

# Colorado Cottage Foods

## Product Information

## Baked Goods:

Baked goods include items such as breads, rolls, muffins, and cookies. These products are among the most popular food items in our society. **Certain baked goods are considered non-potentially hazardous foods under the Colorado Cottage Foods Act and can be sold as cottage foods.**

## Potential Products:

Only non-potentially hazardous baked goods are allowed. Baked goods such as cream, custard, or meringue pies, or cakes and pastries with cream cheese fillings or icings are not permitted.

### Breads, Rolls, and Muffins:

Foods made of flour, water, and yeast or another leavening agent, mixed together and baked.

### Cakes and Quick Breads:

A sweet, baked, bread-like food, usually containing flour, sugar, baking powder or soda, eggs, and flavoring.

### Pies:

A baked food composed of a shell filled with fruit or other ingredients.

### Cookies and Biscuits:

A small cake of shortened bread leavened with baking powder or soda.

### Pastries:

Danishes, croissants, baklava, strudel, scones, and many others. Pastries often have sweet fillings, however, if these are potentially hazardous and require refrigeration, they would not be permitted under the Colorado Cottage Foods Act.

### Granolas:

A breakfast and snack food often consisting of oats, nuts, honey, and sometimes other grains, which are usually baked until crisp. Dried fruits, nuts, and/or chocolate are sometimes added.

## Safe Sampling:

Samples must be offered in a sanitary manner using single-use service items such as napkins, toothpicks, or disposable spoons. Customers must not be allowed to dip directly into products. Servers must wear a new pair of gloves when preparing samples and/or use clean utensils when handling samples.

## Food Safety Concerns:

Certain baked goods are actually potentially hazardous; for example, some pumpkin and cream pies, cheese cakes, and pastries will support pathogen growth and therefore require refrigeration. If such baked goods are brought to the attention of local public health authorities, the producer will need to show, through laboratory verification, that the pH and water activity of the product are within parameters for a non-potentially hazardous food under the Colorado Cottage Foods Act (CDPHE Fact Sheet).

## Packaging:

Products must be packaged in food grade materials. All cottage food products must display the information required by the Colorado Cottage Foods Act and outlined by the Colorado Department of Public Health and Environment.

## QUESTIONS:

**Q: How do you label a cake that is unpackaged?**

A: For cakes that are not easily packaged, you must include all labeling requirements on the invoice and deliver the invoice with the cake directly to the consumer (purchaser). Smaller cakes must be boxed, and the label must be included on the box.

**Q: Are cupcakes with butter cream frosting allowed?**

A: Only butter cream frosting that does not require refrigeration, for instance, if the recipe uses shortening instead of butter.

**Q: Is the \$5,000 a year in various categories or total?**

A: You are allowed to produce individual flavors/recipes cookies, muffins, cakes, etc., each of which has a value of \$5,000 in gross revenue.

## Resources:

Colorado State University Extension is a good resource for high-altitude and gluten-free baking.

<http://www.ext.colostate.edu>

# Colorado Cottage Foods Act:

In 2012, the Colorado Legislature enacted Senate Bill 12-048 allowing individuals to produce, sell, and store a limited number of specific, non-potentially hazardous “cottage food” products, in an unlicensed home kitchen. Certain baked goods are some of the products allowed under this legislation.

Cottage food businesses require no license or permit from the Colorado Department of Public Health and Environment and are not inspected by any state or local government entity. Products must be sold directly by the cottage foods operator to the end consumer and gross sales for each product produced must not exceed \$5,000 annually. Sales by consignment or to retail food or wholesale food establishments are prohibited.

## What are Cottage Foods in Colorado?

A limited range of foods that are non-potentially hazardous and do not require refrigeration. These foods are limited to spices, teas, dehydrated produce, nuts, seeds, honey, jams, jellies, preserves, fruit butter, and baked goods, including candies.

## General Labeling Requirements:

A cottage food operation may only sell products offered with a label containing the following information (printed in English):

## Food Safety Training:

Although a cottage food kitchen does not require licensure, the producer does need to obtain food safety training. The Colorado Cottage Foods Act requires “producers to be certified in safe food handling and processing by a third-party certifying entity... and maintain a status of good standing in accordance with the certifying entity practices and procedures, including attending any classes required for certification.”

Recognized food safety training includes: ServSafe® Food Protection Manager Certification, ServSafe® online certification from the National Restaurant Association, or National Environmental Health Association’s Certified Professional Food Manager. Contact CSU Extension or your local public health agency for more information or refer to the Colorado Farm to Market website:

<http://cofarmtomarket.com/value-added-products/cottage-foods>

**The identification of the cottage food product →**

**The producer’s name →**

**The address at which the cottage food was produced →**

**The producer’s current phone number →**

**The producer’s current email address →**

**The date on which the food was produced →**

**A complete list of ingredients →**

**The exact disclaimer →**

**Chocolate Chip Cookie**

Joe Baker

123 Safe Food Ave.  
Anywhere, CO 80XXX

303-555-1234

jbbaker@cookie.com

**Manufacture Date:** March 15, 2013

**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), soy lecithin as an emulsifier), walnuts, sugar, eggs, salt, artificial vanilla extract, baking soda.

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

## Resources:

- Colorado Department of Public Health and Environment: <http://cdphe.state.co.us>
- Colorado Farm to Table: <http://farmtotable.colostate.edu>
- Colorado Farm to Market: <http://cofarmtomarket.com>