



# City of San Marcos

## Cottage Food Production Operation

A local government authority, including the local health department may not regulate nor permit the production of food at a cottage food production operation (CFPO). A CFPO may sell products at a farmers' market and shall be in compliance with regulations required by law regarding a CFPO. Any individuals operating a CFPO must have successfully obtained a food handler certification.

You may sell the following homemade food items under CFPO:

- Baked goods that do not require refrigeration, such as cakes, cookies, breads, and pastries.
  - Candy
  - Coated and uncoated nuts
  - Unroasted nut butters
  - Fruit butters
  - Canned jams and jellies
  - Fruit pies
  - Dehydrated fruits and vegetables including dried beans
  - Popcorn and popcorn snacks
  - Cereal, including granola
  - Dry mixes
  - Vinegar
  - Pickles
  - Mustard
  - Roasted coffee or dry tea
  - Dried herbs or herb mixes
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- ❖ Food produced by a CFPO may not be sold via internet, wholesale, or by mail order.
  - ❖ An annual income of \$50,000 dollars or less is required by law from described foods under CFPO.
  - ❖ CFPO may not provide potentially hazardous food to customers. Potentially hazardous foods are foods that require time and temperature for safety and to control/limit pathogen growth.
  - ❖ All food produced by a CFPO must be labeled and packaged in a way to prevent contamination.

Label must include:

- ❖ The name and address of the cottage food production operation;
- ❖ The common or usual name of the product, if a food is made with a major food allergen, such as eggs, nuts, soy, peanuts, milk or wheat that ingredient must be listed on the label;
- ❖ A statement: "This food is made in a home kitchen and is not inspected by the Department of State Health Services or a local health department."
- ❖ The labels must be legible.