



PLUMAS COUNTY ENVIRONMENTAL HEALTH

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Questions and Answers - California's New Homemade Food Act Also Known as the Cottage Food Operation Law

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

A Cottage Food operation or CFO is an enterprise at a private home where low-risk food products are prepared or packaged for public consumption.

3. What is meant by "private home"?



"Private home" means a dwelling, including an apartment or other leased space, where individuals reside.

4. Can a CFO have employees?

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

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

Gross sales limits gradually increase from \$45,000 or less in 2014, to \$50,000 or less in 2015 and beyond.



6. Can a CFO sell cottage food outside the county boundaries?

CFOs can only sell cottage food outside the county of residence when it is allowed by the adjacent county's local health department. Plumas County's CFOs need to contact those counties directly for their requirements and restrictions.

7. What types of food can a CFO prepare?

Only foods that are defined as "non-potentially hazardous" are approved for preparation by CFOs. These are foods that do not require refrigeration to keep them safe. The California Department of Public Health will maintain a list of these approved foods on their website and will establish a process by which new foods can be added to or removed from the list. The initial list includes:

- 1) Baked goods without cream, custard, or meat fillings, such as breads, biscuits, churros, cookies, pastries, and tortillas
- 2) Candy, such as brittle and toffee
- 3) Chocolate-covered nonperishable foods, such as nuts and dried fruit
- 4) Dried fruit
- 5) Dried pasta
- 6) Dry baking mixes
- 7) Fruit pies, fruit empanadas, and fruit tamales
- 8) Granola, cereals, and trail mixes
- 9) Herb blends and dried mole paste
- 10) Honey and sweet sorghum syrup
- 11) 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 are generally fruit products to assure that they are not potentially hazardous.)
- 12) Nut mixes and nut butters
- 13) Popcorn
- 14) Vinegar and mustard
- 15) Roasted coffee and dried tea
- 16) Waffle cones and pretzels
- 17) Seasoning Salt *NEW*



“Direct sale” means the consumer purchases the cottage food directly from the maker. Direct sales include, but are not limited to, transactions at holiday bazaars or other temporary events such as bake sales or food swaps, farm stands, certified farmers’ markets, or through community-supported agriculture subscriptions, and transactions occurring in person at the cottage food operation. This is known as a ‘Class A’ CFO.

9. What is meant by “indirect sale” of cottage food?

“Indirect sale” means the consumer purchases the cottage food from a third-party retailer such as a market, store or restaurant. In this instance, the retailer holds a valid permit issued by the local

health department, and they may or may not choose to offer cottage food sales. If they do, certain labeling and consumer notification requirements apply. This is known as 'Class B' CFO.

10. What permits or approvals are required for a CFO?

- For 'Class A' CFOs (direct sale only), **registration** with Environmental Health is required.
- For 'Class B' CFOs (direct and indirect sales), in addition to the 'Class A' registration, an **annual permit** from Environmental Health is required.
- Other activities such as door-to-door sales or sales at community events may require additional permits.
- The sale of CFO products by weight requires registration with Weights and Measures.
- The Plumas County Planning Department has opted to classify a cottage food operation as a permitted use of residential property so an additional use permit is not needed.

11. What are the CFO's operational requirements?

The CFO needs to submit a self-certification checklist to verify basic sanitation requirements are met whenever cottage foods are prepared. Additional requirements for a safe drinking water supply, especially for those CFO's utilizing a private drinking water system, also apply.



12. How often will a CFO be inspected?



- 'Class A' CFO kitchens and food storage areas are only inspected by the local health department when a consumer complaint is being investigated.
- 'Class B' CFO kitchens and food storage areas are inspected initially prior to permit issuance, and then annually thereafter, unless additional inspections are required in response to consumer complaints.



13. What are the food labeling requirements?

All cottage food needs to be identified to the customer as homemade on the label, menu, menu board or other easily accessible location. In addition, all cottage food labeling needs to be in

accordance with the Federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 343 et seq.) and must include:

- 1) "Made in Home Kitchen" in 12-point type
- 2) Name commonly used for the food product
- 3) Name of CFO which produced the food
- 4) Registration or permit number and, for Class B (indirect sale) the name of the local health agency that issued the permit
- 5) Product ingredients in descending order by weight
- 6) Product weight in standard and metric units

14. How much will the registration or permit cost the CFO?

The 'Class A' registration fee for Plumas County is \$25.00.

The 'Class B' permit fee for Plumas County is \$88.00.

In addition, there may be a state surcharge for the California Department of Public Health to fund their activities associated with CFOs.

