



Cottage Food Business: Frequently Asked Questions

1. What are Cottage Food Products?

Cottage Food Products are specific types of foods that you make in the kitchen of your private home. Not all food products can be sold as Cottage Food Products. They must be non-potentially hazardous foods that do not require time and/or temperature controls for safety. You must also store your Cottage Food Products in your home following safe, food handling guidelines outlined in the Retail Food Code to prevent adulteration caused by insects, household chemicals, water damage, unsanitary conditions, etc.

2. What is private home?

This is the place where you live, whether you own the home or are renting. So, a house, an apartment, condominium or a rental home all could be a private home. (H&SC 113758 (b)(6))

3. Is there a limit to how much I can sell as a Cottage Food Operator?

Yes. You are limited in the amount of money you can make selling Cottage Foods, which is \$35,000 in gross annual sales in 2013, \$45,000 in 2014, and \$50,000 in 2015 and each year thereafter. (H&SC 113758 (a))

4. Am I limited to the types of Cottage Foods I produce in my home?

Yes. Only non-potentially hazardous foods that do not require time and/or temperature control for safety (can be safely kept at room temperature and do not require refrigeration). The following is a list of foods approved for sale by a cottage food operation: (H&SC 114365.5)

- Baked goods without cream, custard, or meat fillings, such as breads, biscuits, churros, cookies, pastries, and tortillas.
- Candy, such as brittle and toffee.
- Chocolate-covered nonperishable foods, such as nuts and dried fruit.
- Dried fruit.
- Dried pasta.
- Dry baking mixes.

- Granola, cereals, and trail mixes.
- Fruit pies, fruit empanadas, and fruit tamales.
- Herb blends and dried mole paste.
- Honey and sweet sorghum syrup.
- Jams, jellies, preserves, and fruit butter that comply with the standard described in Part 150 of Title 21 of the Code of Federal Regulations:
<http://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfCFR/CFRSearch.cfm?CFRPart=150&showFR=1&subpartNode=21:2.0.1.1.29.2>
- Nut mixes and nut butters.
- Popcorn.
- Vinegar and mustard.
- Roasted coffee and dried tea.
- Waffle cones and pizelles.

5. Where can I get a copy of the Cottage Food bill?

http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_1601-1650/ab_1616_bill_20120921_chaptered.pdf

6. Do I have to replace my home equipment stove and/or refrigerator with commercial grade units?

No. As a Cottage Food operator, you are not required to provide equipment that meets commercial standards to make cottage food products.

7. Why are some products not allowed to be made and sold under the Cottage Food bill?

The Cottage Food bill allows food entrepreneurs to operate small food businesses and produce a variety of food products that are low risk from a food safety standpoint, if prepared properly in a private home kitchen, while protecting public health to the greatest extent possible. The allowable products list is based on the food safety risk level associated with certain types of food. People who operate a licensed and inspected retail food facility have to meet certain requirements for training, food safety and handling. Since Cottage Food operations may be uninspected, it is necessary to limit food products allowed under the law to those that are considered low risk, or non-potentially hazardous.

8. Do I have to put a label on my Cottage Foods?

Yes. The label must meet Federal law and must include all of the following:

- The words “Made in a Home Kitchen” in 12-point type on the cottage food product’s primary display panel.
- The name commonly used for the food product or an adequately descriptive name.

- The name of the cottage food operation which produced the cottage food product.
- The registration or permit number of the “Class A” or “Class B” cottage food operation, respectively, which produced the cottage food product and, in the case of a “Class B” cottage food operation, the name of the county of the local enforcement agency that issued the permit number.
- The ingredients of the cottage food product, in descending order of predominance by weight, if the product contains two or more ingredients.

What does allergen labeling, as specified in federal labeling requirements, mean?

It means you must identify if any of your ingredients are made from one of the following food groups: milk, eggs, wheat, peanuts, soybeans, fish (including shellfish, crab, lobster or shrimp) and tree nuts (such as almonds, pecans or walnuts). So, if you have an ingredient made with a wheat based product, you have two options:

- Include the allergen in the ingredient list. For example, a white bread with the following ingredient listing: ‘whole wheat flour’, meets the requirements of federal law.
- Include an allergen statement (“Contains”) after the ingredient list. For example a white bread, with the following ingredients: whole wheat flour, water sodium caseinate, salt and yeast. Contains wheat and milk.

9. Are there any specific requirements for tree nuts labeling for allergens?

Yes. If your Cottage Food has tree nuts as an ingredient you must identify which tree nut you are using.

For example, if you made Nut Bread, an acceptable ingredient list would be:
Ingredient: wheat flour, water, almonds, salt, yeast.

The following would be unacceptable:
Ingredients: flour, water, nuts, salt, yeast.

10. Do I have to have any training or certificates to become a cottage food operator?

Yes. A person who prepares or packages cottage food products must complete a food processor course instructed by the California Department of Public Health (CDPH) within 3 months of becoming registered. CDPH will work with EHD so that cottage food operators are notified of the location, date, and time of the classes offered.

11. Am I required to send my cottage food products to a laboratory to obtain an official ingredient list?

No. You are not required to have your product analyzed by a laboratory to obtain an official ingredient list. You must, however, list all ingredients, in descending order of predominance by weight. If you use a prepared item in your recipe, you must list sub-ingredients as well.

12. Will my home kitchen be subject to inspections by the Environmental Health Division?

If you are a registered “Class A” (direct sales only) Cottage Food operation then an inspection will only be conducted if a consumer complaint is received that adulterated or otherwise unsafe food has been produced by the cottage food operation or that the cottage food operation has violated the California Retail Food Code.

If you are a “Class B” (direct and indirect sales) Cottage Food operation then an initial inspection to determine that the cottage food operation and its method of operation conform to the requirements of the California Retail Food Code must be conducted for a permit to be issued. After the initial inspection, a “Class B” cottage food operation is subject to one inspection per year.

13. Can I make Cottage Food products in an outbuilding on my property, like a shed or a barn?

No. The law requires the Cottage Food products be made in your kitchen and stored in your single family domestic residence.

14. Where can I store ingredients and finished products for my Cottage Food business?

Ingredients and finished Cottage Food products may be stored in your private home where the cottage foods are made. This includes your kitchen or attached rooms within the home that are used exclusively for storage. All rooms used for food storage must be free of insects and rodents, free of dirt, dampness/water, and free of other environmental sources of contamination.

15. Can I sell my Cottage Food product made in Ventura County in another county in California?

Another county in California may agree to allow a “Class B” cottage food operation permitted in Ventura County to engage in direct sales of cottage food products in that county.

16. Will I need any other permit or licenses for my Cottage Food operation?

You may. Check with the city, or county if you are outside city limits, where your private home is located to determine if a business license or other permit is required.

