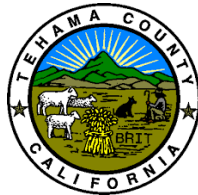


# TEHAMA COUNTY

## Cottage Food Operations



EFFECTIVE AUGUST 1, 2023

PROVIDED BY

TEHAMA COUNTY ENVIRONMENTAL HEALTH

633 WASHINGTON STREET, RM 36

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## **Cottage Food Resource and Permitting Guide**

This guide is designed to assist individuals in understanding the requirements and permitting process by Tehama County Environmental Health when beginning a cottage food operation.

### Frequently Asked Questions:

#### **1. What is a Cottage Food Operation (CFO)?**

A CFO is an enterprise at a private home where low-risk food products are prepared or packaged for sale to consumers.

#### **2. What is meant by “private home?”**

“Private home” means a dwelling, including an apartment or other leased space, where the cottage food operator resides.

#### **3. Are there limitations on the size of CFO’s sales?**

- Class A \$75,000 or less in gross sales annually
- Class B \$150,000 or less in gross sales annually

#### **4. Can a CFO have employees?**

A CFO can have one full-time equivalent employee (not counting family members or household members).

#### **5. What are the two classifications of CFOs?**

- Class A CFO’s are only allowed to engage in “direct sale” of cottage food.
- Class B CFO’s may engage in both “direct sale” and “indirect sale” of cottage food.

#### **6. What is meant by “Direct Sale” of cottage food?**

“Direct sales” means a transaction within the state between a cottage food operation operator and a consumer, where the consumer purchases the cottage food product directly from the cottage food operation. Direct sales include, but are not limited to, transactions at holiday bazaars or other temporary events, such as bake sales or food swaps, transactions at farm stands, certified farmers’ markets, or through community-supported agriculture subscriptions, and transactions occurring in person in the cottage food operation and transactions made via the phone, internet, or any other digital method. A direct sale may be fulfilled in person, via mail delivery, or using any other third-party delivery service.

Note: Providing food at a temporary community event will also require a Temporary Food Permit to operate.

#### **7. What is meant by “Indirect Sale” of cottage food?**

“Indirect sales” means an interaction within the state between a cottage food operation, a third-party retailer, and a consumer, where the consumer purchases cottage food products made by the cottage food operation from a third-party retailer that holds a valid permit.

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. An indirect sale may be fulfilled in person, via mail delivery, or using any other third-party delivery service.

Note: Providing food at a temporary community event will also require a Temporary Food Permit to operate.

### **8. What cottage food categories are permitted at a CFO?**

Only foods that are defined as “non-potentially hazardous” are approved for preparation by CFO’s. These are foods that do not require refrigeration to keep them safe from bacterial growth that could make people sick. The California Department of Public Health will establish and maintain a list of approved cottage food categories on their website and will establish a process by which new foods can be added to the list and other foods can be challenged and removed. Please see the “Approved Cottage Food” page for more information.

### **9. The food I would like to make is not on the current list. How can I request a food category be added to the list?**

Only non-potentially hazardous food categories (foods that do not require refrigeration for safety) that are approved by the California Department of Public Health can be added to the list. If you would like to request a food be added to the list, you can submit a “Request to Add a Food Product to the Cottage Food Approved Food List.” Submission of an application does not guarantee approval. See link below for the application:

[https://www.cdph.ca.gov/Programs/CEH/DFDCS/CDPH%20Document%20Library/FDB/FoodSafetyProgram/CottageFood/fdb\\_CFOapplication.pdf](https://www.cdph.ca.gov/Programs/CEH/DFDCS/CDPH%20Document%20Library/FDB/FoodSafetyProgram/CottageFood/fdb_CFOapplication.pdf)

### **10. What are the requirements if the water source for my home is a private well?**

Water used for cottage food operations must be from an approved source. The California Health and Safety Code, Section 113869, requires water from a private source to comply with the standards for transient noncommunity water systems in the California Safe Drinking Water Act. If your water source falls into this category, you must provide the sample results. Sample collection must be performed by a certified lab or a California Water Boards State Water Resources Control Board Certified Operator, minimum D-1.

### **11. Do I need any special training or certification to prepare Cottage foods?**

Any person who prepares or packages cottage food shall complete a food processor course within three months of becoming registered or permitted.

Cottage Food Operators, their employees, and any household member that is involved in the preparation of packaging of cottage foods may take one of the American National Standards Institute (ANSI) accredited food handler courses that are available online or via a classroom. After successfully completing the course, you will receive a food handler card/certificate, which you need to retain as proof that you completed the required training. You must present

a copy of this card/certificate for each person involved in preparing cottage foods to your local enforcement agency upon their request to verify that the training requirement has been completed. The training course shall be completed every three years for the CFO to continue to operate.

**12. How often will a CFO be inspected?**

- Class A CFO kitchens and food storage areas are not subject to initial or routine inspections.
- Class B CFO kitchens and food storage areas are inspected initially during the permit application review and then annually thereafter.

**13. What are the CFO's operational requirements:**

- All CFOs must comply with the following:
  - No domestic activity in kitchen during cottage food preparation
  - No infants, small children, or pets in kitchen during cottage food prep
  - Kitchen equipment and utensils shall be kept clean and in good repair
  - All food contact surfaces, equipment and utensils shall be washed, rinsed, and sanitized before each use
  - All food preparation and storage areas shall be free of rodents and insects
  - No smoking in kitchen area during preparation or processing of cottage food
  - A person with a contagious illness shall refrain from working
  - Proper handwashing shall be completed prior to any food preparation or packaging
  - Water used in the preparation of cottage food products must be potable (drinking quality without contamination). Private well water will require testing.

**14. What are the food labeling requirements?**

Please see the attached "Labeling Requirements for Cottage Food Products."



State of California- Health and Human Services Agency  
California Department of Public Health

## APPROVED COTTAGE FOODS – MARCH 10, 2023

Cottage Food Operations are allowed to produce certain categories of non-potentially hazardous foods. These are foods that do not support the rapid growth of microorganisms or toxins that could make people sick when the food is held outside time and temperature control. The California Department of Public Health (CDPH) is responsible for maintaining the Approved Cottage Foods List and may add or delete food categories. Notice of any change, the reason for the change, and the nature of the change is posted on our Cottage Food Operations webpage. Changes become effective 30 days after the notice has been posted. Questions about the Approved Cottage Foods List may be submitted to [FDBRetail@cdph.ca.gov](mailto:FDBRetail@cdph.ca.gov).

### 1. BAKED GOODS WITHOUT CREAM, CUSTARD, OR MEAT FILLINGS.

**Examples:** Bagels \* Baklava \* Biscuits \* Bread \* Brownies \* Buns \* Cake \* Churros \* Coconut Macaroons \* Cookies \* Crackers \* Cupcakes \* Donuts (fried or baked) \* Empanadas (fruit only) \* Flatbreads \* Fruit, Nut, or Seed Bars \* Macarons (with approved buttercream) \* Muffins \* Pastries \* Pies (fruit only) \* Pizzelles \* Quick Breads \* Samosas (fruit only) \* Tamales (fruit only) \* Tarts \* Tortilla \* Torts \* Waffles (fried or baked) \* Waffle Cones

### 2. CANDY AND CONFECTIONS.

**Examples:** Brittles \* Candied Apples \* Candied Popcorn (balls, caramel, chocolate) \* Caramels \* Cotton Candy \* Chocolate-Covered Non-Perishables (including: marshmallows, nuts, candy, dried fruit, potato chips, or any combination) \* Edible Dessert Sprinkles (including: sanding and crystalized sugars, nonpareils, confetti, sequins, dragees, sugar-shapes, sugar-strands (jimmies), comfits, mini-chocolates, and pralines) \* Freeze-Dried Candies \* Fudge \* Ground Chocolate \* Hard Candy \* Marshmallow Bars \* Marshmallows (without eggs) \* Popcorn Balls \* Salted Caramels \* Spiced Sugar \* Toffee

### 3. EXTRACTS CONTAINING AT LEAST 70 PROOF OR 35% FOOD-GRADE FOR HUMAN CONSUMPTION ETHANOL/ALCOHOL.

Only those listed or combinations of those listed are allowed.

**Apple \* Apricot \* Blackberry \* Blueberry \* Cherry \* Chocolate \* Cinnamon \* Clove \* Cranberry \* Grapefruit \* Kiwi \* Lemon \* Lime \* Orange \* Peach \* Pear \* Pineapple \* Pomegranate \* Raspberry \* Strawberry \* Tangerine \* Vanilla \***

### 4. DRIED, DEHYDRATED, AND FREEZE-DRIED FOODS.

**Examples:** Baking Mixes \* BeanSoup Mixes \* Cereals \* Coffee (roasted or freeze-dried) \* Fruit \* Fruit Powders \* Fruit Roll-Ups \* Grain Mixes \* Granola \* Ground Chocolate \* Herbs and Herb Blends \* Hot Chocolate Mix \* Pasta \* Popcorn \* Potato Chips \* Seasoning Salt \* Spice Mix or Rubs \* Tea \* Trail Mixes \* Vegetables \* Vegetable Chips \* Vegetable Soup Mixes

**5. FROSTINGS, ICINGS, FONDANTS, AND GUM PASTES THAT DO NOT CONTAIN EGGS† , CREAM, OR CREAM CHEESE.**

**Examples:** Buttercream made with butter (traditional, vegan and chocolate) \* Chocolate Frosting with commercially manufactured Balsamic Vinegar \* Fondant (regular and chocolate) \* Flat Icing \* Gum Paste (pasteurized eggs only) \* Edible Images \* Sugar Glazes \* Vegan Gum Paste †Frostings and Icings made with meringue powder, powdered eggs, or pasteurized eggs are allowed.

**6. HONEY AND SORGHUM SYRUPS.**

Only pure; no additional ingredients are allowed.

**7. FRUIT BUTTERS, JAMS, JELLIES THAT COMPLY WITH PART 150 OF TITLE 21 OF THE CODE OF FEDERAL REGULATIONS (CFR).**

(Only those fruits listed in the CFR are allowed. Additional fruits or vegetables will not be approved).

**8. NUTS, NUT MIXES, AND NUT BUTTERS.**

**9. POWDERED DRINK MIXES MADE FROM MANUFACTURED INGREDIENTS.**

Drink mixes cannot be labeled with “protein” because the amount cannot be determined.

**10. VINEGARS AND MUSTARDS.**

**Examples:** Mustards (plain without eggs) \* Vinegars \* Fruit-Infused Vinegars (only highacid fruits such as: apple, blackberry, blueberry, cherry, crabapple, cranberry, grape, gooseberry, grapefruit, huckleberry, kumquat, lemon, lime, loganberry, nectarine, orange, peach, plum, pineapple, pomegranate, quince, raspberry, strawberry, tomatillo, youngberry)



## Labeling Requirements for Cottage Food Products

### Labels on cottage food products must contain the following information:

- (1) The common or descriptive name of the CFO food product located on the primary (principal) display panel.
- (2) The name, city, and zip code of the CFO operation which produced the cottage food product. If the CFO is not listed in a current telephone directory, then a street address must also be included on the label. (A contact phone number or email address is optional but may be helpful for contact in case a consumer wishes to contact you.)
- (3) The words **“Made in a Home Kitchen”** or **“Repackaged in a Home Kitchen”** as applicable, in 12-point type must appear on the principal display panel. \*Note: if labeled as “Repackaged in a Home Kitchen” then a description of any purchased ready-to eat products not used as an ingredient must also be included on the label.
- (4) The registration or permit number of the CFO which produced the cottage food product and the name of the county of the local enforcement agency that issued the permit number.
- (5) The ingredients of the cottage food product, in descending order of predominance by weight, if the product contains two or more ingredients.
- (6) The net quantity (count, weight, or volume) of the food product, stated in both English (pound) units and metric units (grams).
- (7) A declaration on the label in plain language if the food contains any of the major food allergens such as milk, eggs, fish, shellfish, tree nuts, wheat, peanuts, and soybeans. There are two approved methods prescribed by federal law for declaring the food sources of allergens in packaged foods:
  - a) in a separate summary statement immediately following or adjacent to the ingredient list, or
  - b) within the ingredient list.
- (8) The use of the following eleven terms are considered nutrient content claims (nutritional value of a food): free, low, reduced, fewer, high, less, more, lean, extra lean, good source, and light. The Federal Food and Drug Administration has set conditions for the use of these terms. (For details, please refer to 21 CFR Sections 101.13 and 101.54 et seq.)
- (9) A health claim is a statement or message on the label that describes the relationship between a food component and a disease or health-related condition (e.g., sodium and hypertension, calcium and osteoporosis). Health claims, if used, must conform to the requirements established in 21 CFR 101.14 and 101.70 et seq.
- (10) Nutrition Facts panels will generally not be required for CFOs. If the food label makes any nutrient content or health claims then a Nutrition Facts Panel is required to be incorporated into the label. Nutrition information must be declared in a "Nutrition Facts" statement as indicated in the example below. The categories that are required to be on the Nutrition Facts panel include: Calories, total fat, saturated fat, *trans* fat, cholesterol,

sodium, total carbohydrate, dietary fiber, sugar, protein, vitamin A, vitamin C, calcium and iron. The amount of *trans* fat must be declared on the nutrition facts panel unless the total fat in the food is less than 0.5 gram (or ½ gram) per serving and no claims are made about fat, fatty acid, or cholesterol content. If it is not listed, a footnote must be added stating the food is "Not a significant source of *trans* fat."

(11) Labels must be legible and in English (accurately translated information in another language is optional).

(12) Labels, wrappers, inks, adhesives, paper, and packaging materials that come into contact with the cottage food product by touching the product or penetrating the packaging must be food-grade (safe for food contact) and not contaminate the food.

(13) Whenever a cottage food product is served without packaging or labeling in a permitted retail food facility or is used as an ingredient in a preparation of a food in a retail food facility including restaurants, bakeries, or delis, the retail customer must be notified that the food product or the ingredient in the food was processed in a CFO home kitchen.

Example:







## COTTAGE FOOD OPERATIONS SELF-CERTIFICATION CHECKLIST

NAME OF CFO _____	DATE _____
NAME OF OWNER _____	PHONE _____
PHYSICAL ADDRESS _____	
MAILING ADDRESS _____	
EMAIL ADDRESS _____	

### **Facility Requirement:**

1. The CFO is in a private dwelling where the CFO operator currently resides.
2. All CFO food preparation will take place in the private kitchen within that dwelling.
3. Additional storage used for the CFO will be within the home.
  - a. If YES, is the room used exclusively for storage?
4. Sleeping quarters are excluded from areas for CFO food preparation or storage.
5. I have complied with the applicable zoning requirements for the CFO.

**Yes    No**


### **Employee and Training Requirements:**

1. Have all persons preparing or packaging CFO products completed the CDPH food processor course?
  - a. If YES, copies of certificates are attached.
  - b. If NO, complete course within 3 months of CFO registration
2. The CFO has no more than 1 full-time equivalent employee (immediate family or household members are not included).


### **Sanitation Requirements:**

1. Kitchen equipment and utensils used to produce CFO products are clean and maintained in a good state of repair.
2. All food contact surfaces, equipment, and utensils used for the preparation, packaging, or handling of any CFO products shall be washed, rinsed, and sanitized before each use.
3. All food preparation and food and equipment storage areas shall be maintained free of rodents and insects.


### **Food Preparation Requirements (includes packaging and handling):**

1. Handwashing is required immediately prior to handling foods and after engaging in any activity that contaminates the hands such as after using the toilet, coughing, sneezing, eating, or smoking.
2. Warm water, hand soap, and clean towels are available for hand washing.
3. All food ingredients used in the CFO products are from an approved source.
4. Potable water shall be used for hand washing, ware washing and as an ingredient.


**Yes No**

5. Is your water source a private water supply (i.e. well)?
  - a. If YES, have you completed testing for bacteria and nitrate?  
Attach test results.
6. Is your water source a public water system or community services district?
  - a. If YES, what is the name of the system or district?
7. During the preparation, packaging or handling of CFO products there will be no other domestic activities such as family meal preparation, dishwashing, clothes washing, kitchen cleaning or guest entertainment in the home kitchen.
  - a. No infants, small children, or pets will be allowed in the kitchen.
  - b. No smoking will be allowed.
8. Any person with a contagious illness shall refrain from work in the CFO.


**Labeling Requirements:**

1. All CFO products are labeled in compliance with the Federal Food, Drug and Cosmetic Act.
2. All sample labels are attached.


**Permissible Sales Requirements:**

1. CFO products will be sold via direct sales.
2. CFO products will be sold via indirect sales.
3. Gross sales of CFO products will be less than:
  - a. \$75,000 Class A operator.
  - b. \$150,000 Class B operator.


**Registration/Permit Requirements:**

1. A CFO operator with "Class A" registration agrees that they may be inspected on the basis of a consumer complaint. A charge may be assessed if the CFO is found to be out of compliance.
2. A CFO operator with "Class B" registration agrees to being inspected prior to the issuance of a permit and then annually. Additional inspections may occur on the basis of a consumer complaint. A charge may be assessed if the CFO is found to be out of compliance.
3. The CFO registration or permit is non-transferable and valid only for the person, location, type of food sales and distribution activity specified.


\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



# DEPARTMENT OF ENVIRONMENTAL HEALTH

633 WASHINGTON STREET, ROOM 36  
RED BLUFF, CA 96080  
Phone (530) 527-8020 Fax (530) 527-6617

Tia Branton, REHS  
Director

## Cottage Food Operations (CFO) Application for Registration or Permit To Operate

### BUSINESS INFORMATION

Name of CFO: \_\_\_\_\_

Name of Owner: \_\_\_\_\_

Physical Address of CFO: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone No. of Owner Contact: (\_\_\_\_) \_\_\_\_\_ Email: \_\_\_\_\_

Check if Veteran's Fee Exempt and Attach Appropriate Documentation (Copy of DD214)

### TYPE OF COTTAGE FOOD OPERATION

- Class A Cottage Food Operation**  
(Direct Sales-All CFOs shall be registered) **\$105.00**
- Class B Cottage Food Operation**  
(Indirect Sales-Additional fee required) **\$105.00 (Annual Permit Fee)**

**PERMIT FEES ARE NON-REFUNDABLE AND NON-TRANSFERABLE**

CDPH Food Processor Course completed on \_\_\_\_\_ (Provide copy of certificate)

**Also complete page 2 of this application listing menu, ingredients and sales and the Self-Certification Checklist.**

I HEREBY MAKE APPLICATION FOR A PERMIT TO OPERATE THE ABOVE FACILITY IN ACCORDANCE WITH THE STATE HEALTH LAWS AND LOCAL ORDINANCES AND REGULATIONS.

Date: \_\_\_\_\_ Signed: \_\_\_\_\_

### FOR OFFICE USE ONLY

Date Payment Received: \_\_\_\_\_ Amount: \_\_\_\_\_ Receipt No: \_\_\_\_\_ Rec'd By: \_\_\_\_\_

Date Inspected: \_\_\_\_\_ Approved By: \_\_\_\_\_

