

Dedicated to the promotion of high standards in environmental health for the general welfare of the public



**NEBRASKA**  
**Environmental Health Association**

February 25, 2015

Honorable Senator Johnson  
District 23  
State Capitol, Room # 1022  
P.O. Box 94604  
Lincoln, Nebraska 68509  
jjohnson@leg.ne.gov

RE: Opposition to Amended LB558 – A BILL FOR AN ACT relating to the Nebraska Pure Food Act; to provide an exception for certain operations preparing food for indirect sale to a consumer as prescribed.

Dear Senator Johnson:

The Nebraska Environmental Health Association strongly opposes LB558, both as it was originally introduced and as presented earlier this week with Amendment 489. Our primary concern is that LB558 will put Nebraskans' health at risk by allowing the sale of food products which have been prepared in home kitchens to the public in a retail setting.

Retail food establishments go through an inspection and permitting process intended to provide education, oversight and standards which safeguard the Public Health. A retail food establishment is designed to be maintained at a higher standard of sanitation than is possible in a residential setting. For example: commercial kitchens are required to have separate sinks for food preparation and hand washing, as well as a dedicated sink for disposal of mop water (greywater). They are not allowed to have pets or children in the food preparation area at ANY time, nor are they allowed to have a restroom in close proximity to the kitchen. Licensed food establishments do not have to contend with the unique sanitation challenges posed by a residential setting, nor are they designed to be lived in. The activities of our daily home life, such as: bathing, sharing our space with companion animals, and staying home when we are ill, are all counterintuitive to science based food safety practices which have been demonstrated to reduce the risk of disease to the consumer.

Persons wishing to prepare and sell homemade or “cottage” foods in Nebraska currently have venues available in which to do so (farmers markets for example).

It is our opinion the passage of LB558 poses a preventable and significant risk for foodborne illness outbreaks among the citizens of the State of Nebraska. We respectfully ask that for the good of Nebraska, and the health of our citizens, that you vote against LB 558.

For the Board,

A handwritten signature in black ink that reads "Allen Brown REHS". The signature is written in a cursive style.

Allen Brown, REHS

President

Nebraska Environmental Health Association

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