

APPROVED FOODS FOR COTTAGE FOOD PRODUCTION



- Breads, rolls & biscuits
- Sweet breads & muffins
- Cakes (birthday, wedding, etc.)
- Pastries
- Cookies
- Candy
- Nuts (coated & uncoated)
- Unroasted nut butters
- Fruit pies
- Dehydrated fruit or vegetables
- Popcorn & popcorn snacks
- Cereal (including granola)
- Dry mixes
- Vinegar
- Pickles
- Mustard
- Roasted coffee & dry tea
- Dried herbs & mixtures

Important Web Sites That You Should Be Familiar With

1. For current information, updates, and approved recipes go to www.texascottagefoodlaw.com
2. For additional information from the Texas Department of State Health Services go to www.dshs.state.tx.us/foodestablishments/cottagefood/
3. For your Food Handler Training, go to www.texasfoodsafetytraining.com
4. For information on the state law go to <http://www.legis.state.tx.us/tlodocs/83R/billtext/html/ HB00970F.htm>

City of Kaufman Texas Cottage Food Law Guidelines



NOT ALLOWED FOR COTTAGE FOOD PRODUCTION

- Fresh or dried meat or meat products (including jerky)
- Canned fruits, vegetables, vegetable butters, salsas etc.
- Kolaches with meat
- Fish or shellfish products
- Canned pickled products such as corn relish and sauerkraut
- Raw seed sprouts
- Bakery goods which require any type of refrigeration such as cream, custard or meringue pies, cakes, or pastries with cream cheese icings or fillings
- Milk & dairy products including hard or soft cheeses, cottage cheeses & yogurt
- Fresh fruits dipped or coated in chocolate or similar confections; fresh vegetables and juices made from fresh fruits or vegetables
- Ice or ice products
- Barbeque sauces and ketchups
- Focaccia-style breads with vegetables or cheeses.
- Chocolate covered graham crackers or Rice Krispy treats
- Dried pasta
- Sauerkraut, relishes, salsas, sorghum
- Lemonade, juices, hot chocolate or similar beverages.

WHAT IS A COTTAGE FOOD PRODUCTION OPERATION?

A cottage food production operation is defined as an individual, operating out of the individual's home, who:

- ◊ Produces goods listed on the "Approved Foods For Cottage Food Production List".
- ◊ Has an annual gross income of \$50,000 or less from the sale of the described foods.
- ◊ Sells the foods produced directly to consumers at the individual's home, a farmers' market, a municipal, county, or non profit fair, festival or event: and
- ◊ Delivers products to the consumer at the point of sale or another location designated by the consumer.

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THE CITY OF KAUFMAN REQUIREMENTS

1. The City of Kaufman does not issue you a Food Permit.
2. We do not provide inspection services for your homes, unless there is a complaint regarding preparation of potentially hazardous foods.
3. We do keep track of all complaints regarding Cottage Food Production.
4. If we receive a complaint, we will try to contact you so that we can forward the complaint to you.
5. If you want to sell at any of the festivals in the City limits of Kaufman, you are required to:
 - * Pay a registration fee and a temporary food permit fees for that event.
 - * You will have to follow the guidelines for the Temporary Food Establishments brochure.
 - * Your booth be will be inspected to make sure that you are in compliance with the Texas Cottage Food Laws and that you are not selling food that are prohibited.

UNOFFICIAL CHECK LIST FOR TEXAS COTTAGE FOOD OPERATORS

1. Read the law and become familiar with the HB 970 summary.
2. Pick your products. Verify that your product is allowable under the law.
3. Develop a business plan. How much does your product cost you to make, and how much will you sell it for? Where will you sell?
4. Obtain a Texas Food Handler's License, which cost around \$10 and is good for 2 years.
5. Check with the Texas Comptroller to see if your product is subject to sales tax, and if you need to obtain a Sales & Use Permit through Kaufman County.
6. Pick a business name and register it as a DBA with Kaufman County. This ensures that no one else in your county can use your business name.
7. You may wish to conduct a national search to verify that the name is not in use by others, or trademarked by someone else.
8. Speak with a tax or legal professional about how to structure your business, whether it be a Sole Proprietorship, LLC, or some other entity.
9. Open a business bank account.
10. Set up a web site and Facebook page for marketing. Order inexpensive business cards.
11. Create your legally required food labels.
12. Start Selling! Good luck with your new business!

ALL PRODUCTS MUST BE LABELED

Q1. Do I have to label my cottage food products?

A: Yes.

Q2: What is supposed to be on the label?

The rules read:

(d) Labeling requirements for cottage food production operations. All foods prepared by a cottage food production operation must be labeled.

(1) The label information shall include:

(A) the name and physical address of the cottage food production operation;

(B) the common or usual name of the product;

(C) 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; and

(D) the following 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."

(2) Labels must be legible.

Q3: Does the label have to be attached to the food package?

A: Yes, except for items that are too large or bulky for packaging; in that case, the label can be incorporated into the invoice.

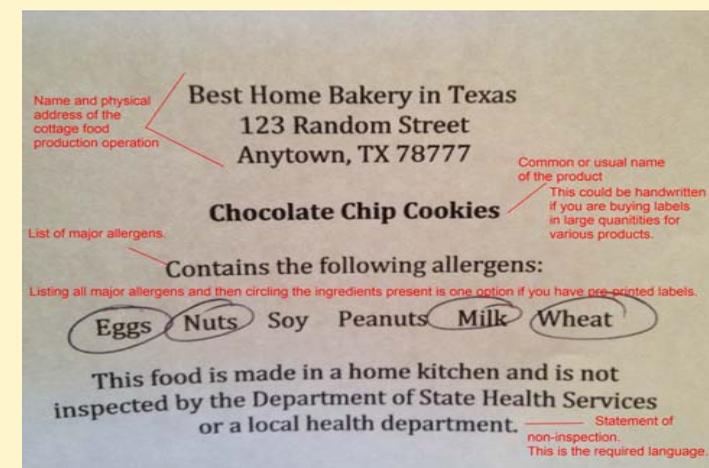
Q4: Instead of listing the allergens, can I make a blanket statement that my product MAY contain all of the allergens listed in the labeling requirements?

A: No, you must actually list which allergens are present.

Q5. Do I have to list all the ingredients on the label?

A: You are not required to, but you can if you like. The rule only requires you to list any of the 6 major allergens present in the food.

LABEL EXAMPLE



FOOD HANDLER SAFETY:

Avoid food handling when you have the following symptoms.

- Diarrhea
- Vomiting
- Sore throat with fever
- Persistent coughing, sneezing and/or nasal discharge
- Wounds containing puss upon your fingers, hand and/or wrists
- Yellowish eyes or skin with dark colored urine

Persons that handle food must wash their hands as frequently as necessary. Disposable gloves may be used but shall not substitute for hand washing.

Do not use tobacco in any form in the food preparation areas.

Do not eat or drink in the food preparation areas, while preparing food for sale.

Avoid touching food with bare hands by using utensils, disposable gloves, deli tissue or other suitable methods.