

Colorado Cottage Foods Producer Checklist

How to Use

The Colorado Cottage Foods Producer Checklist

If you are a cottage food producer: Use this checklist to make sure that your product(s) and business fall under those permitted by the 2012 Cottage Foods Act. You may access this Act at http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/F8EA74C8447BB62387257981007DD1AD?open&file=048_enr.pdf. Some wording in the Act was amended on April 4, 2013, which you may access at http://www.leg.state.co.us/clics/clics2013a/csl.nsf/fsbillcont3/94472D259F284A1B87257AEF005D63F9?open&file=1158_enr.pdf. This checklist will also help you organize the materials needed to sell your product(s) at farmers' markets in Colorado, as well as from your home, roadside stand or CSA. Remember the Cottage Foods Act is meant to encourage small-scale, direct-to-consumer sales. Therefore, net sales of any one product are limited to \$5,000 per calendar year.

For information on starting your food business, consult the Colorado Business Express at <https://www.colorado.gov/apps/jboss/cbe//start-business.xhtml>. You are responsible for informing yourself about and paying all applicable federal, state and local taxes and registration fees related to operating your cottage food business in Colorado.

If you are a farmers' market manager: This checklist was developed to be distributed to potential cottage food vendors. The completed application/checklist can serve as a way to collect pertinent information from all vendors who wish to sell cottage foods in your market. Keep all application information for at least 5 years so that you can track vendor training, insurance status, and general adherence to the Colorado Cottage Foods Act.

If you are a food handler training instructor: Providing this checklist to your participants can help them understand that training is one of several key components necessary to produce cottage foods in Colorado. Following this checklist will help them avoid delays in starting their business or interruption in business operation due to lack of adherence with the Colorado Cottage Foods Act.

Check for up-to-date information: Refer to www.cofarmtomarket.com/value-added-products/cottage-foods/ for the latest guidance on producing and selling cottage foods in Colorado, as well as other marketing and food safety information.

Colorado Cottage Foods Producer Checklist

Name _____ Date _____

Address _____

(Note: You must be a Colorado resident producing your product in your primary residence in Colorado to qualify.)

1. Products. What food products are you interested in selling?

| Please check √ | Cottage Foods allowed | Please specify types you intend to sell: (use additional paper if more space is needed) |
|-------------------|---|--|
| | Spices | |
| | Teas | |
| | Dehydrated produce | |
| | Nuts | |
| | Seeds (including roasted coffee beans) | |
| | Honey | |
| | Jams, jellies, preserves (except jalapenos) | |
| | Fruit butters (except pumpkin) | |
| | Candies | |
| | Allowed baked goods (including dry cake mixes and granola bars) | |

The following list contains examples of food products that are NOT allowed under Colorado’s Cottage Foods Act, and therefore must be processed in a commercial kitchen:

- Fresh or dried meat or meat products including jerky,
- Fish and shellfish products,
- Milk and dairy products including hard or soft cheeses and yogurt,
- Canned fruits, vegetables, flavored oils, salsas, sauerkraut, etc.,
- Barbecue sauces, ketchups or mustards,
- Canned pickled products (corn relish and pickles),
- Baked goods such as cream, custard or meringue pies and cakes or pastries with cream cheese icing or fillings,
- Focaccia-style breads with vegetables or cheeses,
- Raw seed sprouts,
- Cut fresh fruits and vegetables or juices made from fresh fruits or vegetables,
- Ice and ice products,
- Fresh homemade pasta,
- Sourdough bread starter.

Colorado Cottage Foods Producer Checklist

2. Training.

Have you received food safety training? Yes _____ No _____

Name of food safety training program _____

Provider of food safety training: _____

Effective dates: from _____ month/year to _____ month/year.

You must take a food safety course that includes basic food handling training, and is given by CSU Extension, or your state, county or district public health agency. Please provide a photocopy of your training certificate. Note that if the training you take requires recertification or maintenance courses, you are responsible for completing that follow-up education in a timely manner so your training remains current. Some training courses are listed at: <http://cofarmtomarket.com/value-added-products/cottage-foods/>.

3. Insurance.

Type/Name of product liability insurance: _____

You are encouraged (and may be required by the site where you sell your products) to obtain insurance to cover the specific products you propose to sell (produced in the home, not in a commercial kitchen). The Colorado Farmers Market Association insurance program offers member markets **liability insurance only**. It covers bodily injury and property damage to a third party (such as customers, vendors, and property owners) for which the market is negligent. Markets are covered for product liability only for products sold or given away by the market itself. The policy does not cover individual vendors – it is the responsibility of each vendor to obtain his/her own property and liability insurance.

4. Labeling.

Your product labels must include the following.

_____ The identification of the cottage food product

_____ Your name and the address at which the cottage food was produced

_____ Your current phone number or email address

_____ The date on which the food was produced

_____ A complete list of ingredients

_____ The following statement: "This product was produced in a home kitchen that is not subject to state licensure or inspection and that may also contain common food allergens such as tree nuts, peanuts, eggs, soy, wheat, milk, fish and crustacean shellfish. This product is not intended for resale."

Note that the Cottage Foods Act specifically states that the label MUST include the above-listed information. Please attach a sample of YOUR label to this form.

If you have any questions regarding the production of a particular cottage food product please contact your local public health agency or the Division of Environmental Health and Sustainability at 303-692-3645. A listing of local public health agencies by county can be found at: <http://www.colorado.gov/cs/Satellite/CDPHE-Main/CBON/1251588365684>.

The Colorado Department of Agriculture and Colorado State University are posting market- and business-related information on the Cottage Foods Act to: <http://cofarmtomarket.com/value-added-products/cottage-foods/>. Please check often for updates and new information. Please refer your vendors to this website also.