



COTTAGE FOOD OPERATION APPLICATION GUIDE

SISKIYOU COUNTY ENVIRONMENTAL HEALTH DIVISION
806 South Main Street, Yreka CA 96097
Phone: (530) 841-2100 / Fax: (530) 841-4076

COTTAGE FOOD OPERATION APPLICATION REQUIREMENTS

In order to assure your application is processed expeditiously, we ask for your cooperation in the following items:

1. **Self Certification Checklist.** The self certification checklist must be properly filled out and signed by all applicant(s) and property owner(s).
2. **Water and Sewer Clearance.** All applications submitted for operations that are **not** on a municipal water and sewer system require a signed verification statement from the Environmental Health Division that sewer capabilities and the water supply for the proposed cottage food operation are sufficient to meet State and County requirements. If the CFO will be served by a private water system, a CFO Water System permit will be necessary as part of the Water and Sewer Clearance. The "Cal Code Food Facility/Cottage Food Operation Water System Permit Application" must be submitted with the self-certification checklist.
3. **Business License.** Issuance of a business license from the County Treasurer-Tax Collector or the local City Authority is required prior to operation. Business licenses are to be renewed annually.
4. **Additional Information.** As the applicant, you may be asked to provide more detailed information on the project as part of the application requirements. You are responsible for providing sufficient information to the County to allow proper review of your application. If you are unable or unwilling to supply adequate information, your application will, of necessity, be denied.
5. All applications materials are available on our website at <http://www.co.siskiyou.ca.us/page/environmental-health-division>. All information must be TYPED or PRINTED NEATLY in black ink.

Please note that the staff has been instructed NOT TO ACCEPT incomplete applications. If you are unable to provide requested information, please speak with staff to determine a proper course of action.

Acceptance of your application by the Community Development Department does not guarantee your application will be approved.

COTTAGE FOOD OPERATION FREQUENTLY ASKED QUESTIONS

WHAT IS A COTTAGE FOOD OPERATION (CFO)?

A CFO is an enterprise at a private home where low-risk food products are prepared or packaged for public consumption.

WHAT IS MEANT BY “PRIVATE HOME?”

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

WHAT ZONING DISTRICTS PERMIT CFOs?

A CFO may be established in any dwelling regardless of zoning provided the CFO complies with all applicable state laws.

WHAT ARE THE DIFFERENT TYPES OF CFOs?

- (1) “Class A” CFOs are only allowed to engage in “direct sale” of cottage food products.
- (2) “Class B” CFOs may engage in both “direct sale” and “indirect sale” of cottage food products.

WHAT IS MEANT BY “DIRECT SALE” OF COTTAGE FOOD?

“Direct sale” means a transaction between a CFO operator and a consumer, where the consumer purchases the cottage food product directly from the CFO. Direct sales include, but are not limited to, transactions at holiday bazaars or other temporary events, such as bake sales or food swaps, transactions at farm stands, certified farmers’ markets, or through community supported agriculture subscriptions, and transactions occurring in person in the CFO.

WHAT IS MEANT BY “INDIRECT SALE” OF COTTAGE FOOD?

“Indirect sale” means an interaction between a CFO, a third-party retailer, and a consumer, where the consumer purchases cottage food products made by the CFO from a third-party retailer that holds a valid permit issued by the local health department in their jurisdiction. Indirect sales include, but are not limited to, sales made to retail shops or to retail food facilities where food may be immediately consumed on the premises.

CAN A CFO SELL COTTAGE FOOD OUTSIDE THE COUNTY OF RESIDENCE?

CFOs can only sell cottage food outside the county of residence when the local health department of the outside county allows it.

WHAT TYPES OF COTTAGE FOOD CAN A CFO PREPARE?

Only foods that are defined as “non-potentially hazardous” by the State are approved for preparation by CFOs. These are foods that do not require refrigeration to keep them safe from bacterial growth that could make people sick. The California Department of Public Health maintains a list of these approved foods on their website. The list currently includes:

- (1) Baked goods without cream, custard, or meat fillings, such as breads, biscuits, churros, cookies, pastries, and tortillas;
- (2) Candy, such as brittle and toffee;
- (3) Chocolate-covered nonperishable foods, such as nuts and dried fruit;
- (4) Dried fruit;
- (5) Dried pasta;
- (6) Dry baking mixes;
- (7) Fruit pies, fruit empanadas, and fruit tamales;
- (8) Granola, cereals, and trail mixes;
- (9) Herb blends and dried mole paste;
- (10) Honey and sweet sorghum syrup;
- (11) Jams, jellies, preserves, and fruit butter that comply with the standard described in Part 150 of Title 21 of the Code of Federal Regulations;
- (12) Nut mixes and nut butters;
- (13) Popcorn;
- (14) Vinegar and mustard;
- (15) Roasted coffee and dried tea; and
- (16) Waffle cones and pizelles;
- (17) Cotton candy;
- (18) Candied apples;
- (19) Confections such as salted caramel, fudge, marshmallow bars, chocolate covered marshmallow, nuts, and hard candy, or any combination thereof;
- (20) Buttercream frosting, buttercream icing, buttercream fondant, and gum paste that do not contain eggs, cream, or cream cheese;
- (21) Dried or Dehydrated vegetables;
- (22) Dried vegetarian-based soup mixes;
- (23) Vegetable and potato chips;
- (24) Ground chocolate;
- (25) Seasoning salt;
- (26) Flat icing.

WHAT ARE THE CFO'S OPERATIONAL REQUIREMENTS?

- (1) Prior to permit issuance, all CFOs must submit a self-certification checklist to verify the following criteria are met:
 - (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.
- (2) Person with contagious disease must refrain from work.
- (3) Hands and exposed portions of arms of food workers must be kept clean and washed before any food preparation or packaging.
- (4) Water used in food preparation activities must be "potable" as defined by Health and Safety Code § 113869. This includes:
 - (a) Wash, rinsing, and sanitizing equipment used in food preparation;
 - (b) Washing and sanitizing hands and arms; and
 - (c) Water used in ingredients of food.
- (5) All persons who prepare or package cottage food products must complete a food processor course instructed by the California Department of Public Health within three (3) months of becoming permitted.
- (6) No employee shall commit any act that may cause the contamination or adulteration of food, food-contact surfaces, or utensils.
- (7) Gloves shall be worn when contacting food and food-contact surfaces if the cottage food operator has any cuts, sores, rashes, artificial nails, nail polish, rings (other than a plain ring, such as a wedding band), uncleanable orthopedic support devices, or fingernails that are not clean, smooth, or neatly trimmed. (Please refer to Health & Safety Code Section 113973 for the full text of the law.

- (8) All food shall be manufactured, produced, prepared, compounded, packed, stored, transported, kept for sale, and served so as to be pure and free from adulteration and spoilage; shall have been obtained from approved sources; shall be protected from dirt, vermin, unnecessary handling, droplet contamination, overhead leakage, or other environmental sources of contamination; shall otherwise be fully fit for human consumption; and shall conform to the applicable provisions of the Sherman Food, Drug, and Cosmetic Law.

For a more complete understanding of the regulations by which CFOs must operate, please familiarize yourself with Health and Safety Code Sections 109947, 110050, 110460, 111955, 113758, 113789, 113851, 113953.3, 113967, 113973, 113980, 114021, 114023, 114088, 114365, 114365.2., 114365.5., 114365.6., 114390, 114405, 114409, 114259.5, 114285, 114286, 114405, 114407, 114409, 114411, and 114413. This information is located at: <http://www.leginfo.ca.gov/calaw.html>.

HOW DO I KNOW IF MY WATER IS POTABLE?

If the CFO is served by a public water system, the water has already been tested by the local water agency and determined to be potable. If the CFO is not served by a public water system, the system will require a CFO Water System Permit from the Community Development Department as part of the Water and Sewer Clearance. Please contact the Environmental Health Division regarding a CFO Water System Permit if necessary.

HOW OFTEN ARE CFOs INSPECTED?

“Class A” CFO food preparation and storage areas are only inspected when a consumer complaint is being investigated.

“Class B” CFO food preparation and storage areas are inspected prior to permit issuance (permits are issued on an annual basis) and when a consumer complaint is being investigated.

ARE THERE INCOME LIMITS ASSOCIATED WITH CFOs?

CFOs may not have gross annual sales that exceed \$35,000 in 2013, \$45,000 in 2014, and \$50,000 in 2015 and each year thereafter.

ARE CFOs ALLOWED TO HAVE EMPLOYEES?

In addition to the cottage food operator, one full-time equivalent cottage food employee is permitted. Cottage food employees do not include immediate family members or members of the same household as the cottage food operator.

WHAT TYPE OF LABELING IS REQUIRED OF COTTAGE FOOD PRODUCTS?

All cottage food products must be labeled consistent with the Federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 343 et seq.). Additionally, to the extent permitted by federal law, the label shall include, but is not limited to, all of the following:

- (1) The words “Made in a Home Kitchen” in 12-point type on the cottage food product’s primary display panel.
- (2) The name commonly used for the food product or an adequately descriptive name.

- (3) The name, city, and zip code of the CFO which produced the cottage food product.
- (4) The permit number of the CFO that produced the cottage food product and, the name of the county that issued the permit (Siskiyou County).
- (5) The ingredients of the cottage food product, in descending order of predominance by weight, if the product contains two or more ingredients.
- (6) The net weight of the product listed in both English (ounces/pounds) and metric (grams) units.
- (7) Major allergens such as milk, eggs, fish, shellfish, tree nuts, wheat, peanuts, and soybeans listed in plain English either in the ingredients list or in a separate statement.

All labels must be legible in English and must not smear. All labels, wrappers, inks, adhesives, paper, and packaging material that comes into contact with any cottage food product must be safe for food contact and not contaminate the food.

If a cottage food product is served by a food facility without packaging or labeling, it shall be identified to the consumer as “Homemade” on the menu, menu board, or other location that would reasonably inform a consumer of its homemade status.

WHAT PERMITS AND/OR LICENSES ARE NEEDED TO ESTABLISH A CFO?

Prior to establishing a CFO in Siskiyou County, the CFO must apply for and be issued a permit (CFO Permit) by the Community Development Department. Further, prior to permitting, a Water and Sewer Clearance from Environmental Health (if on private water and sewer) and issuance of an annual business license from the County Treasurer-Tax Collector or the local City Authority will be necessary.

HOW DO I OBTAIN THE NECESSARY FORMS?

All forms are available upon request at the Community Development Department, located at 806 S. Main Street in Yreka, as well as on-line at <http://www.co.siskiyou.ca.us/page/environmental-health-division>.

ARE THERE ANY FEES TO PROCESS THE APPLICATIONS?

Fees are due for the CFO Permit, CFO Water System Permit, and Business License.

“Class A” CFO Permit	\$45
“Class B” CFO Permit	\$105
Business License	Siskiyou County: \$76, City: Refer to local City Authority

Water test – Applicants on private water and sewer systems are required to submit evidence of certified lab test for bacteria, or the county can perform the test at a cost of \$50. (Please contact Environmental Health for details).

Checks should be made payable to Siskiyou County. Please note that applicants may request a verification of fees, and the County will provide a written breakdown of the fees within 45 days of the request.

HOW LONG WILL THIS PROCESS TAKE?

Application processing times vary depending on whether the CFO requires an initial inspection. Where a "Class A" CFO is proposed, the process may take between 10 and 15 days. In cases where a "Class B" CFO is proposed, the process may take between 15 and 30 days depending upon when the initial inspection is scheduled. However, timelines can become substantially longer should incomplete application(s) be submitted.

WHO REVIEWS AND APPROVES THE APPLICATIONS?

Applications are reviewed by the Community Development Department and approved by the CD Director or his or her designee.

ARE INCOMPLETE APPLICATIONS RETURNED?

In the event that an application has not been determined to be complete and ready for processing within six (6) months after the date of the first incomplete notice, the applicant must complete all outstanding requirements within thirty (30) days of written notice to complete the application requirements. In the event that the applicant fails to complete the application submittal requirements within this time frame, the application will be considered abandoned and staff's time and costs incurred working on the project shall be charged against the application filing fees, and any remaining balance shall be refunded to the applicant.

WHAT ARE THE CONDITIONS OF THE PERMIT?

The permit will become effective 10 days after approval and is valid only for the person, location, type of food sales, and distribution activity specified by that permit, and, unless suspended or revoked for cause, for the time period indicated on the permit.



COUNTY OF SISKIYOU

Community Development Department

Environmental Health ♦ Planning ♦ Building

806 South Main Street · Yreka, California 96097

(530) 841-2100 · Fax (530) 841-4076

www.co.siskiyou.ca.us/page/community-development

ALLAN CALDER, AICP

DIRECTOR

STEPHEN KOLPACOFF, M.D.

HEALTH OFFICER

Permit # _____

COTTAGE FOOD OPERATIONS (CFO) SELF CERTIFICATION CHECKLIST

NAME OF CFO _____ CLASS "A" or "B" _____ DATE _____
NAME OF OWNER _____ PHONE _____
CFO PHYSICAL ADDRESS _____
CFO MAILING ADDRESS _____
EMAIL ADDRESS _____
CLASS A CFO PERMIT (\$45) _____ CLASS B CFO PERMIT (\$105) _____

The following questions are based on the Cottage Food Operations (CFO) regulations, which have been established as minimum standards of health and safety for the preparation of approved cottage food products.

	YES	NO
Facility Requirements		
1. Will the CFO be located in a private dwelling where the CFO operator currently resides?
2. Will the preparation of cottage food products take place in a private kitchen within that home?
3. Will the CFO require additional storage within that home?
• If YES, will the room used for storage be used exclusively for storage?
4. Will there be sleeping accommodations within any of the areas used for CFO food preparation or storage?
Employee and Training Requirements		
1. Have all persons that will prepare and package CFO products completed the CDPH food processor course? (If YES, attach copies of CDPH certificates.).....
• If NO, will all persons complete the CDPH course within 3 months of CFO registration?.....
2. Will the CFO have more than 1 employee? (Immediate family and household members are not considered employees.)
Sanitation Requirements		
1. Will kitchen equipment and utensils used to produce CFO products be cleaned and maintained in a good state of repair?
2. Will all food contact surfaces, equipment, and utensils used for preparation, packaging, or handling of CFO products be washed, rinsed, and sanitized before each use?.....
3. Will all food preparation, food, and equipment storage areas be maintained free of rodents and insects?.....
List of Non Potentially Hazardous Foods Approved for Sale by CFOs		
Please indicate which of the following approved cottage food products the CFO will prepare.		
1. Baked goods without cream, custard, or meat fillings, such as breads, biscuits, churros, cookies, pastries, and tortillas.
2. Candy, such as brittle and toffee.
3. Chocolate-covered nonperishable foods, such as nuts and dried fruit.
4. Dried fruit.
5. Dried pasta.
6. Dry baking mix.
7. Fruit pies, fruit empanadas, and fruit tamales.
8. Granola, cereals, and trail mixes.
9. Herb blends and dried mole paste.
10. Honey and sweet sorghum syrup.
<i>Continued on next page</i>		

	YES	NO
11. Jams, jellies, preserves, and fruit butter that comply with the standard described in Part 150 of Title 21 of the Code of Federal Regulations.
12. Nut mixes and nut butters.
13. Popcorn.
14. Vinegar and Mustard.
15. Roasted coffee and dried tea.
16. Waffle cones and pizelles.
17. Cotton candy.
18. Candied apples.
19. Confections such as salted caramel, fudge, marshmallow bars, chocolate covered marshmallow, nuts, and hard candy, or any combination thereof.
20. Buttercream frosting, buttercream icing, buttercream fondant, and gum paste that do not contain eggs, cream, or cream cheese.
21. Dried or Dehydrated vegetables.
22. Dried vegetarian-based soup mixes.
23. Vegetable and potato chips.
24. Ground chocolate.
25. Seasoning salt.
26. Flat icing.

Specific Cottage Food Products that will be Prepared and Packaged for Sale: _____

Food Preparation Requirements (includes packaging and handling).

Please acknowledge whether the CFO will operate pursuant to the following requirements.

- | | | |
|---|-------|-------|
| 1. Hand washing will be required immediately prior to handling foods and after engaging in any activity that contaminates the hands such as after using the toilet, coughing or sneezing, eating or smoking. .... | ..... | ..... |
| 2. Warm water, pump soap and single use towels will be available for hand washing. .... | ..... | ..... |
| 3. All food ingredients used in the CFO products will be from an approved source. .... | ..... | ..... |
| 4. Potable water shall be used for hand washing, ware washing, and as an ingredient. .... | ..... | ..... |
| 5. During the preparation, packaging or handling of CFO products: <ul style="list-style-type: none"> • There will be no other domestic activities such as family meal preparation, dishwashing, clothes washing or ironing, kitchen cleaning or guest entertainment in the home kitchen..... • No infants, small children, or pets will be allowed in the kitchen. • No smoking will be allowed. .... | ..... | ..... |
| 6. Any person with a contagious illness shall refrain from working in the CFO..... | ..... | ..... |

Water Source

- | | | |
|--|-------|-------|
| 1. Is your water source provided from a regulated public water system? ..... | ..... | ..... |
| • If YES, what is the name of the public water system? _____ | | |
| 2. Is your water source a private water supply? ..... | ..... | ..... |
| • Water Supply System is subject to applicable regulations of the California Safe Drinking Water Act. A water system permit from the Public Health and Community Development Department is required. | | |
| Have you submitted a completed CFO Water System Permit Application? ..... | ..... | ..... |

Disposal of Waste

- | | | |
|---|-------|-------|
| 1. Will the CFO be served by a Public Sewer System? ..... | ..... | ..... |
| 2. Will the CFO be served by a Private Septic System? ..... | ..... | ..... |
| • The effluent produced from a CFO food production/preparation operation may exceed the original design requirements and result in premature septic system failure. In the event of septic system failure, you are required to notify Siskiyou County Environmental Health immediately. | | |
| • Have you submitted a complete Water & Sewer Clearance form? ..... | ..... | ..... |
| • If you DO NOT OWN the dwelling the CFO occupies then the OWNER is required to acknowledge the septic system risk from a CFO operation: | | |

OWNER NAME _____ PHONE _____

ADDRESS _____

OWNER SIGNATURE _____

See an example of a cottage food label below (principal display panel):

MADE IN A HOME KITCHEN

Permit #: 12345

Issued in county: County name

Chocolate Chip Cookies With Walnuts

Sally Baker

[REDACTED]

Anywhere, CA 90XXX

Ingredients: Enriched flour (Wheat flour, niacin, reduced iron, thiamine, mononitrate, riboflavin and folic acid), butter (milk, salt), chocolate chips (sugar, chocolate liquor, cocoa butter, butterfat (milk), walnuts, sugar, eggs, salt, artificial vanilla extract, baking soda.

Contains: Wheat, eggs, milk, soy, walnuts

Net Wt. 3 oz. (85.049g)