majority percentage of my sales. In 2013, I had to rent the kitchen but kept 100% of my sales. Making my stollen is very time consuming, 24+ hours to make a batch of 6. First you make it, which takes about 1 - 1 1/2 hours. Then you have to let it rise approximately 10 hours, knead it again, separate it into 6 loaves, let it rise again for about 10 hours then bake 3 at a time for 2 hours. As you can see, having to go to a commercial kitchen is just not very efficient or cost effective. For one, I have to keep going back and forth to the commercial kitchen throughout the process (gas, wear & tear). Secondly, with the cost of commercial kitchen space rental, ingredients and packaging (I am not even factoring in my time), using a commercial kitchen is not a viable option. For the small quantity I will be producing once a year, constructing a home commercial kitchen is also definitely not an option.

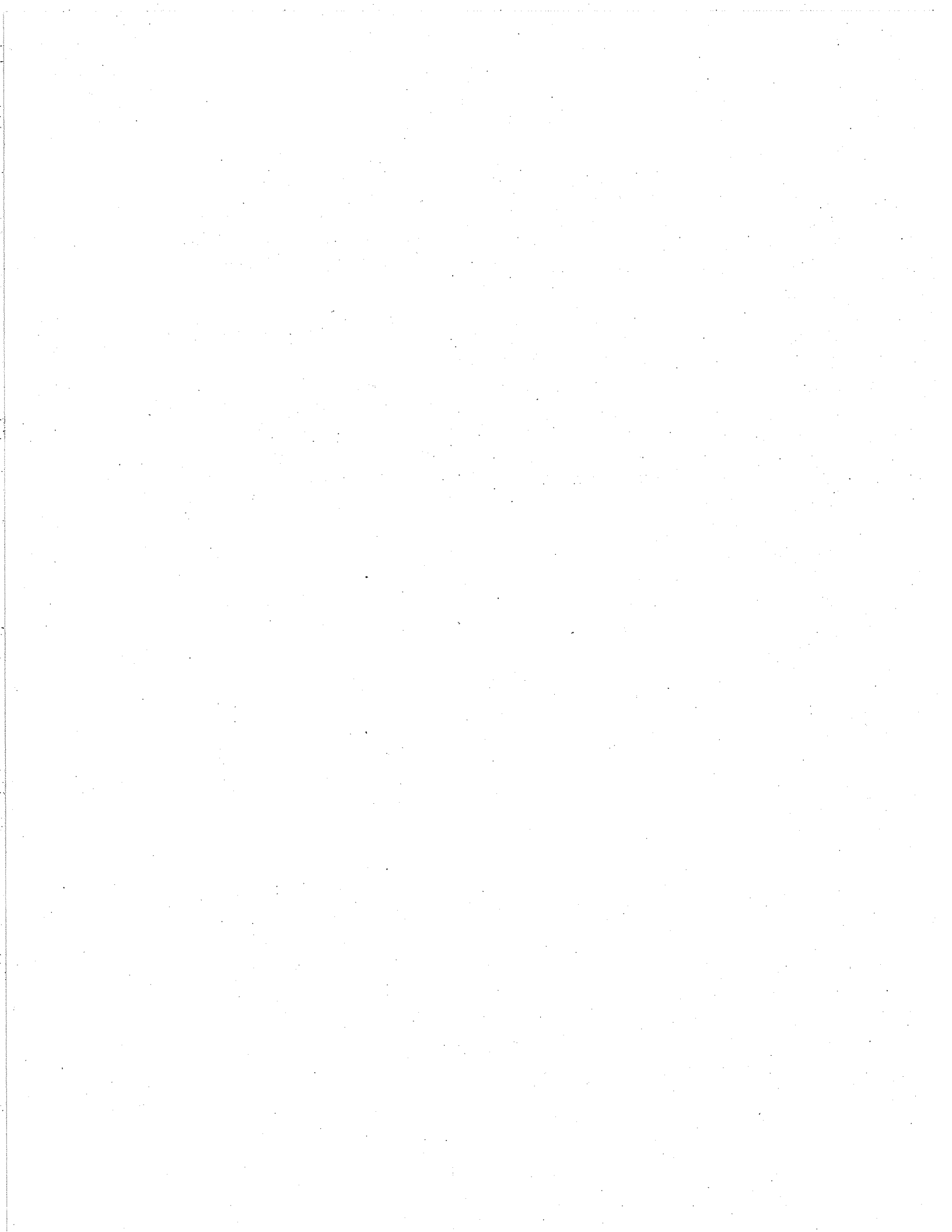
Obviously, the Cookie Bill is the perfect solution for my situation. Anticipating up to \$1,000.00 in gross sales, which is well within the proposed \$10,000.00 limit, the Cookie Bill would provide me the opportunity to earn a little income from my hobby which the current law makes financially prohibitive.

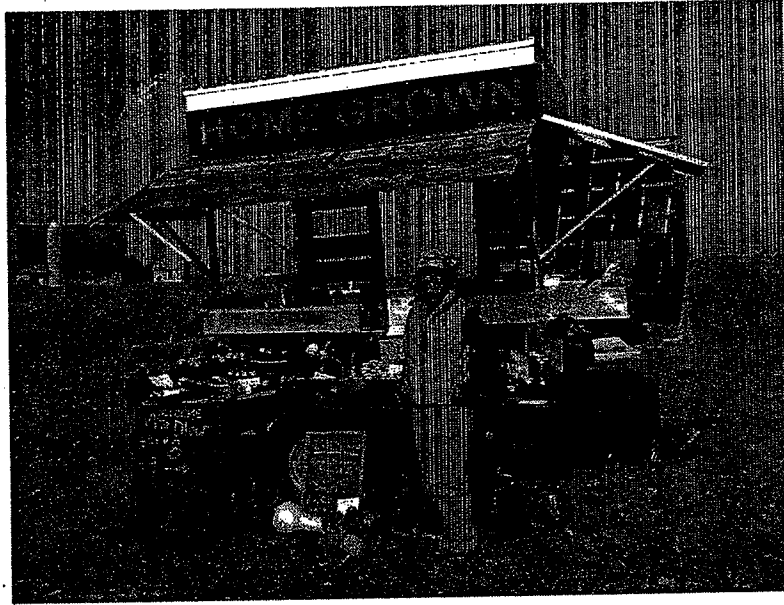
Chris Sachs
Monroe, WI

I am writing this letter in support of the bill moving through the state Senate known as the "Cookie Bill". I am a mother of five, an avid baker, and work part-time in one of our local schools as a special education aide. Next year I will have three children in college and have desired a way to generate additional income during the summer months to assist them financially.

The passage of this bill into law will directly benefit my family as my baked goods are known throughout the area (donations) but I have not been able to sell them. I've done financial studies over the years in hopes to act on my entrepreneurial impulses. Unfortunately, if I were to utilize the "Farm Market Kitchen" here in Algoma, after calculating in the reasonable rental rate my profits would be miniscule. Being able to bake out of my home would make a modest profit possible and it would create for me an additional opportunity to invest in my kids' futures! Please help make my dream of selling my baked goods a reality through the passage of this bill Senate 435/Assembly 182.

Best Regards,
Jenny Bluett
Algoma, WI.





Beginning Farmer Succeeds in Value-Added

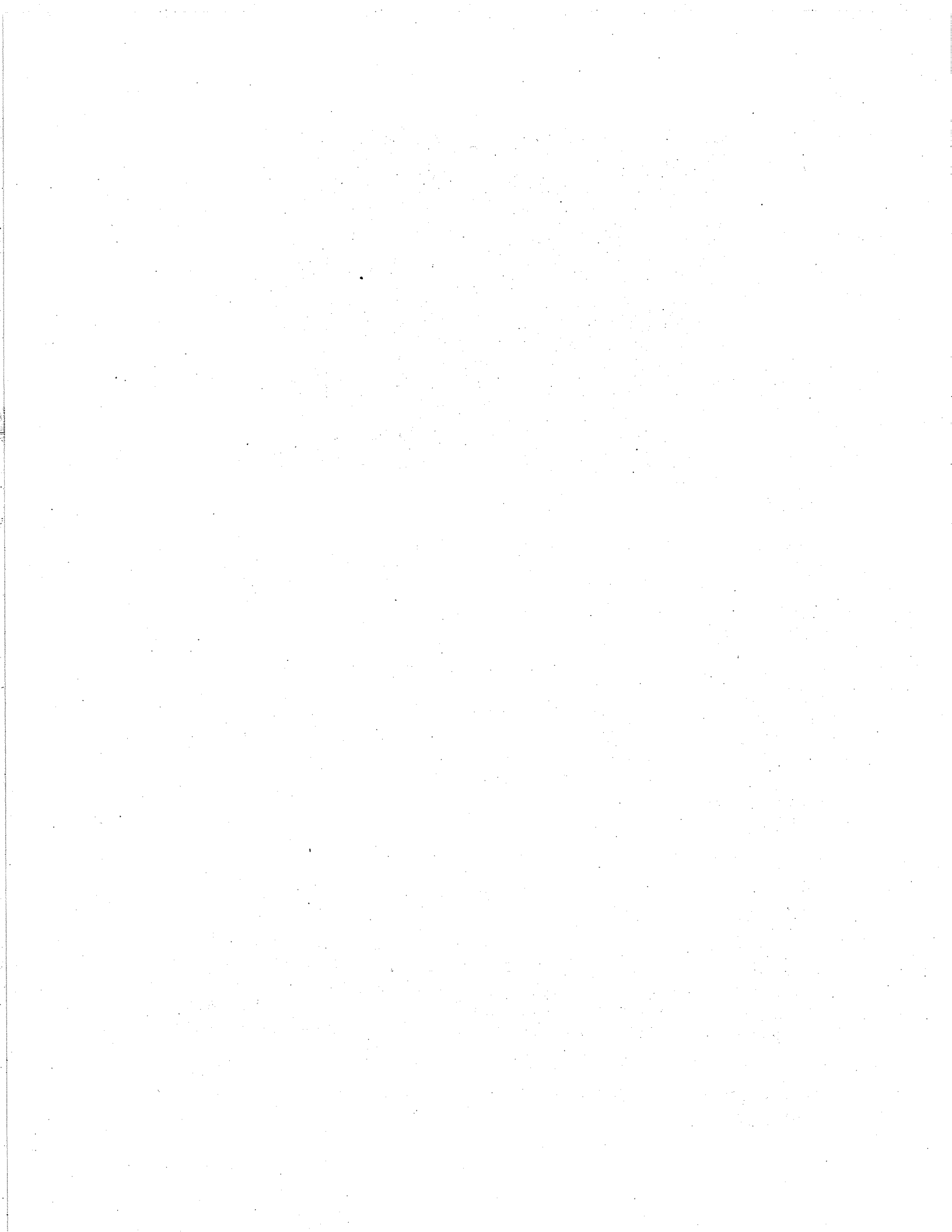
Dedicated to growing food sustainably and building community, Erin Schneider and her husband, Rob McClure, own Hilltop Community Farm, a small-scale diversified CSA and orchard in LaValle, Wisconsin. Erin exemplifies how beginning farmers can successfully use cottage food legislation to increasing farm income.

“Cottage food legislation like the Pickle Bill champions family farms and entrepreneurship in rural Wisconsin communities like mine,” explains Schneider. “Thanks to opportunities through the Pickle Bill, I was able to quickly and easily increase and diversify my farm income stream: My farm business generates over \$2,000 in additional revenues thanks to the Pickle Bill as I sold sweet pickle relish, salsas and jams at local farmers’ markets and community events. I found the process and information provided via DATCP very helpful and easy to understand

Not only did Schneider increase her farm income, these value-added goods enabled Hilltop Community Farm to also showcase the farm’s fruits and vegetables in new ways and put any excess farm harvest to productive use.

“Other diversified farmers like myself could easily have doubled that income by also including baked goods, showcasing items grown from their farms,” sums up Schneider. “Expanding Wisconsin’s cottage food legislation to also include baked goods would tremendously help other young farmers achieve business success through added income streams, particularly through the winter months by having more product to sell at winter farmers’ markets.”

Erin Schneider, Hilltop Community Farm (www.hilltopcommunityfarm.org);
LaValle, WI



Potential Income Gain for Rural Enterprises

Cottage food legislation supporting baked goods would enable rural enterprises such as bed and breakfasts to increase income through selling baked goods directly to guests.

"While we've been successfully running our farmstay B&B for sixteen years, preparing and serving guests muffins we make in our home kitchen, we constantly lose revenue because we are unable to sell additional muffins or other baked goods to guests who would gladly purchase and take some home," explains Lisa Kivirist. She and her husband, John Ivanko, run Inn Serendipity B&B in Browntown, WI, named one of the "Top 10 Eco-destinations in North America" and are the authors of the Farmstead Chef cookbook.

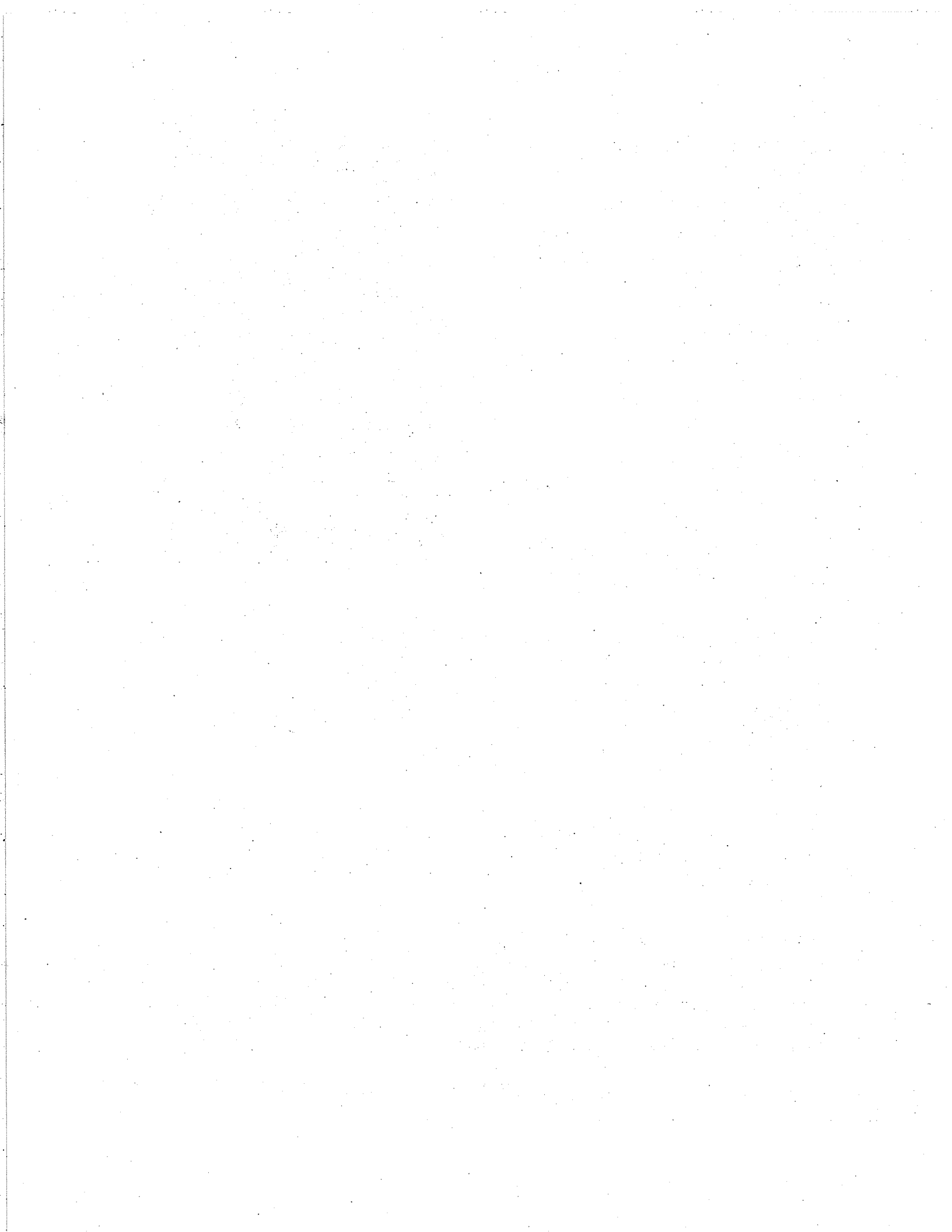


"Conservatively, we estimate we lose over \$1,200 in revenues each season because we cannot sell baked goods," comments Kivirist. Additionally, if such legislation existed, she would be further inclined to reach out to other potential sales venues such as farmers markets and other community events. "There are many folks like myself who cannot take advantage of Wisconsin's current cottage food legislation covering high acid foods as I make muffins and baked goods much better than pickles," Kivirist adds with a smile.

Baked goods legislation would also champion further collaboration amongst rural food entrepreneurs: "Our selling baked goods would also support other area growers as ingredients that we don't raise on the farm such as eggs would be purchased from local food artisans and retailers and help stimulate our local economy,"

"As a leader in the local food movement nationally, Wisconsin needs to quickly catch up with all the other states that currently have such baked goods legislation," sums up Kivirist. "My farmer friends in surrounding states like Iowa and Minnesota have been selling their baked goods under such legislation for years. I want to see Wisconsin supporting our baking heritage and commitment to rural microenterprise in the same capacity."

Lisa Kivirist, Inn Serendipity B&B (www.innserendipity.com); Browntown, WI



January 15, 2014

An Schumacher
Cedarburg, Wisconsin

I would like to sell cookies and cakes

I have recently turned my hobby of fine art into cake and cookie decorating. It brings me immense joy to sit down and create a piece of art for others to enjoy as a treat for a special occasion. I love baking as a hobby, and it brings me great satisfaction to do this for others. However, having two small children, I am also always looking for an opportunity to work from home. This opportunity is now presented to me in the form of baking with the passage of the cookie bill.

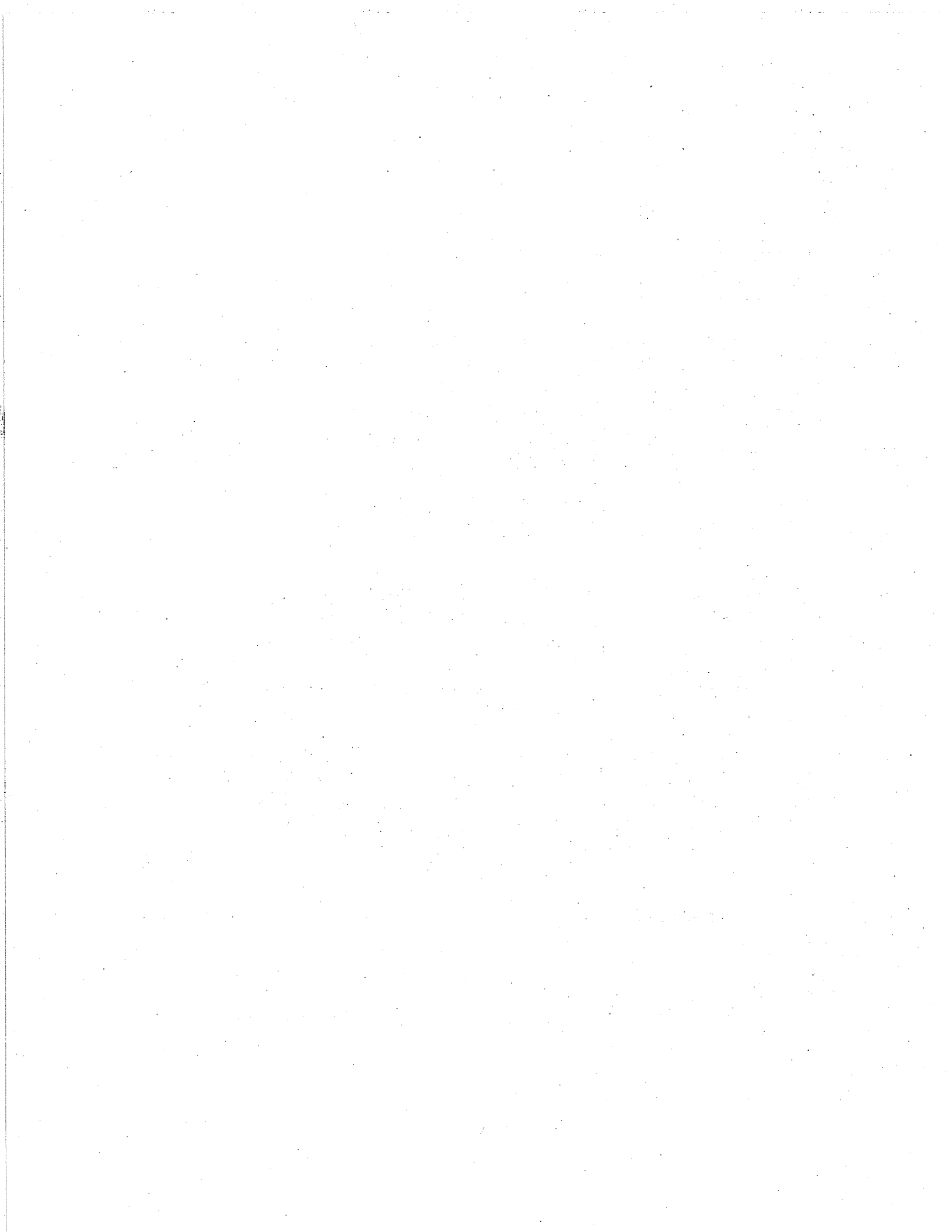
By selling baked goods made in my kitchen, I am able to spend time with my children and spend the rest of my evenings decorating my cakes and cookies, never leaving my home.

There are so many people interested in having their special occasion marked by a unique treat a home baker is able to supply. These people may be interested in having a unique creation just for them, unique enough that it is something the home baker is more than willing to supply. Like me, they may be also interested in helping to support the small business owner and ordering something very local. I would be able to sell cookies and cakes for birthdays and small weddings.

This is a wonderful opportunity for people across the state to take control and earn some extra income. In a state that encourages the entrepreneurial spirit, this bill could not be more welcomed. Small home bakers usually do not have the capital to purchase or rent a building to use for a commercial kitchen. This bill will allow us to sell our baked goods in small amounts and in the future possibly venture into a regular business of our own.

Thank you for your consideration.

An Schumacher



Good morning, my name is Shannon Heupel and I'm the owner of Artfully Delicious Cookies.

Before I share what the Cookie Bill will do for me, I would like to give you a brief history of my cookie journey. Over 12 years ago, I learned how to decorate cookies, but would only make them for the holidays. In the fall of 2011, I really started taking the time to work on my technique and skill and realized that decorating cookies is what I love to do. It's my dream job. That's when the concept of Artfully Delicious Cookies was born.

After much research I discovered that it was illegal in Wisconsin to bake and sell from your home kitchen. I was disappointed and discouraged because renting a Co-Op kitchen is not profitable because of the time it takes to make a decorated cookie. The other options were creating a licensed kitchen off of our home or leasing a commercial kitchen/space. However, both options were a financial risk that neither my husband nor I wanted to take.

After further research, I was pointed to Representative Ringhand's office regarding the Cookie Bill. I was ecstatic, because I believe this Bill will allow people like me to use it as a stepping stone to something bigger. Others may use this Bill as an opportunity to make additional income while doing what they love to do on the side of their other employment. Or for the stay at home mom or someone that can't work outside the home. I strongly believe this will benefit the great state of Wisconsin.

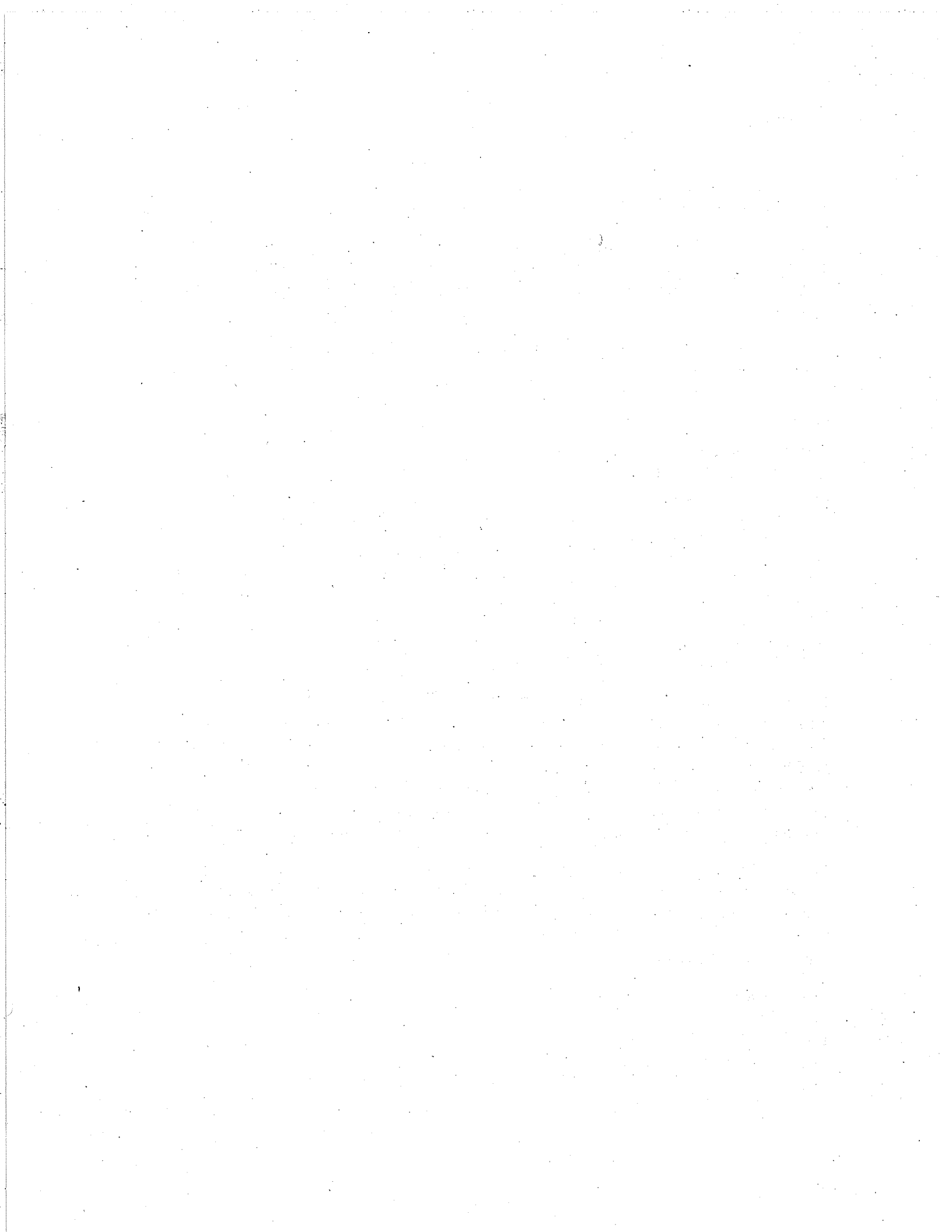
I have been asked on how this would affect those that have already taken the time and money to invest in a licensed kitchen. I believe this bill is a good thing for these people too. For example, if you have a disaster such as a flood or fire, and you have 200 cookies due for a wedding, under the Cookie Bill, you could do this out of your home kitchen. You would have a "back up" until your facility was in working order. And the other thing I would add is I believe competition is healthy for this type of business.

I do have one concern though, the sales cap. Currently, there are about 40 states that have similar bills in place. Of those 40 states over half of them have no limit on sales. The sales cap of other states varies from \$5,000 to \$50,000. In my opinion, the sales cap is too low, especially when you look at \$10,000 worth of canned goods versus \$10,000 in cakes or cookies. For example, if you are a cake decorator and you average \$1,000 for a wedding cake, you would only be allowed to do 10 cakes in a year and nothing else. Another point to consider is the cost of a commercial kitchen/space, and would \$10,000 in sales justify investing in commercial space? I personally would not take that step with that income cap. So I ask that you would please reconsider raising the sales cap to \$25,000.

Since I started in my cookie endeavor in 2012, I have donated hundreds of cookies, won cookie decorating competitions, made a name for myself in the cookie world, and have a successful Facebook page. My next step is to start selling. And with the Cookie Bill, it will get me closer to my dream job of decorating and selling cookies full-time.

Thank you for considering this bill.

Shannon Heupel
200 Haven Ln
Luxemburg, WI 54217
[facebook.com/artfullydeliciouscookies](https://www.facebook.com/artfullydeliciouscookies)



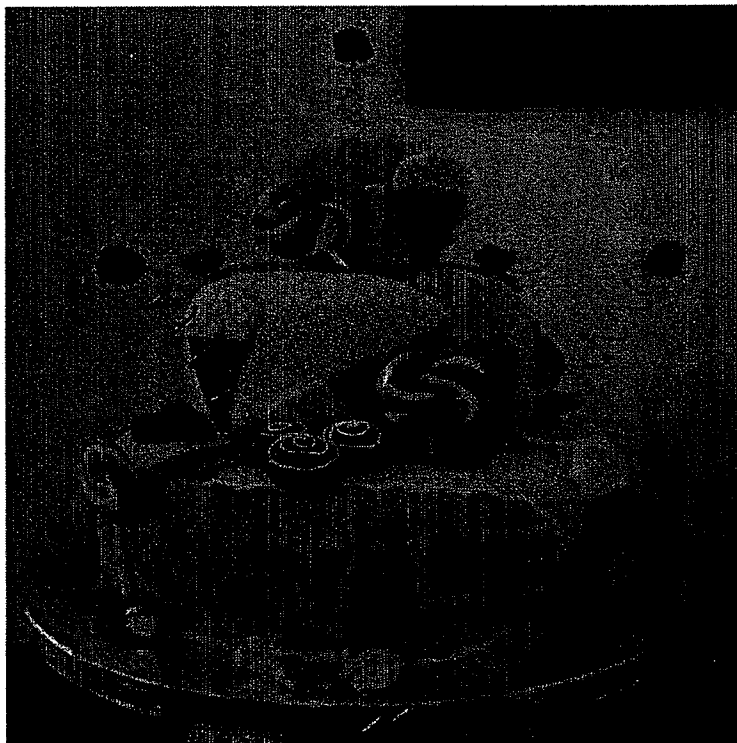
My name is Stacy Beduhn, and I live in the Town of Greenville in Outagamie County. Unfortunately I am not able to attend the SB435 public hearing on The Cookie Bill, but please read my written statement in favor of this bill.

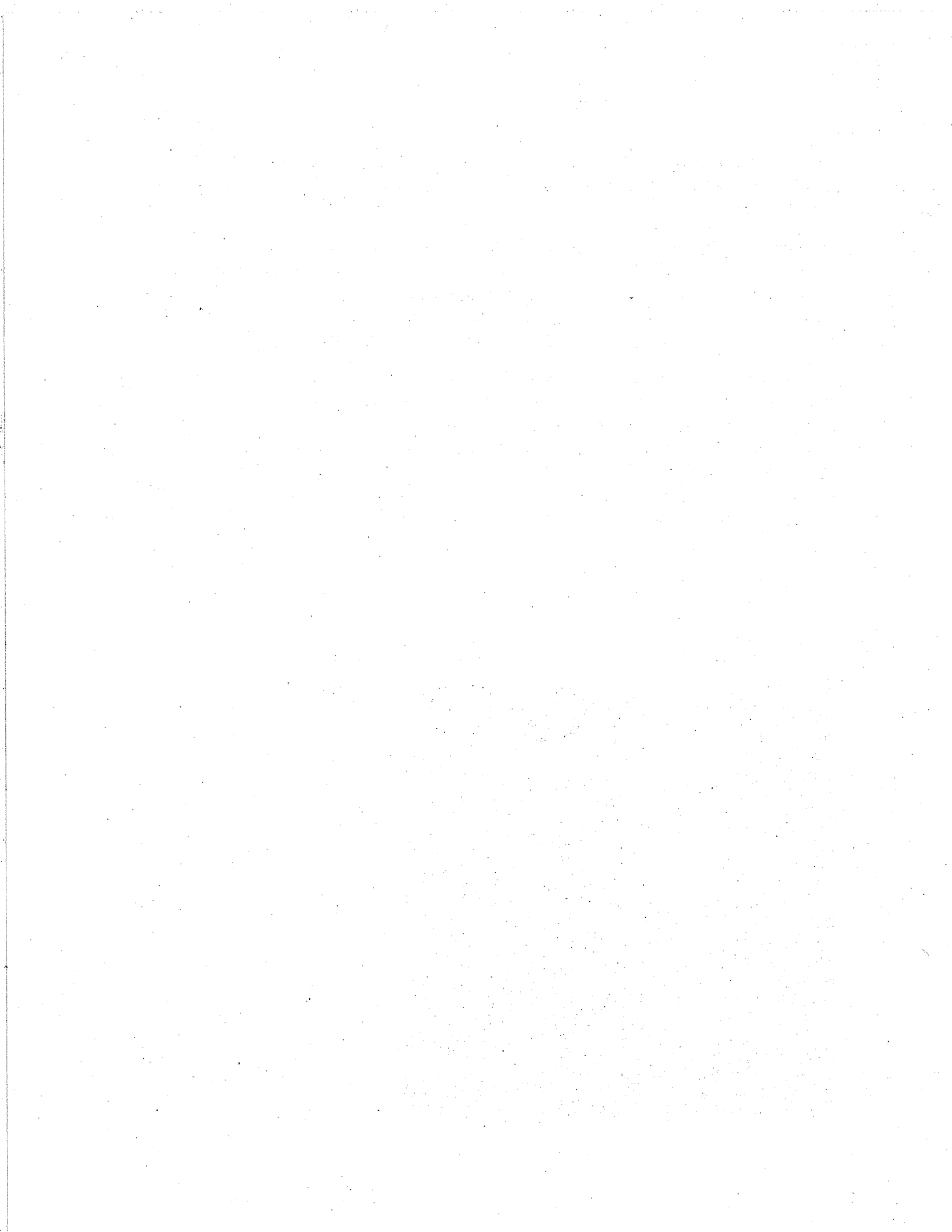
In regards to starting a home cake business; with the laws currently in place, the alterations that would be required to my home to bring it into compliance would cost in the tens of thousands of dollars, not to mention the loss of living space. It appears that to move forward in this fashion I would have to take out a large loan which would leave me far into debt before I ever get started. Renting a kitchen would cost me the same as what I would make for doing a wedding cake. There is no profit in that direction either.

There are many entrepreneurs who have the ability to run their businesses out of their own home and I feel that this can be done in my field as well. Currently 32 states have the ability to sell baked goods out of their private residence and I believe that with the proper health and safety guidelines a home of business can provide a cost efficient and safe product for the public. I feel that this could be the stepping stone I need to open up my cake shop outside of the home as soon as I can get the clientele. Please consider voting yes to this bill and helping to develop small businesses in Wisconsin. Attached is an example of the specialty cakes I would like to make custom for people!

Thank you,

Stacy Beduhn
stacy.beduhn@yahoo.com





Family Farm Diversifies Income through Cottage Food Legislation

Dela and Tony Ends have operated Scotch Hill Farm for nearly 20 years near Brodhead, Wis. They were honored this past spring 2012 along with three other growers in a central Wisconsin coalition of 50 as Community Supported Agriculture pioneers.

Committed to the family farm and local agriculture, this husband and wife team along with their family run a CSA and tend small flocks of sheep, dairy goats and poultry. They've also developed goat milk soap into a strong secondary business, which has helped them cover farmstead expenses over winter for 15 years.

Dela took advantage of the Pickle Bill to add value to surplus beets, tomatoes, peppers and summer squash by canning and supplementing Scotch Hill's fresh produce income. She's eager to take advantage of legislation allowing farmstead production of baked goods.

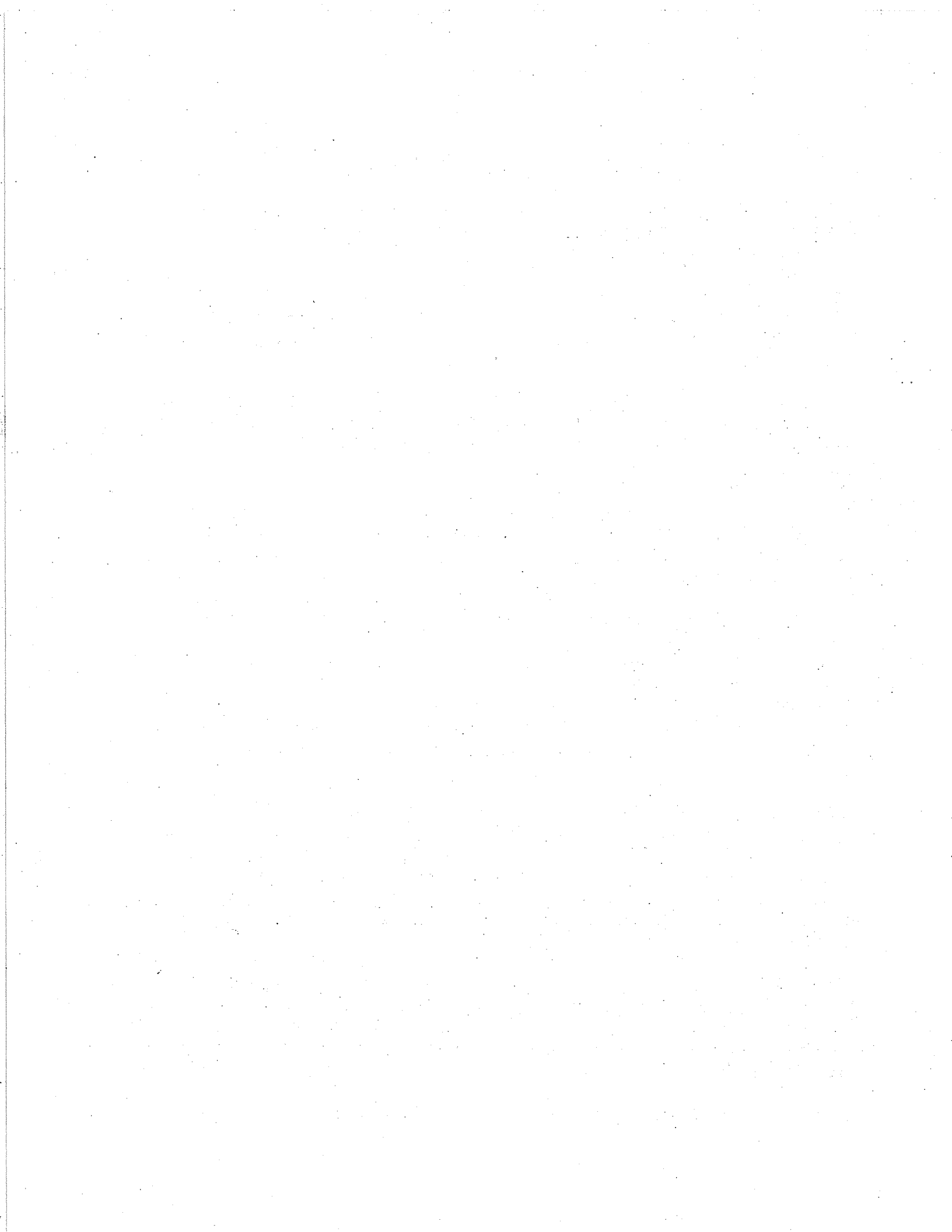
"Our core market is our loyal CSA subscription membership. Some of these people have supported us since we started. They helped us grow our farm and business slowly as we acquired the many resources we need to reach a self-sustaining scale," Dela said. "Baked goods legislation that includes an opportunity for growers like us to sell directly to supporters of local farming is essential. It generates income from an initial and expanding market to those who come to know, trust and support us," she said.

Under the proposed legislation, the Ends could offer a "bread share" to their CSA members, providing weekly baked goods along with their longstanding fresh produce subscriptions. Cottage food legislation covering baked goods will help small-scale family operations like Scotch Hill Farm to better manage the ups and downs of farm income through economic downturns and wide swings in weather patterns that are becoming a new normal.

"This past season, vegetable crop farms as well as cash grain growers across the Upper Midwest, were hit hard by record drought," Tony said. "With legislation allowing us to produce and sell baked goods from our farmstead kitchen, we'll have another value-added product to see us through. We'll be able to produce goods from small grains we grow in organic rotations with our vegetable crops. Young Wisconsin farmers will have another model for growing their farming enterprises, another income stream over winter," he said.

"Established bakers will be able to benefit greatly from this means of bringing back locally and organically produced grains, too. Much small grains production in Wisconsin has been lost over the past 50 years to subsidized production in other countries. Farmstead baking and direct market sales is a way to start getting some of that crop production back."

Dela and Tony Ends, Scotch Hill Farm (www.scotchhillfarm.com); Brodhead, WI

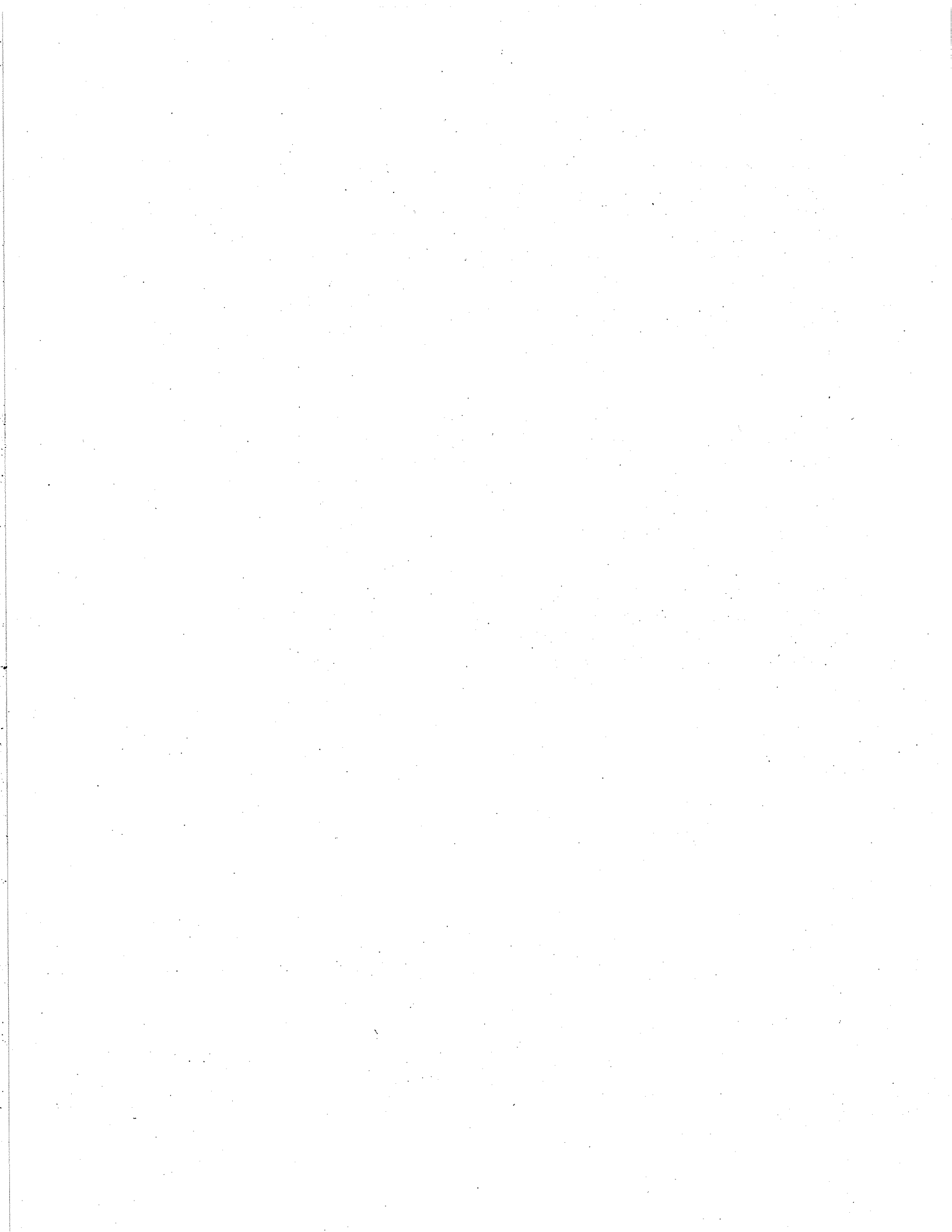


My name is Mandy Tutas and I was laid off in January of 2012 unexpectedly. In between looking for jobs online and going into places to see if they were hiring I spent some time baking in my kitchen. It has always been a passion of mine and seems to help calm any stress that I'm feeling. During the first few months of unemployment I started creating some wheat free and dairy free cupcakes that just surprised my husband (who has a wheat intolerance) with how much better they tasted than even regular wheat cupcakes. He put the idea in my head of starting a small company baking wheat free and dairy free cupcakes, mini cupcakes and mini cakes to those who have a wheat or dairy intolerance. This is definitely something that I would love to open up in our city as more people are finding out they have food intolerances.

With much research and planning I have begun getting things prepared for opening up my own business. The biggest road block that I have encountered is where I'm allowed to bake. After contacting our Health Department and spending hours talking with them, my only options would be to build a commercial kitchen in my basement/garage, find an incubator kitchen, church or school that would be willing (and able legally) to rent out their kitchen to me or leasing/buying a building to turn into my own bakery/store front. Well those are all rather expensive options at this point.

I feel that this would be a great opportunity for Wisconsin. Unemployment is still a big issue around all of us and not having this law is something that could possibly be holding back a lot of small food entrepreneurs that are trying to start small businesses and even trying to help create jobs. If there is anything I can do to help pass this law please let me know. There are quite a few people that stand behind me and would also like to see the Food Cottage Law get passed in Wisconsin.

Sincerely,
Mandy Tutas



From: smith smith [mailto:munkie72000@yahoo.com]

Sent: Friday, January 10, 2014 9:48 AM

To: Sen.Harsdorf

Subject: SB435 Cookie Bill

My name is Stacy Beduhn, and I live in the Town of Greenville in Outagamie County of Wisconsin. Unfortunately I am not able to attend the SB435 public hearing on The Cookie Bill, but please read my written statement in favor of this bill.

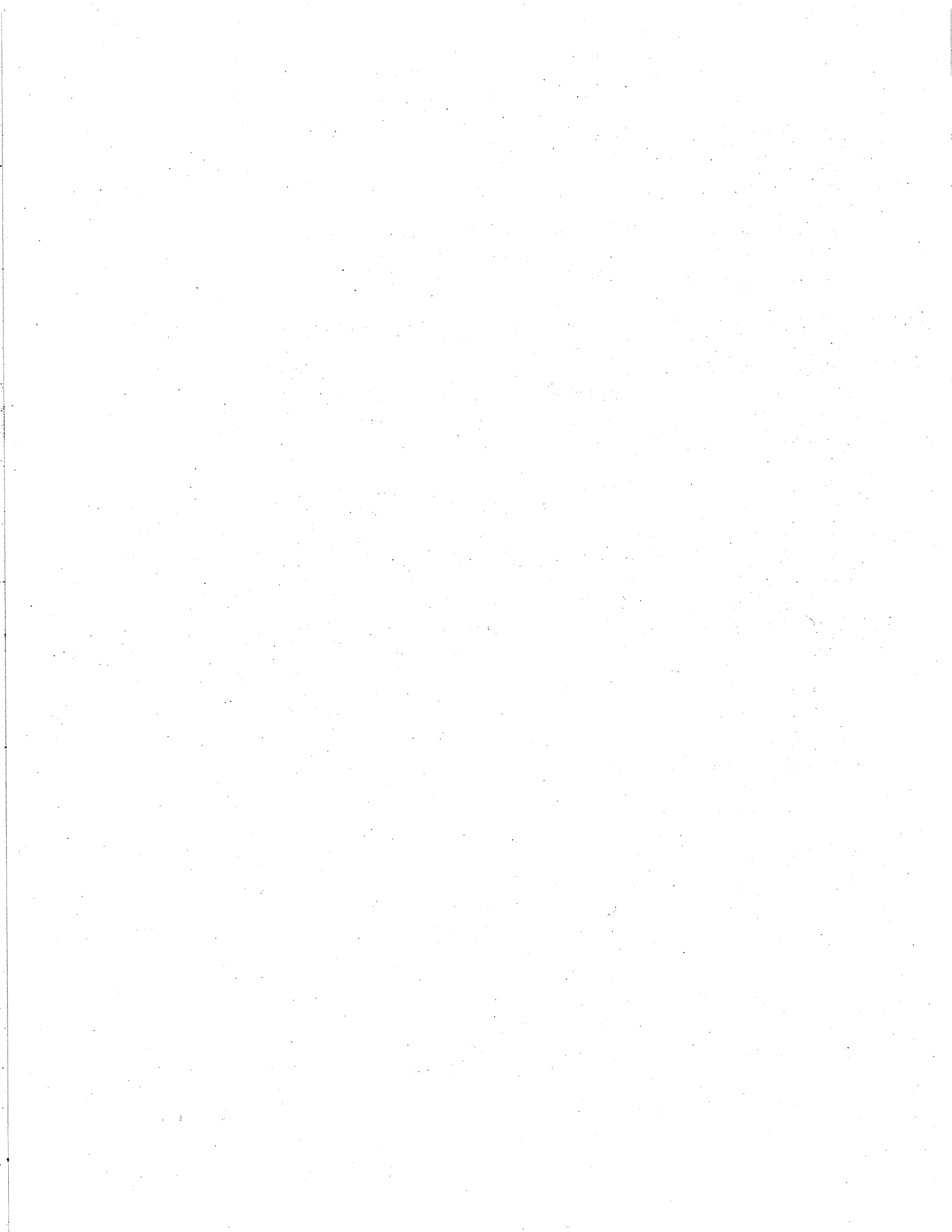
In regards to starting a home cake business; with the laws currently in place, the alterations that would be required to my home to bring it into compliance would cost in the tens of thousands of dollars, not to mention the loss of living space. It appears that to move forward in this fashion I would have to take out a large loan which would leave me far into debt before I ever get started. Renting a kitchen would cost me the same as what I would make for doing a wedding cake. There is no profit in that direction either.

There are many entrepreneurs who have the ability to run their businesses out of their own home and I feel that this can be done in my field as well. Currently 32 states have the ability to sell baked goods out of their private residence and I believe that with the proper health and safety guidelines a home of business can provide a cost efficient and safe product for the public. I feel that this could be the stepping stone I need to open up my cake shop outside of the home as soon as I can get the clientele. Please consider voting yes to this bill and helping to develop small businesses in Wisconsin. Attached is an example of the specialty cakes I would like to make custom for people!

Thank you,

Stacy Beduhn

stacy.beduhn@yahoo.com



Dear Chairperson and members of the Committee on Energy, Consumer Protection, and Government Reform, thank you for the opportunity to voice my support in favor of Senate Bill 435.

My name is Tracie Kapler, and I reside in Fond du Lac. I have faced real obstacles and challenges to get a custom cookie baking and sweets business started, and I believe that SB435 will provide opportunity for it to happen for me and others that are in similar situations. Cottage Food Laws are already operating successfully in many other States!

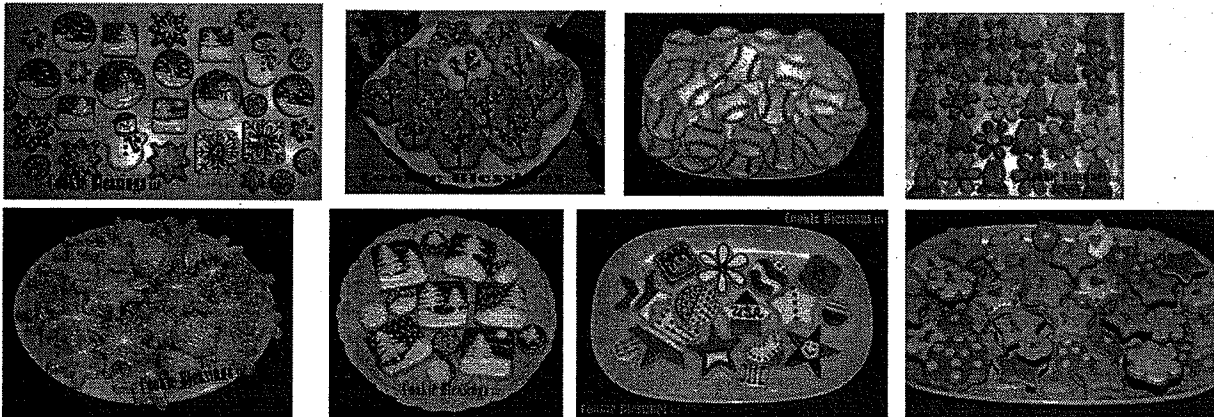
I'm married and my husband works full time. I'm a college graduate and currently a stay at home Mom, who left full time employment with the birth of our twins. Our son and daughter were born 3 ½ months premature, and I needed to essentially 'hibernate' with them for years while their immune systems matured and their health improved. It would help our family if I could have the opportunity to provide some supplemental income through this business start up.

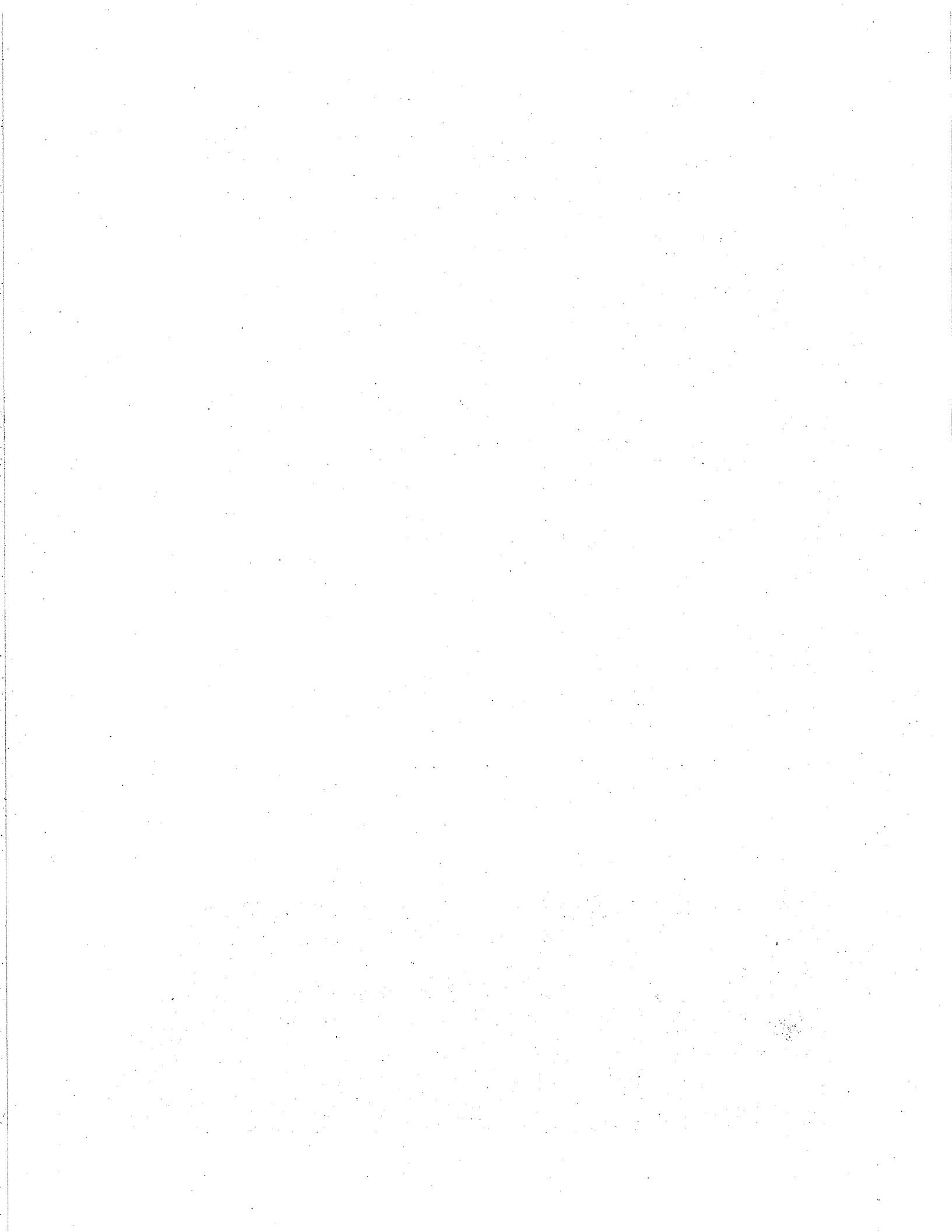
I've done a lot of investigation but have encountered real obstacles in trying to move the business forward. I have researched franchise options and business purchases; tried to arrange for commercial kitchen rental options; looked at an out of town kitchen co-op; investigated home renovation/zoning; researched equipment costs; met with my county Economic Development Corporation; talked with our city's downtown development representative; inquired with realtors; had conversations with health departments and investigated insurance options. It has not been financially realistic or logistically reasonable for me to put my family into substantial, immediate debt to bake cookies in a commercial setting at this time. I believe that SB435 would allow for a reasonable entry into running a business of this nature, and the hope would be that growth would continue to someday be able to have a commercial setting for my business.

On a side note, my daughter does have a life-threatening tree-nut allergy, and I am an advocate for building awareness of food allergies. I am a member of the national "Food Allergy Research and Education" (FARE) organization and "The Food Allergy Association of Wisconsin (FAAW). I do take serving baked goods to others and having the privilege of SB435 seriously and responsibly. That is why I have already obtained my ServSafe Food Protection Manager Certification and have also successfully completed a Restaurant Management class. I support that all registered participants under this Bill complete the ServSafe national certification.

I respectfully request that you vote for this bill so Wisconsin's home entrepreneurs are allowed to directly sell home-baked goods and families may benefit from the ability to provide income with the venue of delicious products. Thank you for your time!

Tracie Kapler
Fond du Lac, WI (920-229-6398)





Wisconsin State Senate
Energy, Consumer Protection and Government Reform Committee
Madison, Wis.

Jan. 14, 2014

Dear Legislators:

I am writing to you in support with my wife and family, friends and neighbors, of Senate Bill 435 relating to exemptions for the sale of homemade baked goods and homemade canned goods in Wisconsin.

Across more than 34 years around this state – ever since I finished graduate school at Marquette University – I've met thousands of good people in rural communities from Balsam Lake to Hazel Green, from Antigo to Darien. Enterprising, intelligent, gifted, good-natured people trying to raise families on our countryside, trying to cope with trends and public policies that have taken almost everything necessary for their lives and livelihoods out of their control.

Even cookies. For God's sake, even cookies. Almost completely out of control of the ordinary person in this state and nation. The snack food industry globally is a more than \$300 billion market, projected to rise to \$330 billion by next year. Yet does the local economy ever see much if any of that money? The top 50 companies account for 90 percent of industry revenue in snack foods.

The typical person in the local economy figures into this picture in ways probably very similar to another farmer I know in southern Wisconsin. He drives away to work everyday in a factory near Rockford where a number of brands of cookies are baked for the Walmart stores across the United States. I know this gentleman is grateful for his job. He must need it to sustain his farm. And perhaps you believe that 6 million people across Wisconsin should be sustaining Walmart, too, with purchases of cookies and other baked goods, the revenue for which leaves this state with every purchase every day.

Walmart – the more than \$200 billion grocer – is dominant among the big stores taking our money. It accounts for 55 percent of all groceries (including snack foods) sold in the big grocery stores across this state and nation. Even \$14 billion of the \$80 billion our federal government devoted to food stamps in 2013 went to buy food in Walmart stores. Is it any wonder that Walmart reported not so coincidentally \$17 billion in profits last year?

According to the American Baking Institute and "Snack World" Vol. 6, No. 2 May 2013, cookie sales alone among snacks for sale in the United States rose 4.9 percent last year. As long ago as 1994, cookies were racking up \$3.599 billion in supermarket sales annually. And with the rise of a healthful cookie market to address alarming increases in diabetes and obesity in this country, sales began increasing at that time by \$225 million a year.

To bring this all back home to Wisconsin where a fifth of our population is still trying to sustain its families on our countryside, we should consider the source of cookies and baked goods – the staff of life – wheat. Wisconsin farmers harvested 15.4 million bushels of wheat from 265,000 acres they planted in 2013. That's 58 bushels per acre, down considerably from the previous year's 75 bushels per acre, yet still much higher than the national average of 47.1 bushels per acre. Our farmers can grow this grain and grow it well.

Yet plantings of wheat have fallen 30 million acres, nearly one-third, since 1981, a peak year in the United States. This is bad for homeland and food security since Americans rely heavily on wheat for food. Americans still typically eat 132.51 lbs. of wheat a year in the form primarily of bread, pasta and pizza. Don't forget the more than \$3 billion of cookies, too. This is bad for our farmers since it reflects a loss of diversity in income, a riskier agricultural economy, a loss of a crop that helps spread labor and time over the growing season, and a loss of rotations that naturally help break disease and pest cycles, cutting input costs. Our soils, our farmers, our people need greater variety of crops and more income streams, not fewer.

Grain prices per bushel (60 lbs.) of wheat have risen and fallen between \$5 and \$8 per bushel in recent years. Returns have varied widely, from as high as \$249 per acre down to \$120 per acre projected for 2014. Historical data back 400 years show periods of growth and decline related to wheat, reflecting changes in production, milling, transportation, and in recent years especially demand factors tied to diversifying diets, health trends and eating habits.

I assisted agronomists, soil scientists and educators in on-farm research with 60 farmers in three states for 3 years as part of a small grains project. Included was a variety of hard red winter wheat that was great for baking and bred for our climate. They were good farmers all, large and small, organic and non-organic, but their profit margins on grain were so thin that their adoption of sustainable agricultural practices depended entirely on profitability. I believe the cookie bill points the way to that profitability. It points the way to added value on the farm and in farming communities.

Given an extraction rate of about 75 percent for flour from a 60 lb. bushel of winter wheat, an individual can bake 90 medium to large pizzas or 90 loaves of bread, grossing at the very least

\$450 from the quantity of grain for which a farmer gets just \$5 to \$8. Now of course there are many costs associated with that production and adding of value, especially start-up costs, but there is increased profit, too. Just imagine how many cookies can be baked and sold from that single bushel of wheat turned into 45 lbs. of fresh flour.

I've grown and harvested winter wheat on small acreage with very old and inexpensive machinery for about 5 years. I can now clean the grain with a fanning mill I found for \$150 and restored with my youngest son. We can then grind it with a small electric mill a lady in Oregon gave my wife 16 years ago.

And I stand before you at nearly 60 years of age, as one who has eaten many cookies at my grandmother's table, my mother's and sisters' tables, my wife's table. I've even baked a few cookies myself in my time. I can tell you that in one particular Anglican household I've enjoyed, tradition there was a very high volume of cookies being baked and consumed around the holidays by 5 children. Not one of the bakers in my lifetime of homemade cookie eating ever took a food safety course, and I was never once sickened by any of the many cookies I consumed.

Indeed, to require of enterprising home bakers, whether they be on farms or in small towns and cities, to pay hefty fees for food safety courses to do the same thing being done every day without such encumbrances in bed and breakfasts and inns, church, club and school bake sales – all involving only direct market, face-to-face encounters over fresh product, is unfair and unreasonable. I encourage you to remove this provision in the bill and to pass this measure as you did the home pickling sales law that has just come through its first year without a single problem in Wisconsin.

Do this and help our farmers begin to realize the gain from many dollars in food sales that they have been increasingly selling away for pennies to the wealthy in food manufacturing out of state and out of country. Do this and help revive, secure and sustain our local economies, our rural and urban households in Wisconsin.

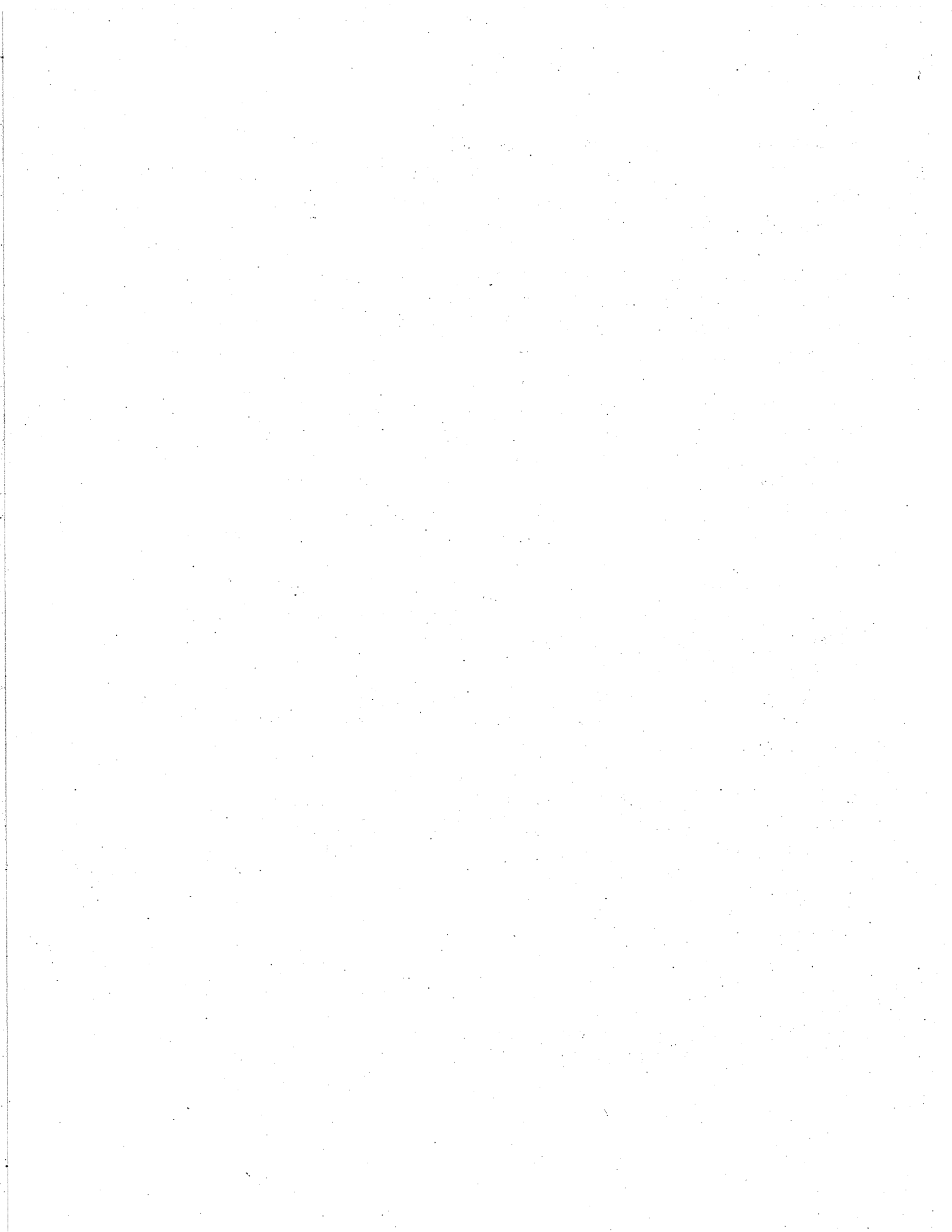
Sincerely yours,



Tony Ends

910 Scotch Hill Road, Brodhead, WI 53520

www.scotchhillfarm.com 608 897-4288





Good morning. Thank you Chairperson Cowles and members of the Senate Committee on Energy, Consumer Protection and Government Reform for the opportunity today to share my testimony in support of SB 435, also known as "The Cookie Bill."

I'm Leslie Norris and am the owner/baker/Jill of all trades of Love & Butter Bakery, a custom bakery in Menomonie. Love & Butter has been in existence since September 2012. I love my work, baking custom desserts for individuals and groups, selling through my website, at Farmer's Market and through phone and email orders. I am thrilled to be in business. It has not been without its challenges, however, and the most difficult aspect has not been marketing, baking or selling, but finding time and space in a licensed kitchen in a small community in western Wisconsin. I sought kitchen space in churches, restaurants and other licensed community spaces for several months, without success. Finally, in September 2012, I found a space where I could become licensed and begin.

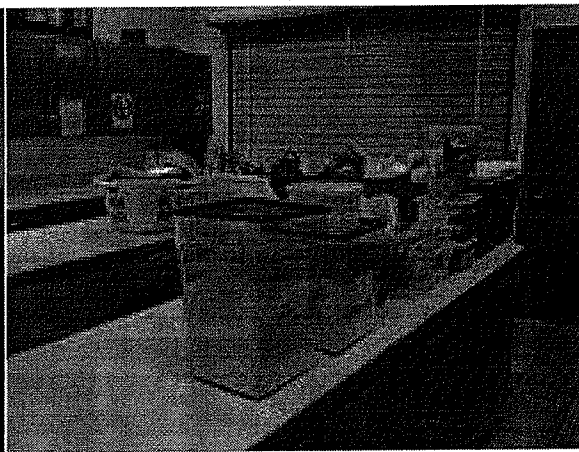
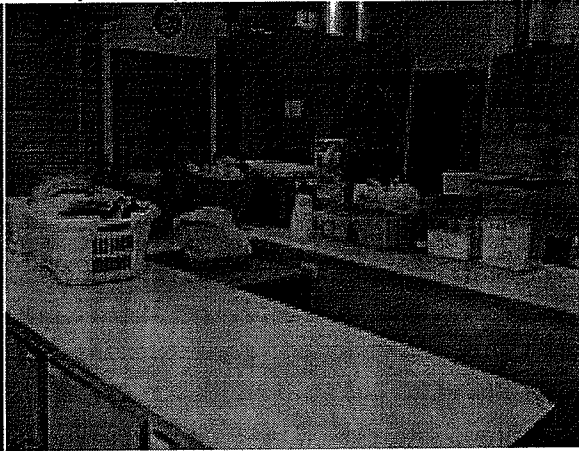
However, I'm currently in my third licensed kitchen since opening. At my first kitchen, where I was licensed through the Department of Agriculture, I was unable to store anything at the kitchen, which meant I hauled all of my equipment and ingredients to and from the kitchen each day that I baked. (Please see the attached pictures.) After many months of doing this, in snow and rain, I looked elsewhere for a kitchen where I could store at least equipment and packaging and found one that worked very well. I needed to again go through the state licensing procedure, which I did, and baked there for several more months. However, that kitchen's owner's needs changed unexpectedly, the kitchen was closed and so I had to find yet another kitchen on short notice.

Happily, I found one and am licensed yet again, this time through Dunn County Department of Public Health, as I am now doing mainly retail face-to-face sales. However, things in the food industry can change quickly, and I know may easily once again be trying to find a licensed kitchen for Love & Butter.

The passage of SB 435 would not only simplify my life and remove the biggest challenge to my business, it would enable me to grow that business more rapidly. I could bake at will, whenever my customers needed, rather than having to work around the schedule of another business, however kind and accommodating they try to be for me. I would know that the oven I am baking in is at its true temperature (sometimes a current problem where I bake now). The money I now spend on rent and commuting could be re-invested into the business itself. This, in turn, would help me with my long-term goal of constructing my own small licensed kitchen on site where I could bake, with an eye toward enabling other local food entrepreneurs to have a site where they could incubate their own small businesses.

Community kitchens for incubating small food businesses are few and far between, especially in western Wisconsin. There are, however, many people with a dream of owning and operating their own baked goods business. I am one of them. SB 435 would help me and others make our dreams become reality.

Thank you again for the opportunity to share my thoughts in support of SB 435. I appreciate your time and would be happy to answer any questions you may have. Please feel free to contact me.



Leslie Norris
Love & Butter Bakery LLC
1414 10th Ave E
Menomonie WI 54751
715.235.6383/715.497.2972
www.lovebutterbakery.com
leslie@lovebutterbakery.com

From: Mandy Tutas [mailto:mandytutas@gmail.com]
Sent: Sunday, January 12, 2014 5:44 PM
To: Sen.Harsdorf
Subject: I am writing in support of SB 435, Wisconsin's "Bill."

Good evening Senator Sheila Harsdorf,

My name is Mandy Tutas and I was laid off in January of 2012 unexpectedly. In between looking for jobs online and going into places to see if they were hiring I spent some time baking in my kitchen. It has always been a passion of mine and seems to help calm any stress that I'm feeling. During the first few months of unemployment I started creating some wheat free and dairy free cupcakes that just surprised my husband (who has a wheat intolerance) with how much better they tasted than even regular wheat cupcakes. He put the idea in my head of starting a small company baking wheat free and dairy free cupcakes, mini cupcakes and mini cakes to those who have a wheat or dairy intolerance. This is definitely something that I would love to open up in our city as more people are finding out they have food intolerances.

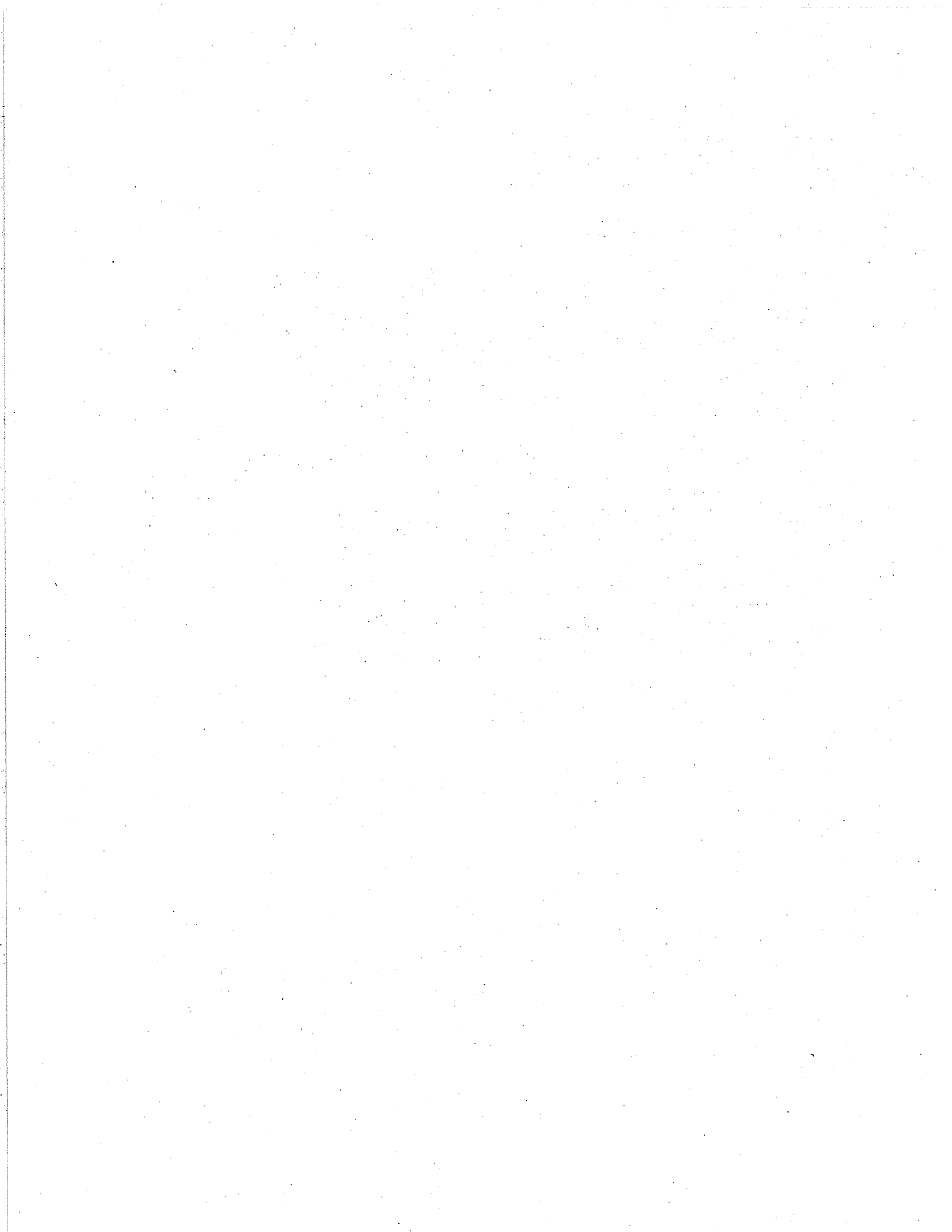
With much research and planning I have begun getting things prepared for opening up my own business. The biggest road block that I have encountered is where I'm allowed to bake. After contacting our Health Department and spending hours talking with them, my only options would be to build a commercial kitchen in my basement/garage, find an incubator kitchen, church or school that would be willing (and able legally) to rent out their kitchen to me or leasing/buying a building to turn into my own bakery/store front. Well those are all rather expensive options at this point.

I feel that this would be a great opportunity for Wisconsin. Unemployment is still a big issue around all of us and not having this law is something that could possibly be holding back a lot of small food entrepreneurs that are trying to start small businesses and even trying to help create jobs. If there is anything I can do to help pass this law please let me know. There are quite a few people that stand behind me and would also like to see the Food Cottage Law get passed in Wisconsin.

Thank you for your time and I hope you have a wonderful day.

Sincerely,

Mandy Tutas
736 Indiana St.
Racine, WI 53405
(262) 664-3395



From: Kenny Brotheridge [mailto:kenny.brotheridge@gmail.com]

Sent: Wednesday, January 08, 2014 6:23 PM

To: Sen.Cowles; Sen.Kedzie; Sen.Harsdorf; Sen.Hansen; Sen.Miller

Cc: Rep.Brooks; Rep.Ringhand

Subject: Letter in Support of Senate Bill 435

To Whom It May Concern:

While we are not able to attend the Public Hearing on Wednesday, January 15, 2014, we want to voice our support in favor of Senate Bill 435 – a bill related to the sale of homemade baked goods and homemade canned goods.

In addition, we hope that you pass Senate Bill 435 in your committee, the Energy, Consumer Protection, and Government Reform Senate Committee. We further hope, in general, with your support, that Senate Bill 435 passes in the Wisconsin State Senate prior to the end of this current legislative session.

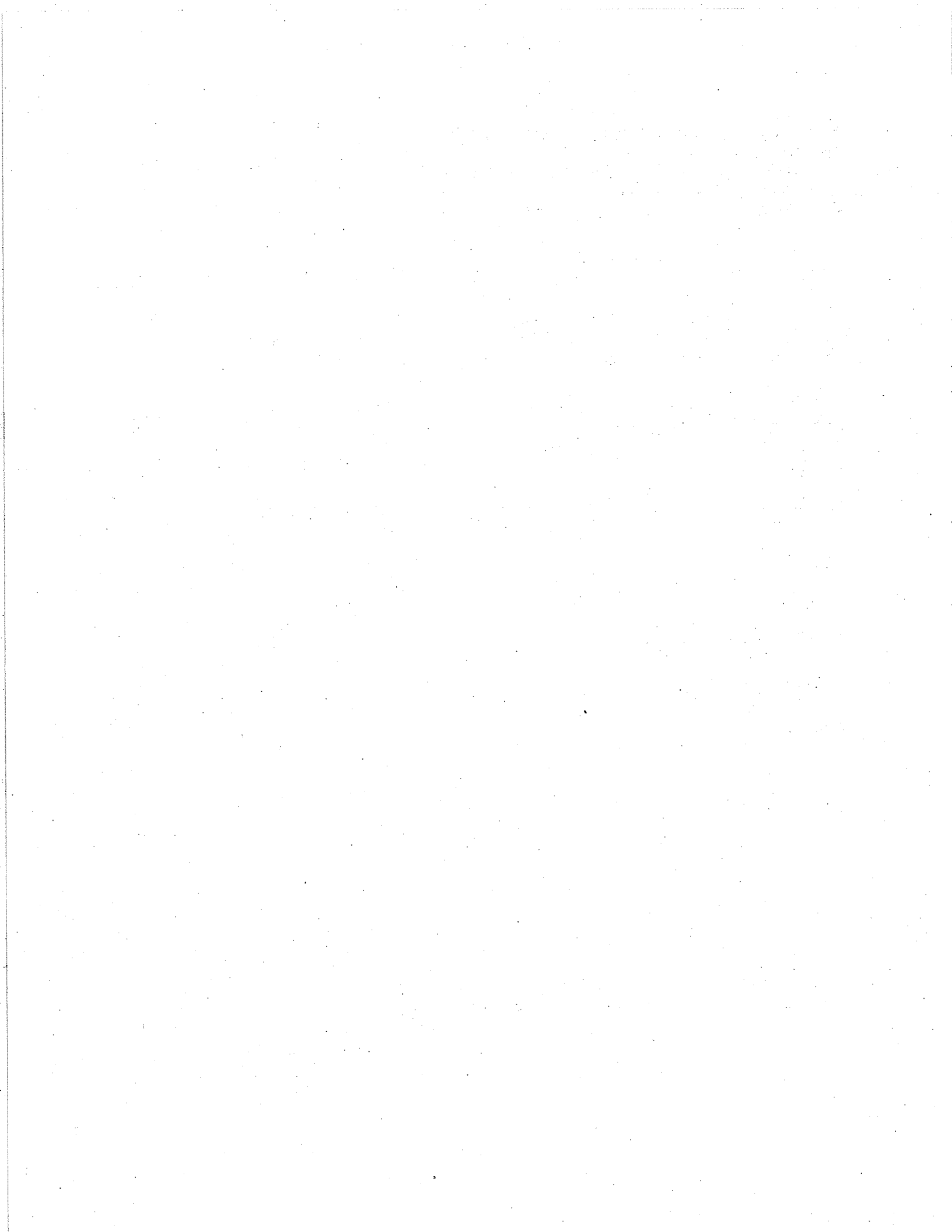
We thank you in advance for your support and consideration of Senate Bill 435.

Warmest Regards,

Ken & Elizabeth Brotheridge

56 S. Fremont Street

Janesville, WI 53545



January 8, 2014

Senator Robert Cowles, Chair; and,
Members of Energy, Consumer Protection, and Government Reform
Capitol Building
Madison, Wisconsin

RE: SB #435 Sale of Handmade Baked Good and Handmade Canned Goods

Please report my support of proposed bill #435, Sale of Handmade Baked Goods and Handmade Canned Goods, also known as the "Cookie Bill." Unfortunately I am unable to attend the public hearing on this matter.

If passed, this legislation will provide positive benefits to local farms, including means to increase farm income from locally grown crops. As a local grower of organically produced berries, I would like to offer customers a selection of handmade baked goods both during the growing season and at an annual event featuring our harvest, arts and functional wares in our cottage barn next to the orchard.

In summary, value added products from local farms benefits the local economy, individual consumer and the producer. It is a win, win, win scenario.

Thank you for your support of Senate Bill 435.

Jill Barthen Berke
Blue Ridge Growers
246 Carlson Lane
River Falls, Wisc. 54022

Facebook Blue Ridge Growers, River Falls
Email: blueridge@baldwin-telecom.net

