



Environmental Health Division

Cottage Food Operation

Introductory Letter



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Assembly Bill 1616 was passed and signed into law in September of 2012. It is known as the Cottage Food Bill. It allows persons to prepare Non-Potentially Hazardous foods in their home kitchen. Cottage Food Operators will be required to complete a Food Processor Course in order to open a business. A Cottage Food Operator will have to register with the local Environmental Health Agency if it is a Class A business, or obtain a Permit to Operate if it is a Class B business. A Class A business will be able to sell only directly to consumers. A Class B business will be able to make indirect sales to local retail food business, in addition to direct sales. You can view the entire law at:

http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_1601-1650/ab_1616_bill_20120921_chaptered.pdf

Other information regarding the Cottage Food Bill, including information about the required Food Processor course, can be found at the California Department of Public Health, Food and Drug Branch website at :

<https://www.cdph.ca.gov/Programs/CEH/DFDCS/Pages/FDBPrograms/FoodSafetyProgram/CottageFoodOperations.aspx>

Class A:

This type of CFO can sell home-kitchen prepared foods **directly to the public**. This includes transactions made via the phone, internet, and any other digital method. A direct sale may be fulfilled in person, via mail delivery, or using any other third-party delivery service within the State.

- Submit the Application for Registration and check the box for Class A Registration.
- Fill out the Self Certification Checklist, and submit with the application.
- Include payment for registration.

Class B:

This type of CFO can sell home-kitchen prepared foods **directly to the public or indirectly through restaurants and food markets**. A direct sale may be fulfilled in person, via mail delivery, or using any other third-party delivery service. An indirect sale may be fulfilled in person, via mail delivery, or third-party delivery service within the State.

- Submit the Application for a Permit to Operate and check the box for Class B Permitting.
- Fill out the Self Certification Checklist, and submit with the application.
- Include payment for the permit.

Please note the following:

- Non-potentially hazardous food is food that does not require refrigeration or hot holding to maintain food safety. If your proposed item requires to be held cold or hot for safety, this is not a CFO item and must be prepared at in permitted commercial kitchen.
- This permit or registration is to sell directly or indirectly non-potentially hazardous food and does not include selling at Community Events as a Temporary Food Facility ("food booth").
- For a CFO kitchen that is connected to a private well or other private water source, include a water sample result testing the water for potability with your application. The water sample must be tested for Total Coliforms, E-Coli, Nitrates, and Nitrites. All testing must be done at a State Certified Laboratory. After approval your annual renewal invoice will **include a Private Water Fee**.
- Please also check with the County Tax Collector or City Business Licensing for any business license requirements, and the County or City Planning and Building Agency for any zoning or Use Permit requirements.