

Texas Cottage Food Law & Food Handler's Card

Food Safety is in your (clean) hands

Two classes in August 2014:

1. **Cottage Food Law.** Saturday, Aug. 9, 10 am to noon at JNEC Community Room in Kirbyville; \$10. Review and discuss Texas Cottage Food Law, label requirements, what foods are allowed (or not) and why.
2. **Food Handler's class and card.** Saturday, Aug. 23, 9 am to 12 noon at JNEC Community Room in Kirbyville; \$20 for class AND 2-year Food Handler card good anywhere in Texas.

Anyone who is selling canned goods, home baked items, prepared foods, or offering samples (free tastes) MUST have a Texas Food Handler's Card, or be supervised by someone who has been trained. This is not required for vendors selling whole fresh produce that the customer is expected to take home, wash and prepare themselves.

Please reserve your seat in advance so we have enough handouts;
call 409-384-3721 or email srkerr@ag.tamu.edu.

Aunt Sissy's BANANA NUT BREAD

Produced by Sissy Smith Foods

1234 Cottage Lane, Lone Star, Texas 76543

Contains wheat, eggs and nuts.

This food is made in a home kitchen and is not inspected by the Department of State Health Services or a local health department.

If you are making foods in a home kitchen to sell at farmers markets or festivals, you need a label with this kind of information.

See p. 2 for more

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TEXAS A&M
AGRILIFE
EXTENSION

Texas Cottage Food Law 2014

If you sell foods made in a home kitchen (jams and jellies, pickles, baked items and more) at fairs, festivals or farmers markets, the customer has a right to know what's in the product, who made it, and where it was made.

You aren't required to have a complete nutrition label like big manufacturers, but you do need to say on the label if any of six common allergens are present: eggs, nuts, soy, peanuts, milk or wheat.

Unless your products were made in a kitchen that is separate from any living quarters and subject to inspection by the health department, you also need this statement (do not change the wording):

This food is made in a home kitchen and is not inspected by the Department of State Health Services or a local health department.

Food Handler's class & card

This is the "entry-level" certificate, a 2-year card that says you have had basic food safety instruction. Anyone who is making or serving food to the public under Texas Cottage Food law must either have the card or be supervised by someone who does. Same for anyone who is serving food to the public, at a concession stand for instance.

You can think of this as a ladder where this class is the first rung. Restaurants and commercial establishments selling food usually require additional training, and food processing plants with even larger distribution are held to the highest standards.

All of this goes back to two things: protecting the public and making sure they have the information they need to make good food choices; traceability and accountability, if someone does get sick, can we trace the source.

Learn more online:

<http://texascottagefoodlaw.com/>

This site has a list of FAQs, frequently asked questions, as well as a "plain language" summary of the bill.

HB 970 does the following:

expands the list of allowable food to include candy, coated and uncoated nuts, unroasted nut butters, fruit butters, dehydrated fruits and vegetables, popcorn, cereal, granola, dry mix, vinegar, pickles, mustard, and roasted coffee or dry tea

prohibits a municipality from outlawing cottage food operations on the basis of "zoning"

allows sales outside the home, at specific locations such as farmers markets, farm stands, or municipal, county, or nonprofit fairs & festivals

HB 970 also adds to consumer protections by adding the following requirements:

all cottage food operators must complete an accredited food handler's course; and all foods must be packaged in a way that prevents product contamination and labelled.

ONLINE TRAINING

is available too!

https://extensiononline.tamu.edu/courses/food_safety.php

- ◇ FREE Texas Cottage Food Law presentation
- ◇ FREE food safety in the classroom
- ◇ There is a fee for the Food Handler's course & two-year certificate

TEXAS COTTAGE FOOD LAW

Texas Cottage Food Law allows home canners and bakers to sell some foods that are considered safe enough to prepare in a home kitchen. Other foods are prohibited because they are considered potentially hazardous unless prepared in a separate food production facility. Market managers can refuse to allow a vendor to sell products that are not properly labeled. ***It is still the vendor's responsibility to know and follow recommended safety procedures for the products they sell.***

FAQS: <http://texascottagefoodlaw.com/Frequently-Asked-Questions>

If you are selling something that you have canned or baked in your home kitchen, you need to have an approved label that includes ALL of the following information (see example on other page):

1. Name and physical address of the operation
2. Common or usual name of the product (example: strawberry jam)
3. List any major food allergens including eggs, nuts, soy, peanuts, milk or wheat (6 things)
4. The following statement in exactly these words : *"This food is made in a home kitchen and is not inspected by the Department of State Health Services or a local health department."*

Partial list of foods that can be sold:

- Baked items that do not require refrigeration (breads, biscuits, muffins, cookies...)
- Candy
- Coated and uncoated nuts and unroasted nut butters
- Fruit butters
- Canned jams and jellies
- Fruit pies
- Dehydrated fruits and vegetables including dried beans
- Popcorn and popcorn snacks
- Cereal (granola)
- Dry mixes
- Vinegar / mustard
- Pickles (cucumbers only)
- Roasted coffee or tea
- Dried herbs/herb mixes

Examples of foods that are **NOT allowed** under Texas Cottage Food Law *

- Fresh or dried meat (including jerky)
- Canned fruits, vegetables and vegetable butters, salsas
- Kolaches with meat
- Fish or shellfish
- Canned pickled products (other than cucumber) such as corn relish or chow chow
- Raw seed sprouts
- Dried pasta
- Ice or ice products
- Sauerkraut, relishes, salsas and sorghum
- Chocolate covered graham crackers, Rice Krispy treats
- Bakes goods that need refrigeration, such as cream pies, meringues & cakes or pastries with cream cheese icings or fillings

*** NOTE: on the foods not allowed list, this does NOT mean that these products can't be sold at farmers market.** Instead, it means that these items can't be made in a home kitchen; they must be made in a separate facility from the home, and that kitchen must be inspected and approved according to standards set by the state or local health dept. In some cases, items must be kept at controlled temperatures (an igloo cooler is not a controlled temperature). Specialties like salsas, for example, require additional training to safely prepare, and must follow tested recipes.