

ORDINANCE

RE: ORDINANCE AMENDMENT FOR THE VERMILION COUNTY HEALTH DEPARTMENT –COTTAGE FOOD INDUSTRY ORDINANCE

WHEREAS, the Vermilion County Health Department is responsible for registering and responding to complaints regarding Cottage Food Industries as defined under 410 ILCS 625/4 et. seq. (but not regularly inspecting them as with other food establishments); and,

WHEREAS, such State statute and rules were amended effective 1/1/2022 by Public Act 102-0633; and

WHEREAS, the local ordinance thus needs to be amended in words and numbers as attached hereto and incorporated herein by reference as Exhibit "A" to be compliant with State law.

NOW, THEREFORE BE IT ORDAINED by the County Board of Vermilion County Illinois that attached ordinance be adopted and accordingly enforced by the Vermilion County Health Department

PRESENTED, APPROVED AND ORDAINED by the County Board of Vermilion County, Illinois at the December 21, 2021 A.D. Session.

DATED this 21th day of December, 2021 A.D.

AYE 17 NAY 0 ABSENT 10


Chairman, Vermilion County Board

ATTEST:
Cathy Jenkins (ie)
Clerk of the County Board

Ordinance # 21-1205

VERMILION COUNTY ORDINANCE GOVERNING COTTAGE FOOD OPERATIONS

SECTION 1 – PURPOSE

The purpose of this ordinance is to protect, promote and preserve the public health and general welfare of the citizens of Vermilion County by providing the establishment and enforcement of minimum rules and regulations for Cottage Food Operations. The Rules and Regulation outlined in 410 ILCS 625/4 go into effect on 1/1/2022. This Department's role is to register Cottage Food Operators and respond to complaints or investigate food borne illness outbreaks suspected to have originated from a Cottage Food Operation. This Department is not responsible for routine inspections of these operations.

SECTION 2 – JURISDICTION

This ordinance shall be enforced throughout Vermilion County and in the city limits of cities and villages located in Vermilion County.

SECTION 3 – RULES AND REGULATIONS

The current editions of the Food Handling Regulations Enforcement Act (FHREA) Section 4 Cottage Food Operations (410 ILCS 625), Vermilion County Ordinance Governing Food Service Sanitation' Smoke Free Illinois Act, (410 ICS 82), Illinois Department of Public Health Water Well Construction Code, Illinois Department of Public Health Private Sewage Code and their respective Ordinances, and any subsequent amendments or revisions thereto, are hereby adopted by reference as the Vermilion County Ordinance Governing Cottage Food Operations. The following materials are incorporated in this part: Conference for Food Protection – "Standards for Accreditation of Food Protection Manager Certification Programs" (2016), available at *****.foodprotect.org/media/managercert/cfp-2016-standards-adopted.pdf

SECTION 4 – DEFINITIONS

Cottage Food Operation – means an operation conducted by a person who produces or packages food or drinks, other than food and drinks listed as prohibited in the FHREA Section 4 Cottage Food Operations (410 ILCS 625), in a kitchen located in that person’s primary domestic residence or another appropriately designed and equipped kitchen on a farm for direct sale by the owner, a family member, or employee.

SECTION 5 – REGISTRATION

All Cottage Food Operations must register with this Department at the first of each year or prior to conducting business for the first time during a calendar year. All registration forms shall meet the requirement of the FHREA Section 4 Cottage Food Operations (410 ILCS 625). The Cottage Food Operation owner/operator must submit a completed self-certification form, a completed registration form and required documentations, and appropriate fee before a registration certificate and number will be issued by this Department. All registrations will expire at the end of each calendar year. There will be a fee of \$50.00 for each registration as outlined by the regulation of the FHREA Section 4 Cottage Food Operations (410 ILCS 625).

FUTURE SECTIONS – Future sections will be created, and approval sought, as the state finalizes guidance, information, and forms to assist local health departments on conducting complaint and food borne illness investigations of the facility and operations of a Cottage Food Operation.