

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



The following checklist is designed to help farmer's market managers & code enforcement officials assure that cottage food producers, who sell at the markets they oversee, are meeting the state requirements & individual market policies. Use the boxes to the left of the items to check off key compliance & policy requirements of Colorado cottage food producers.

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 allowable products.
 - *See back for a short list of approved & not approved 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 from any venue except for a retail food establishment.
- Producer is not in violation of local zoning 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. (required)
“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)**

The Colorado Cottage Food 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. Fresh eggs is an exception as they do require refrigeration for safety. It is recommended that raw fermented fruits & vegetables also be refrigerated to maintain quality.

*Allowable:

- 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

*Not Allowable:

- Bacon or other meats in, or on top of baked goods
- Baked or fried goods having cream, custard or meringue. Cakes or pastries with cream cheese icing or fillings
- Buttercream frosting requiring refrigeration
- Sauces (BBQ, pizza, hot, pasta, chili), ketchup, mustard or salsa
- Canned vegetables
- Cut fresh fruits & vegetables or juices
- Fresh pasta (dried is allowed)
- 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 Allowable or Not Allowable 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>