



IDAHO DEPARTMENT OF HEALTH & WELFARE
DIVISION OF PUBLIC HEALTH

Cottage Foods Frequently Asked Questions

Q. What are cottage foods?

A. Cottage foods are foods made in a person's home or other designated location and sold directly to a consumer. They include foods that are defined in the [Idaho Food Code](#) as non-Time/Temperature Control for Safety (non-TCS) foods. Examples of cottage foods include: baked goods that do not require refrigeration, fruit jams and jellies, honey, fruit pies, breads, cakes that do not require refrigeration, pastries and cookies that do not require refrigeration, candies and confections that do not require refrigeration, dried fruits, dry herbs, seasonings and mixtures, cereals, trail mixes and granola, nuts, vinegar and flavored vinegars, popcorn and popcorn balls, or tinctures that do not make medicinal claims.

Q. Are cottage foods legal to sell in Idaho?

A. Yes and they have been legal to sell for many years in Idaho. This means that neither the local Public Health District nor the Idaho Department of Health and Welfare require a cottage food producer to obtain a food establishment permit or license.

Q. Where am I allowed to sell cottage foods?

A. You are allowed to sell cottage foods at any venue as long as the sale is direct to the consumer. Possible venues could include farmers' markets, roadside stands, the internet, or through mail order sales.

Q. Can I advertise through Craigslist or other online media?

A. As long as you are still selling only directly to a consumer, yes.

Q. I would like to sell my cottage foods through a local store. Am I allowed to do this?

A. In order to sell to any third party, you must first secure a food establishment permit from the local Public Health District. You must also meet any additional requirements that the third party may establish.

Q. Do I have to file any paperwork with the local Public Health District?

A. Although you are not required by Idaho law to secure a food establishment permit from your local Public Health District, a venue has the right to establish its own rules and policies that require you to demonstrate that you have consulted with the Public Health District. For this reason, it is advisable that you complete the information in the [Cottage Foods Risk Assessment Form](#) found at www.foodsafety.idaho.gov and have it signed by an Environmental Health Specialist from the local Public Health District.

Q. Is there a fee for the Cottage Foods Risk Assessment Form?

A. No.

Q. Do I have to label the foods that I am making at home?

A. You should label the foods you produce in your home for two reasons - first and foremost, to help advertise your business! You should also label them to inform consumers about any allergens or other ingredients in the food which you have produced. Labels should include a listing of the ingredients in order of which ingredient is most predominant.

Q. Is there a fee for the [Cottage Foods Risk Assessment Form](#)?

A. No.

Q. Do I have to take a food handler or a food safety course?

A. Courses are not required, but are a good idea if you want to ensure food safety.

Q. Can I have pets in the home I am cooking in?

A. While you may have pets in the home, it is strongly advised that you be very cautious and take necessary measures to ensure that pet hairs and/or other material does not contaminate the food you produce.

Q. I use well water. Do I have to test that water?

A. You are not required to test the water. However, it is advisable that you do test it every three months for bacteria that could be harmful to human health.

Q. Can I sell fruit butter? Applesauce? Chutney? Pepper jams? Reduced sugar jams?

A. Generally, these are not allowed cottage foods. The types of products that meet the definition of a cottage food are ones that will not support the growth of harmful bacteria. Fruit jams and jellies typically have a high enough sugar content that bacterial growth is not possible. Other fruit products and other jams/jellies usually don't have a high enough sugar content to prevent bacterial growth.

Q. I make a pumpkin pie. Does it require refrigeration?

A. This depends on the recipe! While many commercially prepared pumpkin pies might have been baked in a way that makes them shelf stable, some pumpkin pies might not have been baked in a way that doesn't require refrigeration.

Q. Can I test my product to demonstrate it is a non-Time/Temperature Control for Safety (non-TCS) food?

A. Yes, but you must submit the product to a private laboratory for testing. You must demonstrate that the pH of the product is below 4.6 or that the product has a water activity below 0.85.

Q. The Idaho Food Code specifically indicates that cottage foods do not include Low Acid Canned Food. What is a Low Acid Canned Food?

A. A Low Acid Canned Food is a canned item that naturally does not contain any (or very much) acid. Some examples of Low Acid Canned Foods include canned fruits, canned vegetables, canned meats, and canned pie fillings.

Q. The Idaho Food Code specifically indicates that cottage foods do not include Acidified Foods. What are acidified foods?

A. Acidified foods are foods to which an acid ingredient is added with the intention of resulting in a pH below 4.6. An example of Acidified foods includes pickled products.

Q. May I sell farm fresh eggs?

A. Ungraded, farm fresh eggs can be sold directly to a consumer. However, the Idaho Department of Agriculture requires eggs to be graded if you have 300 or more laying hens.

Q. How can I advertise my products as organic?

A. You must contact the Idaho Department of Agriculture in order to advertise a product as organic.

Q. I want to sell raw milk and raw milk products at a farmers market. What are the requirements?

A. Raw milk and raw milk products are regulated by the Idaho Department of Agriculture. If you want to sell these products, contact the Idaho Department of Agriculture and be familiar with their regulations.