

## Texas Cottage Food Law



Texas Cottage Food Law allows the sale of foods that are prepared in residential homes as long as gross sales do not exceed \$50,000 annually. This type of business is not regulated by a local or state health department, which means that your kitchen will not be inspected by a health inspector (unless there is concern about the public's health). If you want to start a Cottage Food Business, the information below may be helpful.

### Foods that are *not* considered "potentially hazardous" are allowed:

Baked goods that *don't* require refrigeration (cookies, cakes, breads, biscuits, pies, muffins, pastries, rolls)

Candy	Coated & uncoated nuts	Cereal (including granola)	Vinegar
Unroasted nut butters	Popcorn snacks	Fruit butters	Mustard
Canned jams & jellies	Dried herbs & herb mixes	Pickles (cucumber only)	Fruit pies
Roasted coffee or dry tea	Dehydrated fruits & vegetables, including dried beans		

These foods are not potentially hazardous because they do not have to be held at specific temperatures to prevent foodborne illness. Potentially hazardous foods can be used to prepare a food **but if the final product requires time or temperature control** to prevent the growth of bacteria, it **cannot** be sold under the Cottage Food Law.

### Foods that *are* considered "potentially hazardous" are **NOT** allowed:

- Fresh or dried meat or meat products including jerky
- Canned fruits, vegetables, vegetable butters, salsas etc.
- Kolache 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 and cakes or pastries with cream cheese icings or fillings)
- Milk and dairy products including hard, soft and cottage cheeses and yogurt
- Cut fresh fruit/vegetables (including fresh fruits dipped or coated in chocolate or similar confections; fresh vegetables and juices made from fresh fruits and vegetables)
- Ice or ice products
- Barbeque sauces and ketchups
- Focaccia-style breads with vegetables or cheeses
- Chocolate covered graham crackers, Rice Krispy treats
- Dried pasta
- Sauerkraut, relishes, salsas, sorghum
- Lemonade, juices, hot chocolate or similar beverage

### Selling your foods

Foods can be sold at the individual's home, a farmers' market, a farm stand, or at municipal, county, and non-profit events. Foods can also be delivered to the customer, where the sale can then take place. Foods *cannot* be sold over the internet, by mail order, or at wholesale.

### Labeling and packaging your foods

Foods must be packaged to prevent contamination. Bulky items (e.g. wedding cakes) are exempt from being packaged; however, common sense should be used to keep them safe.

Foods sold under the Cottage Food Law must be labeled with the following information:

- Name and physical address of the operation
- Common or usual name of the product
- Any major food allergens that are present in the food (e.g. eggs, nuts, soy, peanuts, milk, or wheat)
- 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.*

The Muffin Man Bakery  
4645 Drury Lane  
Anywhere, Texas 78787

**Chocolate Chip Cookies**  
*Contains eggs and wheat*

*This food is made in a home kitchen  
and is not inspected by the  
Department of  
State Health Services or a local  
health department.*

Food labels must be attached to the package unless the item is too large or bulky to be packaged. Then the label should be added to the sales receipt.

### Use Safe Food Handling Practices when Preparing Your Cottage Foods

Each year, nearly 1 in 6 people become sick from the foodborne illness. Everyone is at risk for a foodborne illness; however, pregnant women, young children, older adults, and individuals with chronic disease or a compromised immune system have a higher risk than others. Reduce the risk of foodborne illness by:

- Practicing good personal hygiene
- Preventing germs from spreading from one surface or food to another (cross contamination)
- Cooking food to a proper temperature
- Storing food properly

If you are making shelf stable food products (e.g. jams, jellies, and pickles), be sure to use tested recipes and process them correctly in boiling water bath canner.

### Food Handler's Card is Required

Beginning January 1, 2014 an owner of a Cottage Food business is required to have a food handler's card from a state accredited program.

Earn your food handler's card through Texas A&M AgriLife Extension. Our food handler's course is accredited by the Texas Department of State Health Services and will help you learn basic food safety practices that can help assure the food you prepare and sell is safe. Check with your local County Extension Agent or complete the course online at <http://foodsafetyonline.tamu.edu>.



**For more information about the Cottage Food Law or earning your food handler's card, contact your County Extension Agent or visit our website at <http://foodsafety.tamu.edu>**

Educational programs of the Texas A&M AgriLife Extension Service are open to all people without regard to race, color, sex, disability, religion, age, or national origin. The Texas A&M University System, U.S. Department of Agriculture, and the County Commissioners Courts of Texas Cooperating

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