



Cottage Food Checklist for Colorado Farmers' Market Managers & Code Enforcement Officials

The following checklist is designed to help farmers' market managers & code enforcement officials assure that cottage food producers, who sell at the markets or other eligible venues they oversee, are meeting the requirements of the Colorado Cottage Foods Act & individual market and or venue policies. Mark the box to the left of each requirement or policy to indicate that the producer is meeting the requirement or policy. Unmarked boxes indicate that the producer is not eligible to sell their product(s) under the Cottage Foods Act and or they do not meet market and or venue policies.

WHO:

- Producer is a Colorado resident.
- Cottage food business is a single person proprietor or an LLC of 2 or fewer.
- Producer or their designated representative is at their booth/stand to answer questions & sell products.
- Producer has completed an approved food safety course that includes basic food handling.

WHAT:

- Producer is only selling eligible products.
 - *See back for a short list of eligible & non-eligible foods**
- Fresh eggs are kept cold (33°F – 41°F).
- Eggs cartons are new and properly labeled.
- Food items are prepackaged in food grade materials.
- Product label includes:
 - **Name of product**
 - **Name of producer**
 - **Physical production address**
 - **Producer's current e-mail or phone number**
 - **Date produced**
 - **Complete list of ingredients, in descending order by weight**
 - **Disclaimer statement**
- Pickled fruits & vegetables have an equilibrium pH of 4.6 or lower.

WHERE:

- Products are being sold directly from the producer or producer's representative to an informed end consumer.
- Producer is not in violation of local zoning requirements or city ordinances, or Home Owners Association (HOA) rules.

OTHER:

- Producer has methods in place to avoid any bare hand contact with samples or ready to eat food. (*Food grade packaging, gloves, tissues, tongs, toothpicks, etc.*)
- Producer has a visible Point of Sale Placard that states:
“**This product was produced in a home kitchen that is not subject to state licensure or inspection. This product is not intended for resale.**”
- Producer has any locally required business licenses.
- Producer has proof of product liability insurance. (Optional, but recommended)

Selling more than 250 dozen eggs a month to the public, requires an egg producer to obtain an egg dealer license from the Colorado Department of Agriculture.

The Colorado Cottage Foods Act allows for the production, processing or packaging and sale of a limited range of non-potentially hazardous foods.

- *Non-potentially hazardous foods are defined as foods that do not require refrigeration to maintain safety.*
- *It is recommended that raw fermented fruits & vegetables also be refrigerated to maintain quality.*

*Eligible Foods:

- Candies & confections (includes pre-packaged cotton candy)
- Canned fruits (not canned in water), applesauce & fruit butter
- Certain baked goods (non-perishable breads, muffins, fruit pie, fruit empanadas, cookies, cakes, tortillas, etc.)
- Dehydrated produce & dried pasta
- Dry mixes (cake, cookie, spice blends, etc.)
- Flour
- Jams, jellies, marmalades, compotes, chutneys, conserves & preserves
- Syrups
- Pickled fruits & vegetables with a pH of 4.6 or below
- Roasted coffee beans
- Nuts & seeds
- Spices
- Teas
- Whole eggs
- Flavored vinegars & bitters
- Honey



*Non-Eligible Foods:

- Bacon or other meats products, including as an ingredient or topping on baked goods
- Baked or fried goods having cream, custard or meringue; cakes or pastries with cream cheese icing or fillings
- Pumpkin or sweet potato pie, cream pies
- Buttercream frosting requiring refrigeration
- Sauces (BBQ, pizza, hot, pasta, chili), ketchup, mustard or salsa
- Canned vegetables or pumpkin butter
- Cut fresh fruits & vegetables or juices
- Fresh pasta (dried is eligible)
- Flavored oil
- Whole fresh peppers cannot be used to make fruit preserves, jams, or jelly. However, dried spices such as cayenne pepper, paprika, black pepper, etc. are allowed to be used to make these products.

Producers selling food not appearing on either the Eligible or the Non-Eligible list should contact the Colorado Department of Public Health & Environment for guidance, 303-692-3645, option 3.

<https://www.colorado.gov/pacific/cdphe/cottage-foods-act>