



Placer County Health and Human Services Department

Jeffrey S. Brown, M.P.H., M.S.W.
Department Director

Wesley G. Nicks, R.E.H.S.
Environmental Health Director

Cottage Food Operations Frequently Asked Questions (FAQ)

What is a Cottage Food Operation (CFO)?

A CFO is a business operated out of a private home where approved low risk food (non-potentially hazardous) products are prepared or packaged for sale to consumers.

Are there limitations on the size of CFO's sales?

Yes, CFO sales are limited to \$50,000 or less in gross sales.

What are the two classifications of CFOs?

Class A Registration may only engage in the "direct sale" of cottage food products.

Class B Permit may engage in both "direct sales" and "indirect sales" of cottage food products.

What is meant by "Direct Sale" of cottage food?

"Direct Sale" means a transaction *within* the State of California between a CFO operator and a consumer, where the consumer purchases the cottage food product directly from the CFO. Direct sales include, but are not limited to, transactions at holiday bazaars, or other temporary events, such as bake sales, food swaps, transactions at farm stands, certified farmers' market, or through a community supported agriculture subscriptions, and transactions occurring in person in the cottage food operation. (**NOTE:** Door to door sales require Solicitor's Permit from the County Tax Collector's Office or City's Administration Services).

What is meant by "Indirect Sale" of cottage food?

"Indirect sale" means an interaction between a CFO, a third party retailer, and a consumer, where the consumer purchases cottage food products made by the CFO from a third party retailer that holds a valid permit issued by the local environmental health agency in their jurisdiction. Indirect sales include, but are not limited to, sales made to retail shops or to retail food facilities where food may be immediately consumed on the premises.

What kind of food can I make as a CFO?

Only foods that are defined as "*non-potentially hazardous*" are approved for preparation or packaging by CFO's. These are foods do not require refrigeration to keep them safe from bacterial growth, which could potentially make people sick. The California Department of Public Health (CDPH) maintains a list of approved cottage food categories on their website. CDPH has an established process by which new foods can be added to the list and other foods can be challenged and removed.

The following food categories are included in the list of approved foods:

- **Baked or Fried Bakery products (without cream, custard, or meat fillings, also NO cheese, bacon, or vegetables baked on top or as a filling or fresh fruits as toppings)** ex. Cakes, cookies, breads, pies, churros, etc.
- **Buttercream frosting, icing, fondant, gum paste and flat icing without eggs, cream, cream cheese, or milk**
- **Candy, such as brittle and toffee & cotton candy**
- **Candied apples** (caramel apples)
- **Chocolate- covered non-perishable foods** (i.e. nuts, dried fruits, pretzels)
- **Confections such as salted caramel, fudge, marshmallow bars chocolate covered marshmallows, nuts, hard candy or any combination thereof**
- **Dried fruit** (in the kitchen not outside, ex. fruit leathers or dried peppers)
- **Dried or dehydrated vegetables** (dried in the kitchen not outside)
- **Dried Pasta**
- **Dried vegetarian-based soup mixes and Dried Grain Mixes**
- **Dry baking mixes**
- **Fruit pies, fruit empanadas, and fruit tamales**
- **Granola, cereals and trail mixes**
- **Ground Chocolate** (ground cocoa beans)
- **Herb blends, dried mole paste and seasoning salt** (dried herbs & spices blends only) **Part 182 of Title 21**
- **Honey, sweet sorghum syrup.** (Note: honey packaged by a producer does not need CFO or PFR only AG certificate)
- **Jams, jellies, preserves, and fruit butter** that comply with the standard described in Part 150 of Title 21 of the Code of Federal Regulations. These should be fruit products only (no vegetables) Sugar must be the first ingredient.
- **Marshmallows that do not contain eggs**
- **Nut mixes and nut butters**
- **Popcorn or popcorn balls** (only corn, other grains not allowed)
- **Roasted coffee and dried tea**
- **Vegetable and potato chips**
- **Vinegar and mustard** (cannot be infused with vegetables, herbs, spices, onion or garlic)
- **Waffle cones and pizzelles** (Italian waffle cookies)

REMINDERS:

- ❖ *Processing any food (such as acidified foods, low acid canned foods, vacuum packaging or reduced oxygen packaging, etc...) not included in the above list requires approval from Environmental Health or a State Permit known as a Processed Food Registration (PFR). FOODS OTHER THAN THOSE LISTED ABOVE SHALL NOT BE MADE IN A CFO.*
- ❖ If the product you want to make at home is not on the approved list, you may submit a request to add the food product to the Cottage Food Approved List, managed by the California Department of Public Health Food and Drug Branch (CDPH- FDB). (fdbinfo@cdph.ca.gov)

What are the CFO's Operational Requirements?

All CFOs must comply with the following: (See specific sections of California Retail Food Code (CRFC) Below)*

- No domestic activity in the kitchen during cottage food preparation and packaging.
- No infants, small children, or pets in the kitchen during cottage food preparation and packaging.
- No smoking in kitchen area during cottage food preparation or packaging.
- Kitchen equipment and utensils kept clean and in good repair
- All food contact surfaces and utensils washed, rinsed, and sanitized before each use
- All food preparation and storage areas free of rodents and insects
- Persons with contagious illness shall refrain from working
- Proper hand-washing shall be completed prior to any food preparation or packaging
- Water used in the preparation, packaging, or cleaning of cottage food products and equipment shall meet the potable drinking water standards described in CRFC section 113869.

A residence that has a private water supply such as a drilled well shall be required to perform water quality testing to demonstrate that the well water is potable.

Required Testing Includes:

Bacteria test (potability test) – Once prior to application and every three months thereafter

Nitrate – Once prior to application and annually thereafter

Nitrite – Once prior to application and every three years thereafter

- Waste water from a CFO shall be connected to a public sewer or an *approved* on-site sewage disposal (septic) system.

NOTE: Class B CFOs on private septic system may be subject to additional requirements such as having your septic tank pumped, adding laterals or upgrading your septic system to support additional flows. Please contact one of our Land Use Specialists @ 530-745-2300 if you have any questions about your septic system and whether it can accommodate a Class B operation).

* CFO Operational Requirements can be found in CRFC sections 113953.3, 113967, 113973, 113980, 114259.5, 114285, 114286, 114365, 114405, 114407, 114409, 114411 & 114413.

Do I need any special Training or Certification to be a CFO?

A person who prepares or packages cottage food products must possess either a Food Safety Manager's Certificate or California Food Handler's Card. Please visit our website at <https://www.placer.ca.gov/3355/Food-Safety-Certification> for more information.

Can I expand my kitchen area square footage to accommodate my CFO?

Contact the county or city building, planning, and fire authorities for approval and applicable permitting requirements. All CFO activities including preparation, mixing, assembling, storage, packaging, and or labeling shall occur inside the living space of the home. **Garages, sheds, backyards, vehicles, and outbuildings or any other structures or locations outside the living space cannot be used as part of your CFO.**

Can a CFO have employees?

A CFO can have (1) one full-time equivalent employee. This means an individual, paid or volunteer, who is involved in the preparation, packaging, handling and storage of a cottage food product, or otherwise works for the cottage food operation (does not include immediate family or household members of the cottage food operator).

Does a CFO need a permit to operate?

Yes. A CFO needs approval from the following agencies:

- Business License
 - All CFO will need to obtain a business license from their local city or county business license department.
- Planning/Zoning:
 - All CFO will need to obtain approval from their local city or county planning department. Requirements may vary between jurisdictions.
- Placer County Environmental Health (PCEH):
 - Class A Registration or Class B Permit.

NOTE: CFO Registration/Permitting grants permission to produce food for sale in your home kitchen. Additional permitting may be required to vend at locations such as Denio's, Certified Farmer's Markets, Temporary Events, Community Events, or Swap Meets.

It is the CFOs responsibility to notify PCEH of any changes that occur in operations (i.e. ...change of residence, addition of products, label or ingredient changes, etc...). Registrations and Permits are non-transferable between persons, locations, type of foods, types of food sales (direct vs. indirect).

How much does the PCEH registration or permit cost?

For current fees, please visit our website at: <https://www.placer.ca.gov/3245/Permits-Forms-Fees>

Will my CFO Registration/Permit allow me to sell at other retail venues?

Yes, but additional health permit(s) may be required to sell at other locations such as Denio's, Certified Farmer's Markets, Temporary Events, Community Events, or Swap Meets. Please contact PCEH at 530-745-2300 for additional permit requirements.

Can I sell my Cottage Food Products online?

Yes, A CFO can accept orders and payments via the internet, mail or phone; HOWEVER the CFO must deliver their products directly (*in person*) to the customer. Delivery of a product via US Mail, UPS, Fed Ex or other indirect delivery methods is regulated and subject to CDPH Process Food Registration (PFR) and federal requirements. Contact CDPH P.O. Box 997413 Sacramento, CA 95899 or call 916-650-6500 to secure the necessary requirements or permit.

Note: Cottage Foods from other States cannot be sold in California.

If I have CFO registration or a permit from a different County, can I sell my products in Placer County?

Out of County CFOs may sell their product in Placer County without acquiring a CFO permit through PCEH, as dictated by their CFO license (Class A must sell Direct, Class B may sell Direct or Indirect). However, a PCEH health permit will be required to sell at locations such as Denio's, Certified Farmer's Markets, Temporary Events, Community Events, or Swap Meets. Contact PCEH at 530-745-2300 for additional permit requirements.

How often is a CFO inspected?

Class A operations are not subject to initial or routine inspection at this time.

...(continued on page 5)

Class B operations are inspected initially prior to permit issuance.

PCEH may conduct inspection of either Class A or B CFOs if consumer complaints have given reason to suspect that adulterated or otherwise unsafe food has been produced at the CFO.

NOTE: Inspections can occur at a private home, community events, farmers markets, bake sales, swap meets, or any third party retailer and may include viewing and copying records, impounding products, taking photos, etc.

What are the labeling requirements for my food products?

All cottage food products must be properly labeled in compliance with the Federal, Food, Drug and Cosmetic Act (21 U.S.C. Sec.343 et. seq...). The minimum requirements include but are not limited to:

- The words “Made in a Home Kitchen” in 12-point font type
- The common name of the food product or an adequately descriptive name.
- The CFO business name
- Ingredients in descending order by weight (the heaviest ingredient must be listed first).
- Net quantity (count, weight, or volume) of the product both in English units (pound) and Metric units (grams). Ex. 8 oz. (227 g)
- Allergen declaration if the food contains any of the 8 major food allergens (milk and milk products, eggs, fish, shellfish, tree nuts, peanuts, soy and wheat)
- The registration or permit number (Environmental Health will issue these numbers upon receipt and approval of the complete application packet).
- The City/Town where the CFO is located.
- The County (Placer) who has issued the permit.

NOTE: Cottage food products served in a permitted retail food facility without packaging or labeling shall be identified to the customer as homemade on the menu, menu board, or other easily accessible location that would reasonably inform a consumer of its homemade status.

I want to become a CFO, what should I do now?

Submit a completed CFO Application and the appropriate fee, with the following attached:

- Kitchen floor plan showing storage area for your products and supplies
- Complete Product List and a labels for each product
- Copy of your Food Handler’s Card or Food Safety Manager’s Certificate
- Water quality test results and signed Private Well Food Facility Testing Agreement (CFO on a private water well only)

A PCEH Inspector will process your application and you will then be issued a permit or registration number. After that you will re-submit your final approved labels with the assigned number.

Once the application is approved (*Class B CFOs require a home kitchen inspection*), PCEH will mail a copy of your approved application and your official CFO Permit or Registration.

REMINDERS:

1. *Make sure to keep your Permit or Registration and Self Certification Form in a safe place.*
2. *The permit or registration or an accurate copy thereof shall be retained by the operator onsite at the time of either direct or indirect cottage food sale.*
3. *Registration and permits are non-transferrable between persons, locations or types of food sales.*