

Can I Prepare Food at Home?

Assembly Bill 1616 (Food Safety: Cottage Food Operations) was signed into California law with an effective date of **January 1, 2013**. This law establishes requirements for limited food preparation and distribution of low-risk food products from a business located at a private home otherwise known as a Cottage Food Operation (CFO). Revenue and employee limitations apply.

What is meant by “private home?”

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



Is a CFO operator required to obtain a health permit?

Yes, all CFOs are required to obtain either a valid health permit or a registration from the Division of Environmental Health Services (DEHS), depending on the type of cottage food operation. Additional permits may be required if the cottage foods are sold elsewhere other than the private home.

What type of health permit or registration do I need?

A health permit is required for both classes. Furthermore, health permits are non-transferable and must be renewed annually. There are two types of health permits for CFOs:

1. “Class A” registration is required for “Direct Sales” between a CFO operator and a consumer. The operator must complete and submit a self-certification checklist as required by DEHS. The current fee for a “Class A” health permit is \$184.00.
2. “Class B” health permit is required for “Direct Sales” and “Indirect sales” where the the cottage food operator sells cottage food products at a permitted third-party retailer. The current fee for a “Class B” health permit is \$251.00.

Will I be inspected by the Health Department?

“Class A” CFOs, have no initial or routine health inspections.

“Class B” CFOs, an initial inspection will be conducted by DEHS, followed by routine inspections conducted annually.

All CFOs will be inspected on the basis of a consumer complaint or if DEHS has reason to suspect that adulterated or otherwise unsafe food has been produced by the CFO.

Will I be permitted to sell online?

CFOs may advertise cottage food products online. However, all transactions conducted online **must** result in delivery in person *only* to the customers.

What types of foods can be prepared in a CFO?

Only “non-potentially hazardous” foods are approved for preparation in a CFO. These foods do not support the rapid growth of bacteria while held at room temperature. A few examples include:

- Baked goods without cream, custard, or meat fillings, such as bread, biscuits, churros, cookies, pastries, and tortillas
- Candy, such as brittle and toffee Honey and sweet sorghum syrup
- Jams, jellies, preserves, and fruit butter
- Nut mixes and nut butters

Where can I sell my food besides my home residence?

With an additional temporary food facility (TFF) health permit, foods may be sold at approved temporary events or certified farmers’ markets (TFF regulations will apply).

“Class B” CFO may also sell cottage food products at a permitted third party retailer.

What are the requirements for labeling the food?

Food that is prepared or packaged at a CFO must be labeled with the following below:

- 1.The words “Made in a Home Kitchen” or "Repackaged in a Home Kitchen" in 12-point type
- 2.The name commonly used for the food product or an adequately descriptive name
- 3.The business name of the CFO which produced the cottage food product
- 4.The registration or permit number of the “Class A” or “Class B” CFO, respectively, which produced the cottage food product.
- 5.Name of the county issuing the registration and health permit.
- 6.Ingredients (must include sub-ingredients), in predominance of weight.
- 7.Contains any of the 9 Food Allergens, such as, milk, eggs, tree nuts, wheat, peanuts, soybeans, etc.
- 8.Net Weight
- 9.Address of where the cottage food operation takes place.

For additional information on Cottage Food Operations including a full list of approved food items visit:

<https://www.cdph.ca.gov/Programs/CEH/DFDCS/Pages/FDBPPrograms/FoodSafetyProgram/CottageFoodOperations.aspx>

