



Cottage Foods Checklist

Use the checklist below to verify whether or not a producer is eligible to sell their products under the Cottage Foods Act. Additional market, food product liability insurance, business license, tax, and zoning requirements may vary.

A cottage food producer must:

- ☐ Be a Colorado resident
- ☐ Operate a cottage food business as a single person proprietor or an LLC of 2 or fewer owners
- ☐ Be present or have a designated representative available, in-person to answer questions and sell product(s) directly to the informed end consumer
- ☐ Complete an approved food safety course that includes basic food handling and renew their training as required by each course
(Having a copy of their food safety training certificate posted or available at their point of sale is a best practice)
- ☐ Not exceed a net revenue of \$10,000 per product

Where can cottage foods be sold?

- ☐ Producer's Residence
 - The producer should confirm that a home-based business is authorized by their homeowner's association and local zoning requirements.
- ☐ Internet
 - Shipping or delivery of the product(s) outside of Colorado is prohibited.
- ☐ Farmers' market or similar venue such as a road side stand, community supported agriculture program (CSA), or a store front* such as a gift shop or clothing store
 - *Cottage foods cannot be sold from a retail food establishment or food manufacturer such as a restaurant, mobile unit, grocery store, a co-packer or commercial food producer or distributor selling licensed and inspected food(s) for resale.
- ☐ All points of sale whether on the internet or in-person must provide a visible placard or sign 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."

How do cottage foods need to be packaged and labeled?

- ☐ Products must be pre-packaged in food grade material and labeled with:
 - ☐ Product name
 - ☐ Producer name
 - ☐ Physical production address
 - ☐ Producer's current e-mail or phone number
 - ☐ Production date
 - ☐ Complete list of ingredients, in descending order by weight
 - ☐ Disclaimer statement:
"This product was produced in a home kitchen that is not subject to state licensure or inspection and that may also process common food allergens such as tree nuts, peanuts, eggs, soy, wheat, milk, fish, and crustacean shellfish. This product is not intended for resale."

Eligibility, Samples, & Contact Information

What foods are eligible?

- Candies and confections including cotton candy and fudge
- Canned fruits in syrup
- Certain baked goods including non-perishable breads, muffins, fruit pies, fruit empanadas, cookies, cakes, and tortillas
- Dehydrated produce and dried pasta
- Dry mixes such as cake, cookie, donut and spice blends
- Eggs - up to 250 dozen whole shell eggs, per month; eggs must be maintained cold at 33°F - 41°F and sold in new and properly labeled cartons
- Flavored vinegar and bitters
- Flour
- Freeze dried produce
- Honey
- Jams, jellies, marmalades, compotes, chutneys, conserves, preserves & fruit butters
- Nuts & seeds
- Pickled fruits & vegetables including some fermented fruits and vegetables such as kimchi and sauerkraut with a pH of 4.6 or below (*Having a copy of the pH test results available is a best practice; storing fermented fruits and vegetables at 41°F or below to maintain quality is a best practice*)
- Roasted coffee beans
- Spices and teas



The following products are ineligible to be sold under the Cottage Foods Act:

- Foods that require refrigeration for safety
- Meat products, bacon, jerky, chicharron, poultry, fish and shellfish products; these products are also prohibited from being used as ingredients or toppings
- Baked or fried goods having cream, custard or meringue fillings or toppings, cakes or pastries with buttercream frosting or cream cheese icing or fillings; or other frostings requiring refrigeration for safety
- Beverages
- Pumpkin or sweet potato pie, cream pies
- Sauces and condiments including barbecue, pizza, hot, pasta, chili, ketchup, mustard, salsa, or salad dressing
- Canned vegetables or pumpkin butter
- Cut fresh fruits and vegetables, fruit or vegetable juices or concentrates, fruit or vegetable purees
- Fresh pasta
- Flavored oil
- Pepper jelly and fruit preserves, jams, or jellies made with fresh peppers or homemade dehydrated peppers
- Fruit preserves, jams, or jelly made with alcohol
- Cannabidiol (CBD) and Tetrahydrocannabinol (THC) containing products

Can food samples be provided?

Yes, as long as food grade gloves, tissues, tongs, toothpicks, or other items are used to avoid bare hand contact with food. Handsink requirements may vary at each point of sale and from county to county. Preparing samples at home is a best practice. Contact [your local public health agency](#) for handsink requirements.

Who can I contact with questions, concerns or complaints?

For questions, concerns, or complaints regarding the Cottage Foods Act contact the [Colorado Department of Public Health & Environment](#) by phone at 303-692-3638 or email cdphe_mfgfd@state.co.us

For information about food safety training contact your local extension office: <https://extension.colostate.edu/field-offices/>

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