

Registration and Permit Requirements for “Class A” and “Class B” Cottage Food Operations:

General Requirements

All cottage food operations must be registered or permitted by the local environmental health agency before starting business. The issued registration or permit is non-transferable and is only valid for the person, location, type of food sales, and distribution activity specified by the issued registration or permit.

A cottage food operation is operated by a cottage food operator and has not more than one full-time equivalent cottage food employee, which does not include a family member or household member of the cottage food operator. A cottage food operation is located within the registered or permitted area of a private home where the cottage food operator resides and where cottage food products are prepared or packaged for direct, indirect, or both direct and indirect sale to consumers.

A cottage food operator must meet the following requirements:

- Meet the registration or permitting requirements for either “Class A” or “Class B” cottage food operations.
- Complete the food processor training course for cottage food operators.
- Prepare only foods on the approved cottage food product list.
- Meet the food preparation and sanitation requirements for cottage food operations.
- Label cottage food products in accordance with state and federal regulations.
- Not exceed the gross annual sales amount.

Cottage food operations may only prepare for sale foods that are listed on the approved food list for cottage food operations. The list of categories of approved foods for cottage food operations are posted on the California Department of Public Health (CDPH) website, which will be updated as necessary.

Cottage food operations may not exceed the gross annual sales amounts specified in California Health and Safety Code Section 113758(a).

- In 2013, the operation shall not have more than thirty-five thousand dollars (\$35,000) in gross annual sales in the calendar year.
- In 2014, the operation shall not have more than forty-five thousand dollars (\$45,000) in gross annual sales in the calendar year.
- Commencing in 2015 and each subsequent year thereafter, the operation shall not have more than fifty thousand dollars (\$50,000) in gross annual sales in the calendar year.

“Class A” Cottage Food Operations:

“Class A” cottage food operations may engage only in direct sales of cottage food products. A direct sale means a transaction between a cottage food operator and a consumer, where

the consumer purchases the cottage food product directly from the cottage food operation within the state. Direct sales include, but are not limited to, transactions at holiday bazaars or other temporary events, such as bake sales or food swaps, at farm stands, at certified farmers' markets, or through community-supported agriculture subscriptions, and also occurring in person at the cottage food operation location.

Before opening for business, a "Class A" cottage food operation must become registered by the local environmental health agency and renew their registration annually. Additionally, a self-certification check list must be submitted as part of the registration process. The self-certification check list will demonstrate that the cottage food operation conforms to the statutory requirements for Cottage Food Operations as set forth in California Health and Safety Code 114365 et seq., which includes the following requirements:

- (a) No cottage food preparation, packaging, or handling may occur in the home kitchen concurrent with any other domestic activities, such as family meal preparation, dishwashing, clothes washing or ironing, kitchen cleaning, or guest entertainment.
- (b) No infants, small children, or pets may be in the home kitchen during the preparation, packaging, or handling of any cottage food products.
- (c) Kitchen equipment and utensils used to produce cottage food products shall be clean and maintained in a good state of repair.
- (d) All food contact surfaces, equipment, and utensils used for the preparation, packaging, or handling of any cottage food products shall be washed, rinsed, and sanitized before each use.
- (e) All food preparation and food and equipment storage areas shall be maintained free of rodents and insects.
- (f) Smoking shall be prohibited in the portion of a private home used for the preparation, packaging, storage, or handling of cottage food products and related ingredients or equipment, or both, while cottage food products are being prepared, packaged, stored, or handled.

"Class A" Cottage Food Operations must also comply with the provisions set forth under California Health and Safety Code 114365.2, which specifies mandatory compliance with Sections 113953.3, 113967, 113973, 113980, 114259.5, 114285, 114286, 114405, 114407, 114409, 114411 and 114413.

Additionally, operators must ensure that:

- (a) A person with a contagious illness refrains from working in the registered area of the cottage food operation.
- (b) A person involved in the preparation or packaging of cottage food products shall keep his or her hands and exposed portions of his or her arms clean and shall wash his or her hands before any food preparation or packaging activity in a cottage food operation.
- (c) Water used during the preparation of cottage food products shall meet the potable drinking water standards described in Section 113869, or in accordance with the local regulatory authority, except that a cottage food operation shall not be required to have an

indirect sewer connection. Water used during the preparation of cottage food products includes all of the following:

- (1) The washing, sanitizing, and drying of any equipment used in the preparation of a cottage food product.
 - (2) The washing, sanitizing, and drying of hands and arms.
 - (3) Water used as an ingredient.
- (d) A person who prepares or packages cottage food products shall complete a food processor course approved by the CDPH to protect the public health within three months of becoming registered and every three years during operation. The course shall not exceed four hours in length. CDPH shall work with the local enforcement agency to ensure that cottage food operators are properly notified of the location, date, and time of the classes offered.
- (e) A cottage food operation shall properly label all cottage food products in compliance with the Federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 343 et seq.) in addition to state specific labeling requirements.

Please contact your local environmental health agency to obtain more information

“Class B” Cottage Food Operations:

“Class B” cottage food operations may engage in both direct sales and indirect sales of cottage food products from the cottage food operation, from offsite events, or from a third-party retail food facility such as restaurants and markets within the jurisdiction of their local environmental health agency. “Class B” operations may also engage in indirect sales in counties outside their home permitted county, if the Environmental Health Director in that outside local environmental health agency jurisdiction permits the operator to conduct indirect sales within their jurisdiction.

After an initial inspection and before a “Class B” cottage food operation opens for business, they must first obtain a permit from the local environmental health agency to engage in the indirect, or direct and indirect, sale of cottage food products.

“Class B” operations must conform with the statutory requirements for Cottage Food Operations as set forth in California Health and Safety Code 114365 et seq., which includes the following requirements:

- (a) No cottage food preparation, packaging, or handling may occur in the home kitchen concurrent with any other domestic activities, such as family meal preparation, dishwashing, clothes washing or ironing, kitchen cleaning, or guest entertainment.
- (b) No infants, small children, or pets may be in the home kitchen during the preparation, packaging, or handling of any cottage food products.
- (c) Kitchen equipment and utensils used to produce cottage food products shall be clean and maintained in a good state of repair.

- (d) All food contact surfaces, equipment, and utensils used for the preparation, packaging, or handling of any cottage food products shall be washed, rinsed, and sanitized before each use.
- (e) All food preparation and food and equipment storage areas shall be maintained free of rodents and insects.
- (f) Smoking shall be prohibited in the portion of a private home used for the preparation, packaging, storage, or handling of cottage food products and related ingredients or equipment, or both, while cottage food products are being prepared, packaged, stored, or handled.

“Class B” Cottage Food Operations must also comply with the provisions set forth under California Health and Safety Code 114365.2, which specifies mandatory compliance with Sections 113953.3, 113967, 113973, 113980, 114259.5, 114285, 114286, 114405, 114407, 114409, 114411 and 114413.

Additionally, operators must ensure that:

- (a) A person with a contagious illness refrains from preparing or packaging cottage food products in the permitted area of the cottage food operation.
- (b) A person involved in the preparation or packaging of cottage food products shall keep his or her hands and exposed portions of his or her arms clean and shall wash his or her hands before any food preparation or packaging activity in a cottage food operation.
- (c) Water used during the preparation of cottage food products shall meet the potable drinking water standards described in Section 113869, except that a cottage food operation shall not be required to have an indirect sewer connection. Water used during the preparation of cottage food products includes all of the following:
 - (1) The washing, sanitizing, and drying of any equipment used in the preparation of a cottage food product.
 - (2) The washing, sanitizing, and drying of hands and arms.
 - (3) Water used as an ingredient.
- (d) A person who prepares or packages cottage food products shall complete a food processor course approved by CDPH to protect the public health within three months of becoming registered and every three years during operation. The course shall not exceed four hours in length. CDPH shall work with the local enforcement agency to ensure that cottage food operators are properly notified of the location, date, and time of the classes offered.
- (e) A cottage food operation shall properly label all cottage food products in compliance with the Federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 343 et seq.) in addition to state specific labeling requirements.

Please contact your local environmental health agency to obtain more information