



California's Cottage Food Law

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What's California's Cottage Food Law?

- AB1616—CA Homemade Food Act--passed in 2012
- Allows sale of **defined low-risk foods** prepared in the **home kitchen** of a private residence
- Primary objectives were to:
 - Promote local economic development
 - Increase access to healthy foods and promote healthy eating
 - Support community-based food production
- Administered by CA Dept of Public Health
www.cdph.ca.gov/Programs/CEH/DFDCS/Pages/FDBPrograms/FoodSafetyProgram/CottageFoodOperations.aspx
- Regulated by county Environmental Health departments



Key Areas of Cottage Food Law

- Complete food handler training course
 - Online for ~\$20;
 - must be repeated every 3 years
 - <https://www.ansica.org/wwwversion2/outside/ALLdirectoryListing.asp?menuID=212&prgID=228&status=4>
- Annual gross sales limited to \$50,000; no escalator for inflation
- Obtain either “Class A” or “Class B” permit/registration from county Environmental Health department
 - Class A allows only direct sales to consumers;
 - self-certify compliance with food preparation and sanitation requirements;
 - Must deliver product to consumer; cannot ship
 - Class B allows for both direct sales to consumers and indirect sales through retailers; must be inspected annually
- Need to check with other counties regarding acceptance of permits/registration from home county
- Cottage foods cannot be sold out-of-state



Registered or Permitted Areas

- Cottage Food Operator must process cottage foods in her/his private home kitchen and store ingredients, equipment and finished product in either the home kitchen, or in attached rooms within the home that are used ***exclusively for storage***
- Do not include detached rooms or garages



Approved Cottage Food Products

as of July 1, 2017

- Baked goods, without cream, custard, or meat fillings, e.g. breads, biscuits, cakes, cookies, etc.
- Buttercream frosting, icing, fondant, and gum paste that do not contain eggs, cream or cream cheese
- Candied apples
- Candy—such as brittle and toffee, hard candy, cotton candy, salted caramel, fudge, marshmallow bars, chocolate-covered marshmallow
- Chocolate-covered nonperishable foods, such as nuts and dried fruits
- Dried or Dehydrated fruits & vegetables
- Dried herb blends, dried mole paste
- Dried vegetarian-based soup mixes
- Dried pasta
- Dry baking mixes
- Flat Icing

Approved Cottage Food Products

continued

- Fruit pies, fruit empanadas, and fruit tamales
- Granola, cereals, trail mixes
- Ground chocolate, dried hot chocolate (dried powder or molded hardened cocoa pieces)
- Honey & sweet sorghum syrup
- Marshmallows that don't contain eggs
- **Mustard**
- Nut mixes and nut butters
- Popcorn & popcorn balls
- Vegetable and potato chips
- Fruit infused vinegar (containing only high-acid fruits such as apple, crabapple, nectarine, peach, plum, quince, blackberry, blueberry, cherry, cranberry, grape, huckleberry, gooseberry, loganberry, pomegranate, pineapple, raspberry, strawberry, tomatillo, youngberry, grapefruit, kumquat, lemon, lime, orange)
- Roasted coffee & dried tea
- Waffle cones & pizelles
- Seasoning salt
- Fruit butters, jams, jellies, & preserves that comply with the standard described in **Part 150 of Title 21 of the Code of Federal Regulations**

Approved Cottage Food Products

as of July, 2014

*Jams, jellies, preserves, and fruit butter: Cottage food operations which produce jams, jellies, preserves, and other related products must be sure that their products meet the legal established standards of identity requirements for those products as set forth in [21 CFR Part 150](#). The purpose of the regulation is to maintain the integrity of the food product to ensure consumers consistently get what they expect. The product name and ingredients listed on the label must be factual and comply with the legal definitions and standards of identity or the product may be considered misbranded. Products made with other ingredients that are not defined in 21 CFR 150 cannot be produced by cottage food operations. Addition of other ingredients or alteration of ingredient profiles changes the chemistry of the food, which can allow the growth of various bacteria and toxins under the right conditions. For example, addition of peppers (i.e. jalapeno pepper) to make pepper jelly is not supported by 21 CFR 150 and the addition of this low acid ingredient could cause the formation of botulism toxin in the product if the proper controls are not used.

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NOT Approved as Cottage Foods

- Pickled/fermented products
- Nontraditional fruit preserves such as pepper jelly made with fresh peppers, low-sugar preserves
- Chutneys
- Jerky & other meat products
- Dairy products
- Salsas
- Anything that requires refrigeration
- Can submit application to CDPH to request addition to approved list of Cottage Foods:

https://www.cdph.ca.gov/Programs/CEH/DFDCS/CDPH%20Document%20Library/FDB/FoodSafetyProgram/CottageFood/2.%20fdb_Req_AddFoodProduct_06_1_17.pdf



Food Prep. & Sanitation

- No domestic activity in kitchen during cottage food preparation
- No infants, small children, or pets in kitchen during cottage food preparation
- Kitchen equipment and utensils kept clean and in good repair
- All food contact surfaces and utensils washed, rinsed, and sanitized before each use



Food Prep. & Sanitation continued

- All food preparation and storage areas free of rodents and insects
- No smoking in kitchen area during preparation or processing of cottage food
- Person with a contagious illness shall refrain from preparing or packaging CFs
- Proper hand-washing shall be completed prior to any food preparation or packaging



Food Prep. & Sanitation

- Water used during the preparation of cottage food products shall meet **potable drinking water standards**
 - Washing, sanitizing, & drying of any equipment used in preparation of a cottage food product
 - Washing, sanitizing, & drying of hands and arms
 - Water used as an ingredient



Water Testing

- No water testing required for treated water from municipal districts; keep their annual water test report
- If using a private water supply such as a drilled well, you will be required to perform water quality testing to demonstrate if your water is potable.
- Minimum testing required initially are:
 1. Potability or bacteriological test (+every 3 months)
 2. Nitrates (+every year)
 3. Nitrites (+every 3 years)

Cottage Food Labels

Must Include:

- “Made in a Home Kitchen” in 12-point type.
- Name commonly used to describe the product.
- Name, city, county, state and zip code of CFO
- If CFO is not listed in a current phone directory then street address must also be declared



Cottage Food Labels

Must Include:

- Registration or permit number of CFO
- Ingredients in descending order of predominance by weight, if product contains two or more ingredients
- Net quantity (count, weight, or volume) of the food product, stated in both English (pound) units and metric units (grams)



Sample Label

MADE IN A HOME KITCHEN

Registration number: 12345 County of Marin

Chocolate Chip Cookie

Joe's Cookies

123 Pastry Lane

Cookieville, CA 94101

Ingredients: Enriched flour (Wheat flour, niacin, reduced iron, thiamine, mononitrate, riboflavin and folic acid), butter (milk, salt), Soy lecithin (as an emulsifier), walnuts, sugar, eggs, salt, artificial vanilla extract, baking soda

Contains wheat, eggs, milk, soy, nuts

Net Wt. 3 oz (89 g)



Comply with local regulations

- Business license from local government
- Planning and zoning:
 - Need approval from local city or county planning department
 - If selling at Certified Farmers Market or community event, may need a Temporary Food Facility permit
 - May have requirements regarding parking spaces, hours of operation, etc.

Zoning	\$0-\$429
Registration/Permit	\$0-\$635

Food Handlers Class/Card
\$10 - \$25



If Cottage Foods Law is too restrictive for you, consider:

- Operating or using a Commercial Kitchen
 - Inspected by local Environmental Health agency
 - Could be a school cafeteria, Grange kitchen, or restaurant
 - Can only sell products direct to consumers
- Operating a Registered Food Facility
 - Inspected annually by CA Dept of Public Health
 - Can sell indirect
 - A separate registration is required for each place of **manufacture, packing, or holding**
- Using a Co-packer

May need to attend Better Process Control School

- For operating supervisors of commercial food canning operations
- Particularly for operating supervisors involved in production of thermally processed low acid and acidified foods (**including pickles and chutneys**)
- 4-day program
- Online course now available



For more information:

<http://ucanr.edu/sites/cottagefoods/>

<https://www.cdph.ca.gov/Programs/CEH/DFDCS/Pages/FDBPrograms/FoodSafetyProgram/CottageFoodOperations.aspx>

Developing a Specialty Food Business (Case Study of Rose Lane Farm)

<http://sfp.ucdavis.edu/files/239615.pdf>

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