

WHAT ARE COTTAGE FOODS?



COLORADO

Division of Environmental Health & Sustainability

Department of Public Health & Environment

Cottage foods are limited types of homemade food products that can be sold directly to informed consumers without licensing or inspections.

Frequently asked questions regarding these foods are answered below.

ELIGIBLE FOODS

Food products that are eligible to be prepared and sold following the requirements of the Colorado Cottage Foods Act include 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, baked goods, including candies, fruit empanadas, tortillas, and other foods that do not require refrigeration to maintain product safety.

NOT ELIGIBLE

Examples of food products that are not eligible include:

- Baked goods such as cream pies and pastries that contain cream cheese or custard and frostings such as buttercream that require refrigeration for safety.
- Beverages, salsa, hot sauce, or other condiments such as ketchup, salad dressing, and infused oils.
- Products containing meats, poultry* or fish, including candied bacon.
- Cut fruit and or vegetables. Fruit purees. Jams, jellies, preserves, or fruit butters made with alcohol or fresh peppers.

*Poultry is not eligible to be sold under the Act. There are laws that do allow a producer to raise, process, and sell whole poultry to consumers. Contact the [Colorado Department of Agriculture, Inspection & Consumer Services Division](#).

STARTING A BUSINESS

What steps do I need to take to start preparing and selling cottage foods?

- 1) Review the Colorado Cottage Foods Act
- 2) Complete a food safety course
- 3) Contact your local city and county offices to inquire about any required business licenses

TRAINING

What type of food safety training is required?

Completing one of following options satisfies the requirement:

- 1) Completing Food Safety Training for Cottage Food Producers offered by Colorado State University Extension

Visit: www.foodsmartcolorado.colostate.edu

- 2) Obtaining a Colorado Food Handlers Card

Visit: www.statefoodsafety.com

- 3) Completing a food safety course offered by your local public health agency

Visit: www.colorado.gov/cdphe/find-your-local-public-health-agency

EGGS

What types of shell eggs can be sold?

Chicken, quail, duck, and turkey eggs. If a producer sells more than 250 dozen shell eggs per month, specific licensing and registration requirements apply.

For chicken egg sales beyond these limits contact the Colorado Department of Agriculture at 303-477-0076.

For all other types of shells eggs contact the Colorado Department of Public Health and Environment, Manufactured Food Program at 303-692-3645, option 2.

How should eggs be stored?

Eggs should be maintained at 41 °F or below and stored in new, clean, unused egg cartons.

What information is required on egg cartons?

The address at which the eggs originated;

The packaging date;

Any eggs not treated for salmonella must also include the following statement:

“Safe Handling Instructions: To prevent illness from bacteria, keep eggs refrigerated, cook eggs until yolks are firm, and cook any foods containing eggs thoroughly. These eggs do not come from a government-approved source.”

Additional information can be found at:

www.colorado.gov/aginspection/egg-producers

PACKAGING AND LABELING

Do cottage foods have to be packaged and labeled?

Yes. All cottage foods must be packaged and labeled with specific information including an exact disclaimer prior to selling them directly to the informed end consumer.

Can cottage foods be labeled as "Organic"?

Cottage foods labeled as "organic" have to be certified by a United States Department of Agriculture-National Organic Program accredited certification agency. A producer may list an ingredient as "organic" without obtaining certification as long as the term "organic" is not on the primary label.

Contact the [Colorado Department of Agriculture, Plants Division](#).

FREQUENTLY ASKED QUESTIONS



Can cottage foods be labeled as "allergen-free"?

No. All cottage food products must be labeled with a disclaimer stating they were produced in a home kitchen without regulatory oversight and may also contain common allergens.

SELLING COTTAGE FOODS

Is there a limit on the sales I can earn?

Yes, there is a \$10,000 net revenue limit on each product or type of product you produce (e.g. blueberry muffin, banana muffin, chocolate chip muffin).

Where can cottage foods be sold?

Food products produced under the Cottage Foods Act can only be sold in Colorado. Interstate commerce is prohibited.

Can a producer sell their cottage food products at multiple locations and events even if they occur on the same day and at the same time?

Yes. A producer or their designated representative can sell and deliver the product directly to an informed end consumer.

Can cottage foods be sold out of a store front or via consignment?

Cottage foods must be sold from a producer or their designated representative directly to an informed end consumer. The store and its employees would need to function as the designated representative. Selling cottage foods to and from retail food establishments or food manufacturers is prohibited.

Can Cottage Foods be sold on the internet?

Yes, internet sales are allowed. The mechanism of direct product delivery can be determined between the producer and the informed end consumer as long as it does not involve interstate commerce.

INGREDIENTS

Can pumpkin, sweet potato, and zucchini be used as ingredients for baked goods?

Yes. Pumpkin, sweet potato, and zucchini breads can be sold under the Act. Pumpkin or sweet potato pies cannot be sold under the Act because they require refrigeration to maintain product safety.

Is flour considered a raw agricultural commodity?

No. The grain used to make the flour would be considered a raw agricultural product.

Can hemp seeds be used as an ingredient in baked goods?

Hemp seeds and oil from hemp seeds from an approved industrial hemp manufacturer can be used. However, the use of all other parts of the hemp plant including oil produced from the flower or other parts of the plant other than the seed is prohibited.

Can whole fresh peppers be used to make pepper jelly?

No. Whole fresh peppers cannot be used to make fruit preserves, jam, or jelly however dried spices such as cayenne pepper, paprika, black pepper etc. are allowed to be used to make these products.

Can raw agricultural commodities such as honey, vegetables, and fruits from a local farmer or bee keeper be used to prepare cottage foods?

Yes. Sourcing ingredients locally, such as fruits, vegetables and unprocessed honey aligns with the intent of the Act to support Colorado's agricultural economy.

Can I add liquor/alcohol to flavor my baked goods, confections and candies?

Yes, as long as they do not contain more than 5% alcohol by weight. The addition of liquor/alcohol should be included in the ingredients list on the product label. Exceeding this limit would render the product ineligible to be sold under the Cottage Foods Act and subject it to the liquor laws and regulations enforced by the [Colorado Department of Revenue](#).

BEST PRACTICES

Where can I find standardized recipes for pickled fruits and vegetables?

- The [Colorado State University Extension](#) website
 - The [National Center for Home Food Preservation](#) website
 - The Ball Blue Book*
 - The Ball Complete Book of Home Preserving*
 - The All New Ball Book of Canning and Preserving*
 - Recipes reviewed by a process authority
- *Available in bookstores and online

SANITATION

How should I clean my work surfaces?

Clean work surfaces with soap and water, rinse them with plain water, and then spray or wipe them down with a sanitizer. A sanitizer solution can be made by mixing 1/8 teaspoon unscented, regular bleach (5.25%) with 16 ounces of water.

My home has a private water system, can I prepare cottage foods there?

Yes. Consider testing private water supplies at least once a year.

Visit: www.colorado.gov/cdphe/lab/generalinfo

If I'm ill, can I prepare food?

Never prepare food while sick. Continue when you are feeling better and symptom free for at least 24 hours. Wash your hands often and never handle ready-to-eat food with your bare hands.