



COTTAGE FOOD BILL FACT SHEET

The Cottage Food Bill (AB 1616) was signed into law on September 23, 2012 and became effective on January 1, 2013. It provides individuals the opportunity to operate a small scale food business from their home.

The cottage food operation must be located within the registered or permitted area of the operator's private home where the approved food products are prepared or packaged. The food may be sold either directly from the operator at their private home or at a community event or indirectly through a retail food facility such as a market or restaurant.

The food that is prepared or packaged is limited to a specific list of non-hazardous foods and the cottage food operation is limited in size to the cottage food operator and not more than one full-time equivalent employee. The size of the cottage food operation is also limited to maximum gross annual sales of \$35,000 in 2013 and gradually increasing to gross annual sales of no more than \$50,000 by 2015.

It is important for individuals to know that, although the Cottage Food Bill allows individuals to prepare and sell approved food from their home, they must still comply with local zoning restrictions and business licenses requirements.



Registration and Permitting:

All cottage food operations must be registered or permitted by environmental health. An individual who chooses to open a cottage food operation must contact the Imperial County Environmental Health Division and complete the required application. Environmental Health staff will work with the applicant in completing other requirements based on how the operator plans to sell their food products and in complying with other provisions of the Health and Safety Code.

AB 1616 created a two-tier cottage food operator registration and permitting system:

- 1) **"Class A"** cottage food operators are those operations that sell approved foods directly to the public (at the home where the cottage food operation is located or at a community event). Class A cottage food operations will need to submit a permit application and complete a self-certification checklist that must be reviewed and approved by Environmental Health staff.

2) "**Class B**" cottage food operators are those operations that sell approved foods indirectly through restaurants and stores. A Class B permit is required even if indirect sale is only a small or infrequent part of the operation. Class B operations must submit a permit application and be inspected by Environmental Health prior to obtaining a permit.

Inspections:

The Environmental Health Division is required to inspect the food preparation and storage area of the private home of individual applying for a Class B operation prior to issuing a permit and may inspect the permitted operation annually.

Environmental Health may also inspect the food preparation and storage area of the private home of a Class A or B operator on the basis of a consumer complaint where there is reason to suspect that adulterated or otherwise unsafe food has been produced by the cottage food operation or that the cottage food operation has violated provisions of law related to cottage food operations.

Product Limitations:

Cottage food operations are not allowed to manufacture potentially hazardous foods, acidified foods, or low acid canned food products that would support the growth of botulism if not properly prepared. These foods, as well as other foods not on the approved foods list, are regulated by the California Department of Public Health.

Current California Department of Public Health Approved Food Products:

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 fruits	Dried fruit
Fruit pies, fruit empanadas, and fruit tamales	Dried pasta
Herb blends and dried mole paste	Granola, cereals, and trail mixes
Honey and sweet sorghum syrup	Nut mixes and nut butters
Jams, jellies, preserves, and fruit butter that comply with the standard described in part 150 of Title 21 of the Code of Federal Regulations	Popcorn
Vinegar and mustard	Roasted coffee and dried tea
Waffle cones and pizelles	

The California Department of Public Health (CDPH) may add to or delete food products from the approved products list. The cottage food operator is responsible for monitoring the CDPH website for changes and ensure that all food produced and sold is in compliance with the approved list and Title 21 of the Code of Federal Regulations.