

Colorado Cottage Foods Act



COLORADO
Division of Environmental
Health & Sustainability
Department of Public Health & Environment

In 2012, the Colorado Legislature enacted the Colorado Cottage Foods Act allowing limited types of food products to be sold directly to consumers without licensing or inspection. This Law has been modified over the past several years; this is what you need to know.

Requirements

Below are requirements that apply to all cottage food producers.

Allowed Foods

Foods that are nonpotentially hazardous, or in other words, do not require refrigeration for safety.

Including pickled fruits and vegetables with a finished equilibrium pH of 4.6 or below, spices, teas, dehydrated produce, nuts, seeds, honey, jams, jellies, preserves, fruit butter, flour, and baked goods, including candies, fruit empanadas, tortillas and other similar products that do not require refrigeration for safety. Up to 250 dozen whole eggs per month may also be sold.

For information regarding poultry, contact the Colorado Department of Agriculture:
www.colorado.gov/agmain

Not Allowed Foods

- ⊘ Those that are not shelf stable or are considered potentially hazardous and require refrigeration for safety.
- ⊘ Pickled fruits and vegetables with a finished equilibrium pH higher than 4.6.
- ⊘ Animal products such as fish, meat, dairy products and pickled eggs.
- ⊘ Other products such as lemon curd, pesto, sauces, salsa, dressings and condiments.
- ⊘ Beverages including juice and kombucha.

Revenue

Producers can earn net revenues of up to \$10,000 per calendar year from each eligible food product.

Labeling

Package and label your product with the following:

- ✓ Identification of the food;
- ✓ The producer's name, address where the food was produced;
- ✓ The producer's current phone number or email address;
- ✓ The date the food was produced;
- ✓ A complete list of ingredients; and
- ✓ The following disclaimer:
"This product was produced in a home kitchen that is not subject to state licensure or inspection and that may also process common food allergens such as tree nuts, peanuts, eggs, soy, wheat, milk, fish and crustacean shellfish. This product is not intended for resale."

Training

Complete a basic food handling course provided by or comparable to training offered by Colorado State University Extension or a state or local public health department. Ensure the requirements of the course are met, including any additional classes.

For additional information visit:
cofarmtomarket.com

Selling Cottage Foods

- ✓ Delivered directly from a producer to an informed end consumer and cannot be resold.
- ✓ Cannot be sold to restaurants or grocery stores.
- ✓ Sold only in Colorado and not across state lines.
- ✓ At the point of sale, conspicuously display a placard, sign or card with the following disclaimer:
"This product was produced in a home kitchen that is not subject to state licensure or inspection. This product is not intended for resale."

Best Practices

All customers expect a safe high quality product and good sanitation.
Below are best practices to meet customer expectations.

Standardized Recipes

Assure safe pickled fruit and vegetable products and preserves by using recipes from reputable sources such as:

- The Colorado State University Extension
- The National Center for Home Food Preservation website
- The Ball Blue Book*
- The Ball Complete Book of Home Preserving* or
- Recipes reviewed by a process authority.

*Available in bookstores and online.

Record Keeping

Keeping production records is a valuable business practice and should include the following:

- Name of the product
- Recipe, including procedures and ingredients
- Amount prepared and sold
- Date of preparation
- Date and location of sale
- Gross sales receipts
- pH test results



Definitions

Informed end consumer A person who is the last person to purchase any product, who does not resell the product, and who has been informed that the product is not licensed, regulated or inspected.

Nonpotentially hazardous Foods that do not require refrigeration to maintain food safety.

Pickled Fruits and vegetables that have been preserved in vinegar, brine or similar solution resulting in a finished product equilibrium pH of 4.6 or lower.

Producer A person, or their designee, who prepares nonpotentially hazardous foods in a home kitchen or similar venue for sale directly to consumer.

A producer may only be a resident of Colorado or an LLC formed in Colorado, consisting of two or fewer members who are both residents of Colorado.

Sanitation

- Clean work surfaces with soap and water, rinse, and then sanitize them.
- Sanitizer can be made by mixing 1/8 teaspoon unscented, regular bleach (8.25%) with 16 ounces of water.
- Wash your hands often.
- Never prepare food while sick.
- Keep pets out of food production areas.
- Consider testing private water supplies at least once a year.



Testing pH

The pH of your finished pickled fruits and vegetables must be 4.6 or below.

• Test the first batch of each recipe during the production season. You can do this yourself or through a certified food laboratory.

• Review information about pH and the use and calibration of a pH meter here:

www.foodsafety.wisc.edu



Tip:
Cottage food producers are encouraged to maintain adequate liability insurance.