Sharing Session
Cottage Foods

April 13, 2016

Audio Information

Conference Line: 1-866-740-1260

Access Code: 5074249

NACCHO
National Association of County & City Health Officials

Webinar Logistics

We encourage everyone to mute your line. To mute or unmute your phone, please do the following:

To mute your own line, press *6.

To unmute your own line, press *6.

Throughout the presentation and during the Q&A session, if you have a question, please use the chat box to write your question. The facilitator will read your question and pose it to the presenters .

NACCHO
National Association of County & City Health Officials

Overview

- Introduction
- Arizona Cottage Food: The Challenges of an Evolving Program
- Cottage Food: A Local Perspective
- Food Freedom
- Q&A

What are some of NACCHO's food safety activities?

NACCHO's food safety project supports local health departments' food safety activities in the following ways:

- Assessing Needs of LHDs' Food Safety Programs
- Supporting LHDs in Foodborne Disease Outbreak Response
- Helping LHDs Implement Continuous Quality Improvement Programs

Recent Accomplishments

- Food Safety Podcasts on NACCHO University
- NACCHO Food Safety Technical Assistance Program
- Mentorship Program to Increase Use of Retail Program Standards Nationwide
- Key Informant Interview Report on Successes and Challenges of Retail Program Standards
- Analysis of Current Threat Communication Practices Between Private and Public Entities in the Food and Agriculture Sector
- Crosswalk of Retail Program Standards and Public Health Accreditation
- Study of Retail Food Establishment Inspection Scoring and Grading Systems
- NACCHO Food Safety Leaders' List
- Webinar on Food Allergens

Thank you for your participation in today's sharing session!

For more information about NACCHO's Food Safety Program, go to:

- foodsafetyinfo@naccho.org
- Amy Chang(achang@naccho.org; 202-507-4284)
- Jennifer Li (jli@naccho.org; 202-507-4242)
- http://www.naccho.org/programs/environmental-health/hazards/food-safety

ENVIRONMENTAL HEALTH

NACCHO
National Association of County & City Health Officials

Arizona Cottage Food: The Challenges of an Evolving Program

Blanca Caballero
Arizona Department of Health Services

4,959
1

Home Baked and Confectionery Goods

Home
Program Registration
Food Handler Cards
Production Guidelines
Hazardous Foods
Labeling Requirements
Healthy Recipes
Newsletters
Frequently Asked Questions (FAQs)
Contact Us

Home

- Spring 2015 Homebaked Goods Newsletter is now available
- Registrants as of November 1, 2015

Arizona residents must be authorized to prepare food for commercial use.

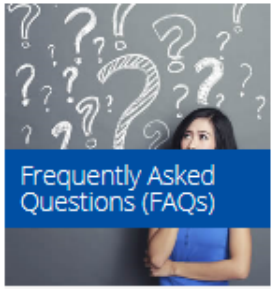
Detailed info about how to obtain a food handler card in your area.

Learn more about how to properly prepare your home baked goods.

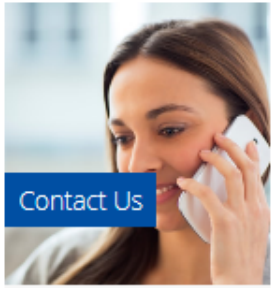
Determine if your product is considered to be potentially hazardous.

Find the information required to be on your product's label.

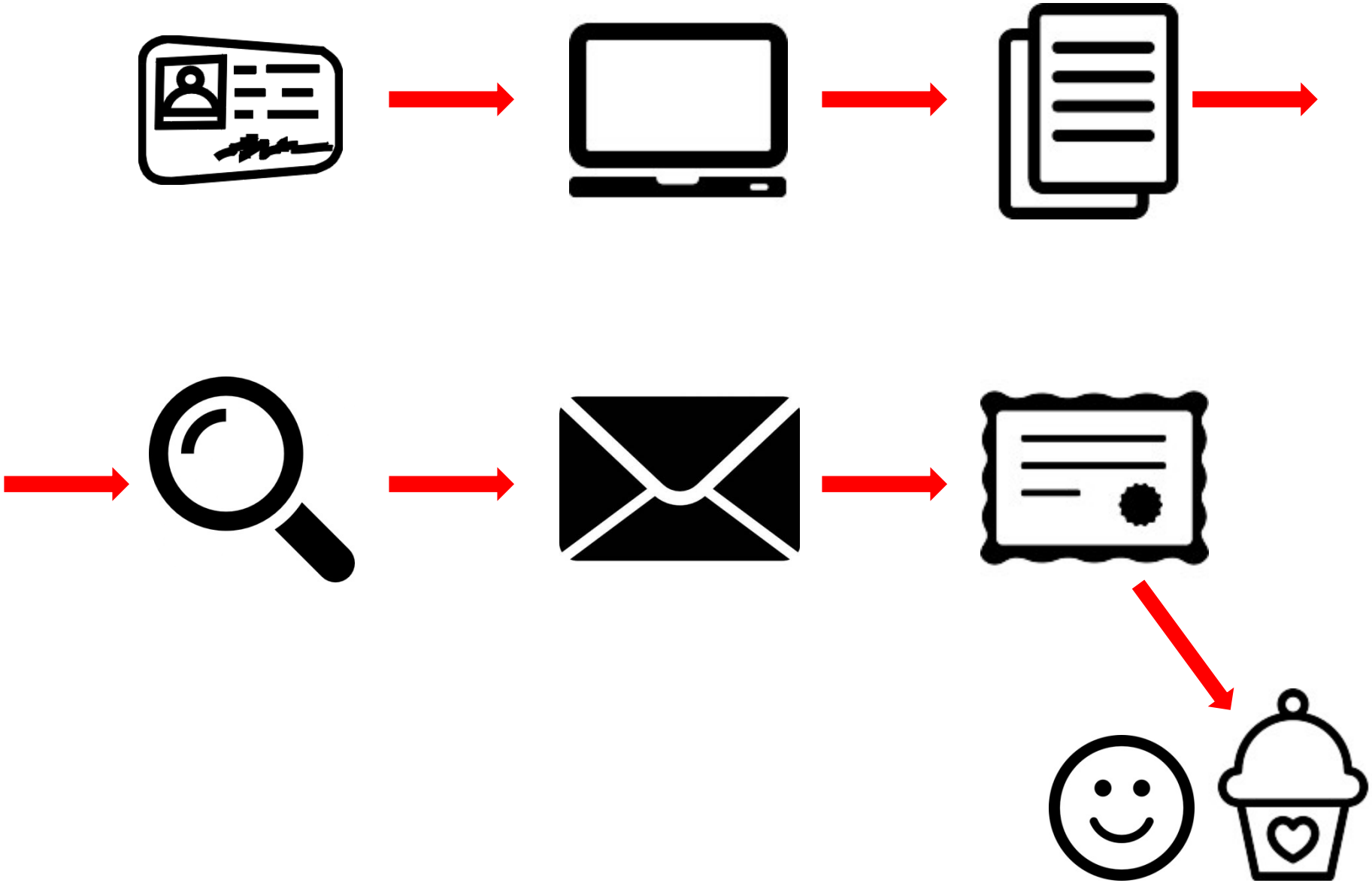
Looking for a new recipe? Check out these from the USDA.

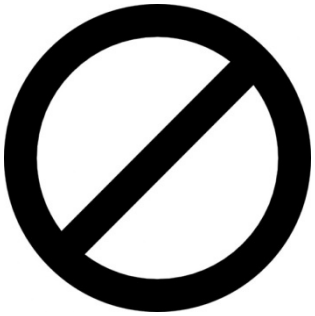


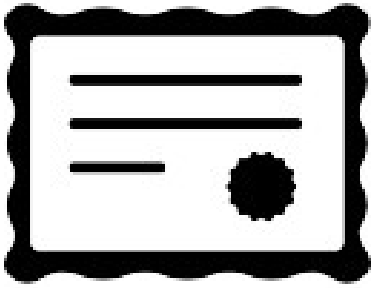
Get answers to some of the most frequently asked questions.

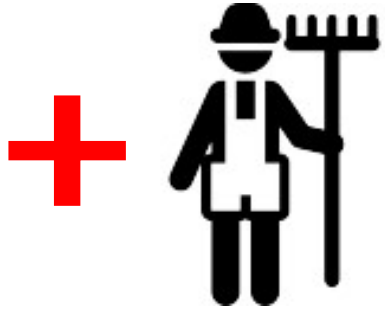


Need more information about the program? We're here to help.





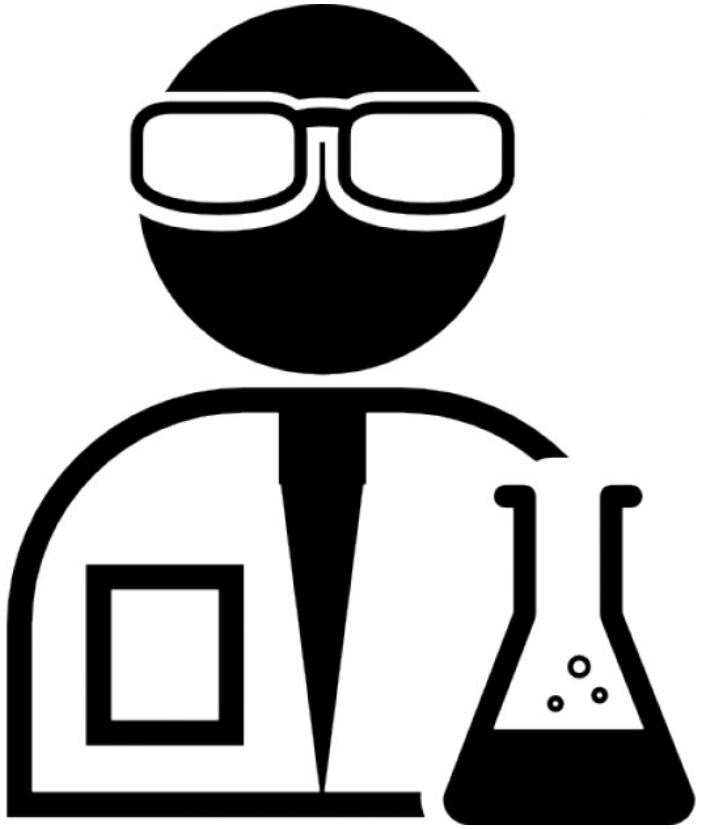




$pH \leq 4.6$

OR

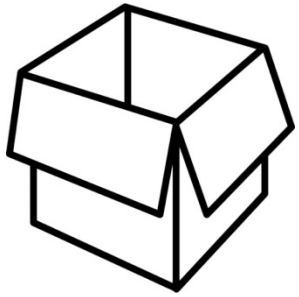
$A_w \leq 0.85$



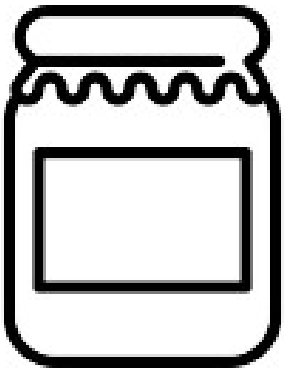
A statement that the baked or Confectionery goods are prepared in a private home

OR

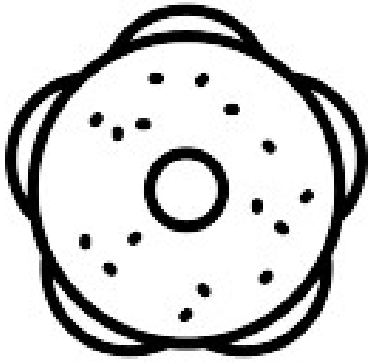
If applicable, a statement that the baked or Confectionery goods are prepared in a facility for individuals with developmental disabilities.

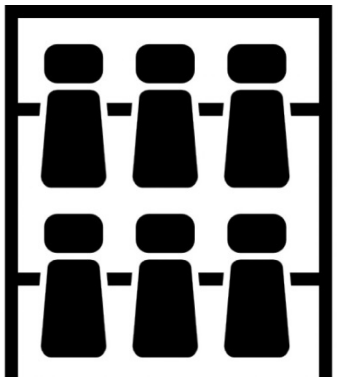


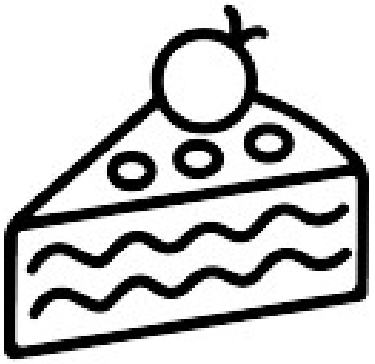
BAKE
SALE



UNITED
NEVADA
Salt Lake City
COLORADO
Denver
KANSAS
Plateau
Grand Canyon
Painted Desert
Gallup
Flagstaff
Albuquerque
ARIZONA
NEW
Phoenix
Colorado
Gila
Sonoran Desert
Tucson
Las Cruces
Rio Grande
Nogales
CALIFORN
Los Angeles
San Diego
Tijuana
Oklahoma City
OKLAHOM
TEXAS
San Antonio







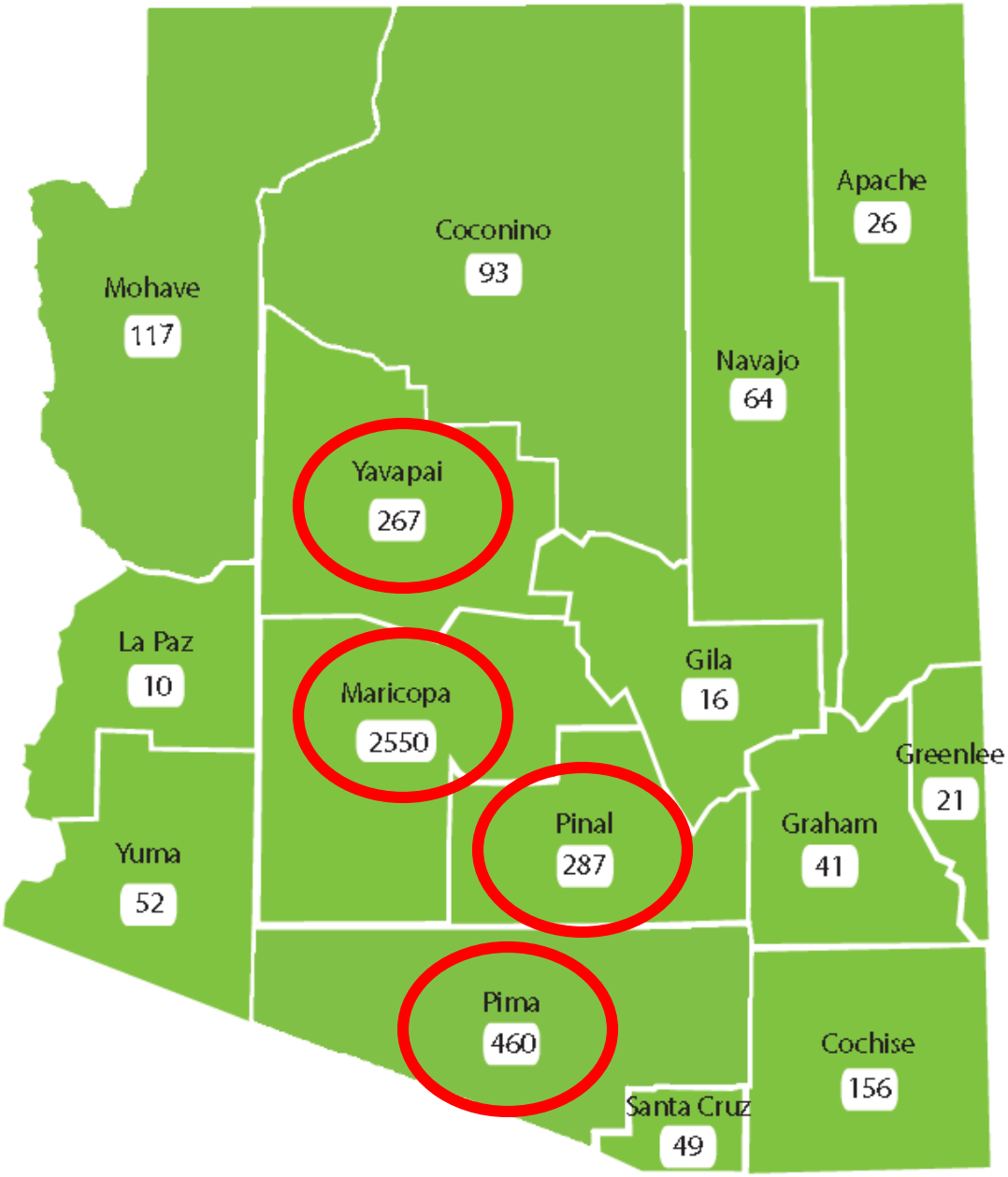


Figure 17: Home Baked & Confectionery Goods Program Registrants, by County FY2015

Home Baked and Confectionary Goods Program

Allows registered individuals to sell non-potentially hazardous, home baked and confectionery goods.

All products must be packaged and labeled with the following information:

1. The name, address, and telephone number of the registrant;
2. A list of the ingredients in the home baked or confectionery goods;
3. A statement that the home baked or confectionery goods are prepared in a private home; **and**
4. If applicable, a statement that the baked or confectionery goods are prepared in a facility for individuals with developmental disabilities.

Products must be prepared in the kitchen of a private home for commercial purposes under the supervision of an individual who has obtained a food handler's card, if issued by the county in which the individual resides. Individuals must be registered with the program, as required in A.R.S. § 36-136(H)(4)(g).

Arizona Department of Health Services

Home Baked and Confectionery Goods eNews

Summer 2015

In This Issue

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- Commonly Approved or Not Approved Frostings

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- How to Plan for a Successful Event
- Labeling Requirements
- How to Register

Page 3
- Home Baker of the Month

Page 4
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Welcome to the third issue of Home Baked and Confectionary Goods eNews! This newsletter is designed to inform Home Baked and Confectionary Goods program registrants of program requirements and changes, as well as to provide healthy recipes and connect home bakers across the state.

As of May 2015, there are **4,033** individuals registered with the program.

Frosting: What makes the cake?

We have received multiple questions regarding hard icing and/or frosting. Here is the scoop: hard icing must be shelf-stable, not require refrigeration, and should not support the growth of microorganisms. Examples of hard icing include: Confectioners' sugar icing, candy clay, glazes, gum paste, and fondant.
Icings that contain egg, butter, whipping cream, or cream cheese are not approved.

Commonly approved and non-approved Frostings:

Approved Frostings	NOT Approved Frostings
Confectioners' Sugar Icing—made of shortening, milk, and confectioners' sugar	French Buttercream—uses egg yolks
Candy Clay—made from mixture of candy melts and corn syrup	Meringue Italian Buttercream—uses egg whites
Glazes—powdered sugar, corn syrup, and water	Citrus Curd—uses eggs
Gum Paste—made from gum based paste	Cream Cheese—uses cream cheese and eggs
Fondant—made from sugar and vegetable shortening	Custard or Puddings—uses eggs
	Meringue—uses eggs
	Whipped Cream—uses whipping cream
	Royal Icing—uses eggs

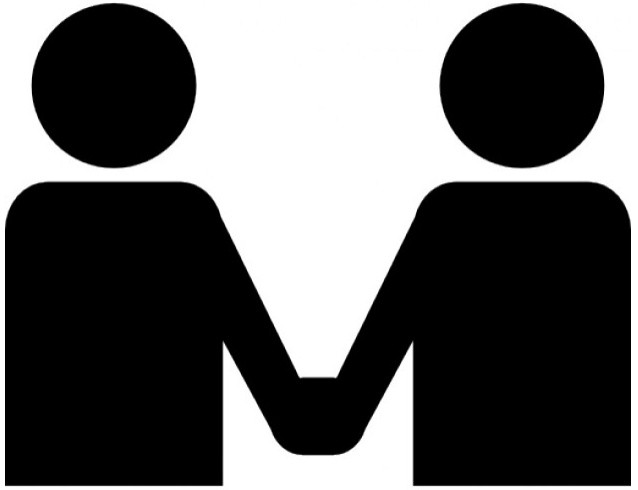
Home Baker of the Month: Matt of SMILE Biscotti

Meet Matt, this month's featured home baker and owner of SMILE Biscotti, who sells mouth-watering biscotti cookies in several flavors!

Photo Courtesy of Frontdoors News Magazine

STRATEGY

IMMEDIATE
ACTION !
REQUIRED
STOP



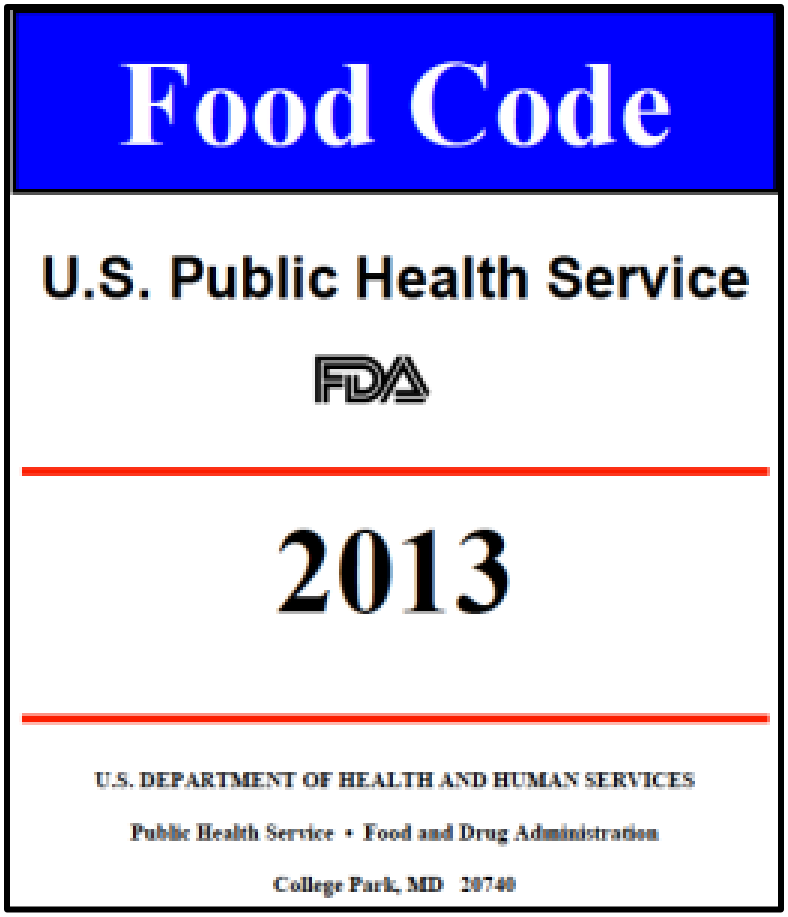
Cottage Food a Local Perspective

Consumer Health & Food Safety
Pima County Health Department

David Ludwig MPH, REHS, RS, CPM

PIMA COUNTY HEALTH DEPARTMENT A Healthy Pima County
Everyone. Everywhere. Everyday.

Unlike the Food Code where All States have Adopted it or a version of it, the Cottage Food Laws are Different and Unique to Every State



All it takes to Make a New Law is one of These

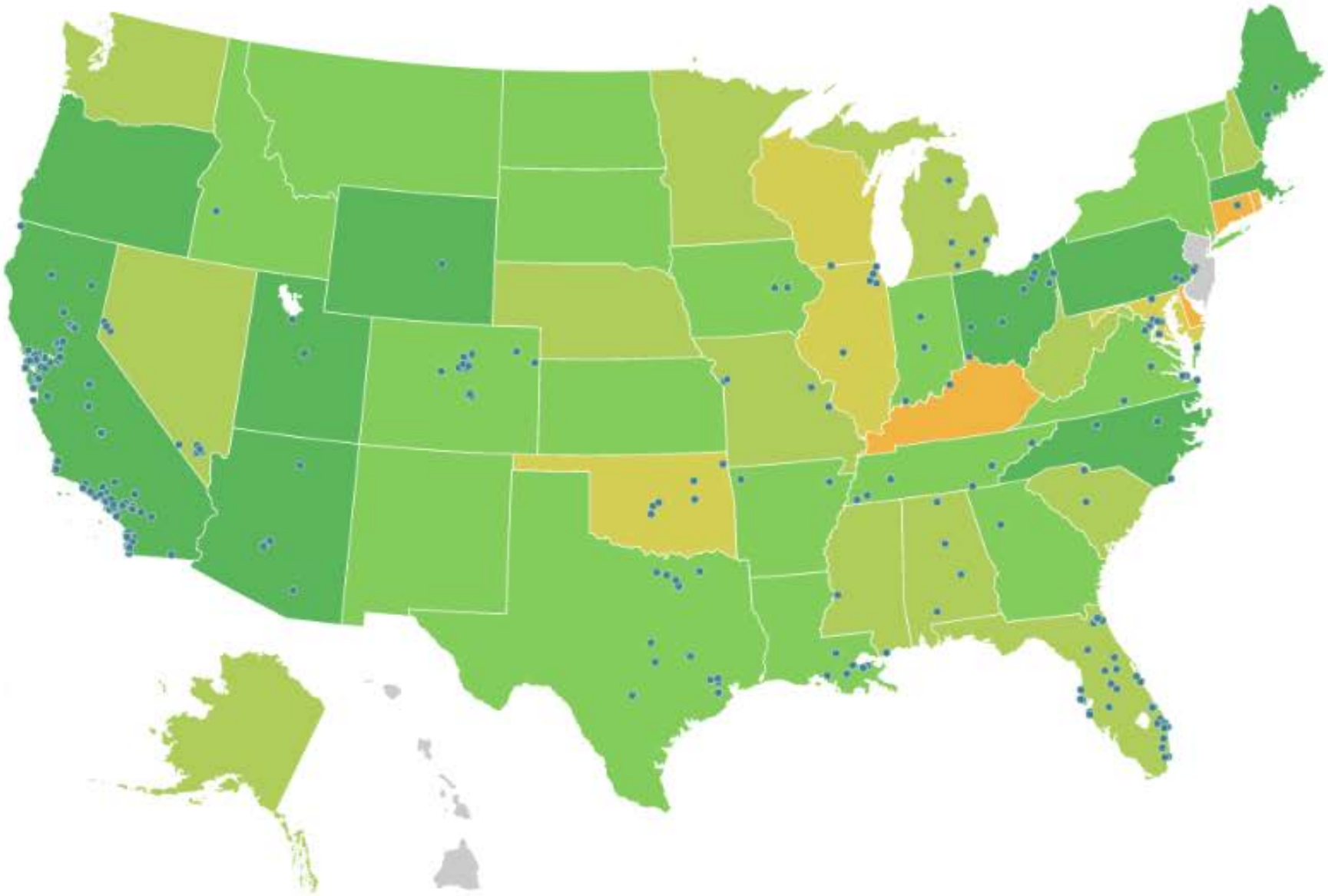
Arizona's Cottage Food Coded Exemption

Arizona Revised Statutes – 36-136 Powers of the Director exempts Cottage Foods from permitting and inspection

(g) Baked and confectionary goods that are not potentially hazardous and that are prepared in a kitchen of a private home for commercial purposes if packaged with a label that clearly states the address of the maker, includes contact information for the maker, lists all the ingredients in the product and discloses that the product was prepared in a home. The label must be given to the final consumer of the product. If the product was made in a facility for individuals with developmental disabilities, the label must also disclose that fact. The person preparing the food or supervising the food preparation must obtain a food handler's card or certificate if one is issued by the local county and must register with an online registry established by the department pursuant to paragraph 13 of this subsection. For the purposes of this subdivision, "potentially hazardous" means baked and confectionary goods that meet the requirements of the food code published by the United States food and drug administration, as modified and incorporated by reference by the department by rule.

13. Establish an online registry of food preparers that are authorized to prepare food for commercial purposes pursuant to paragraph 4 of this subsection.

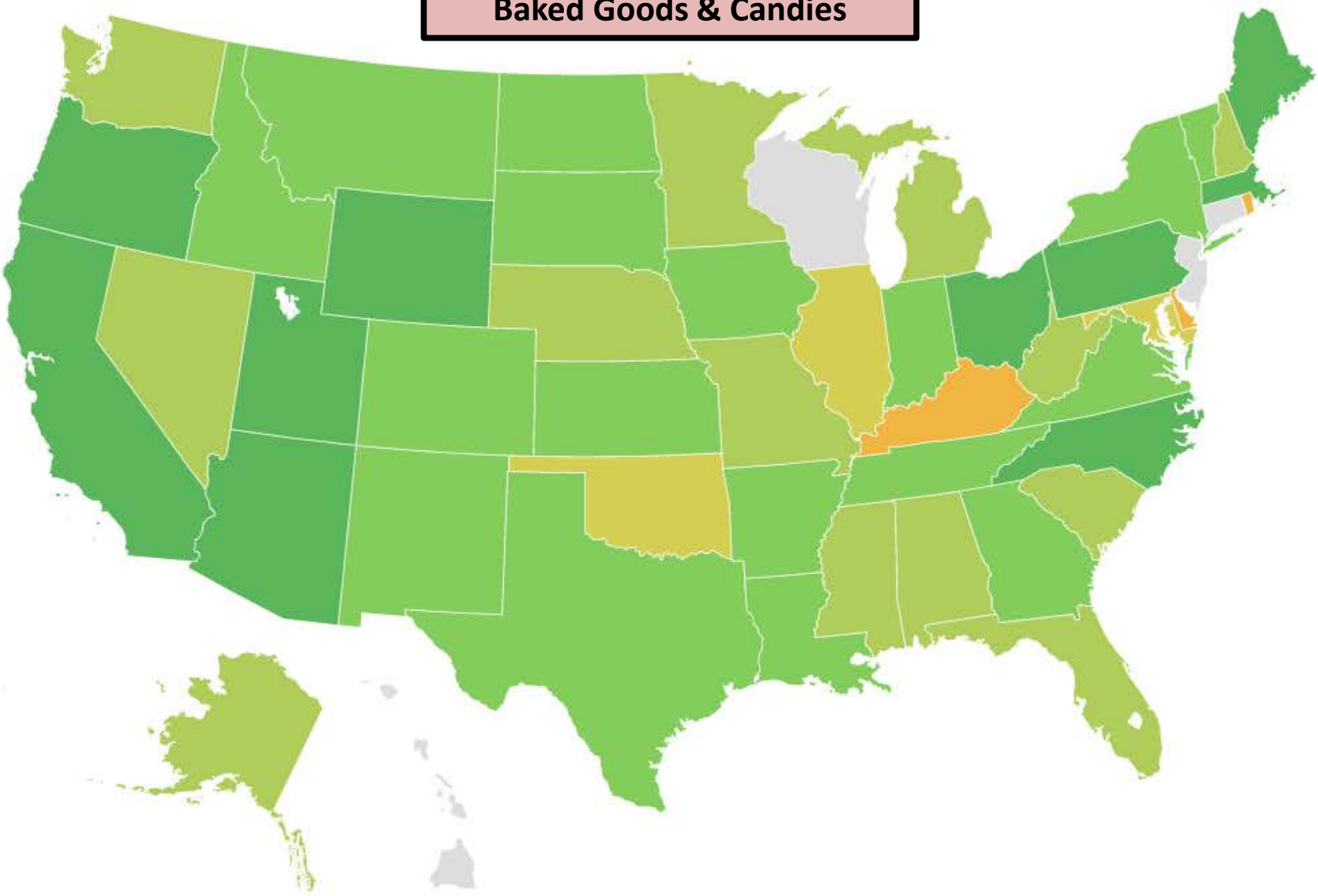
Cottage Food Laws



BONUS
germ-x
Aloe
BANANA NUT
BREAD

Cottage Food Laws

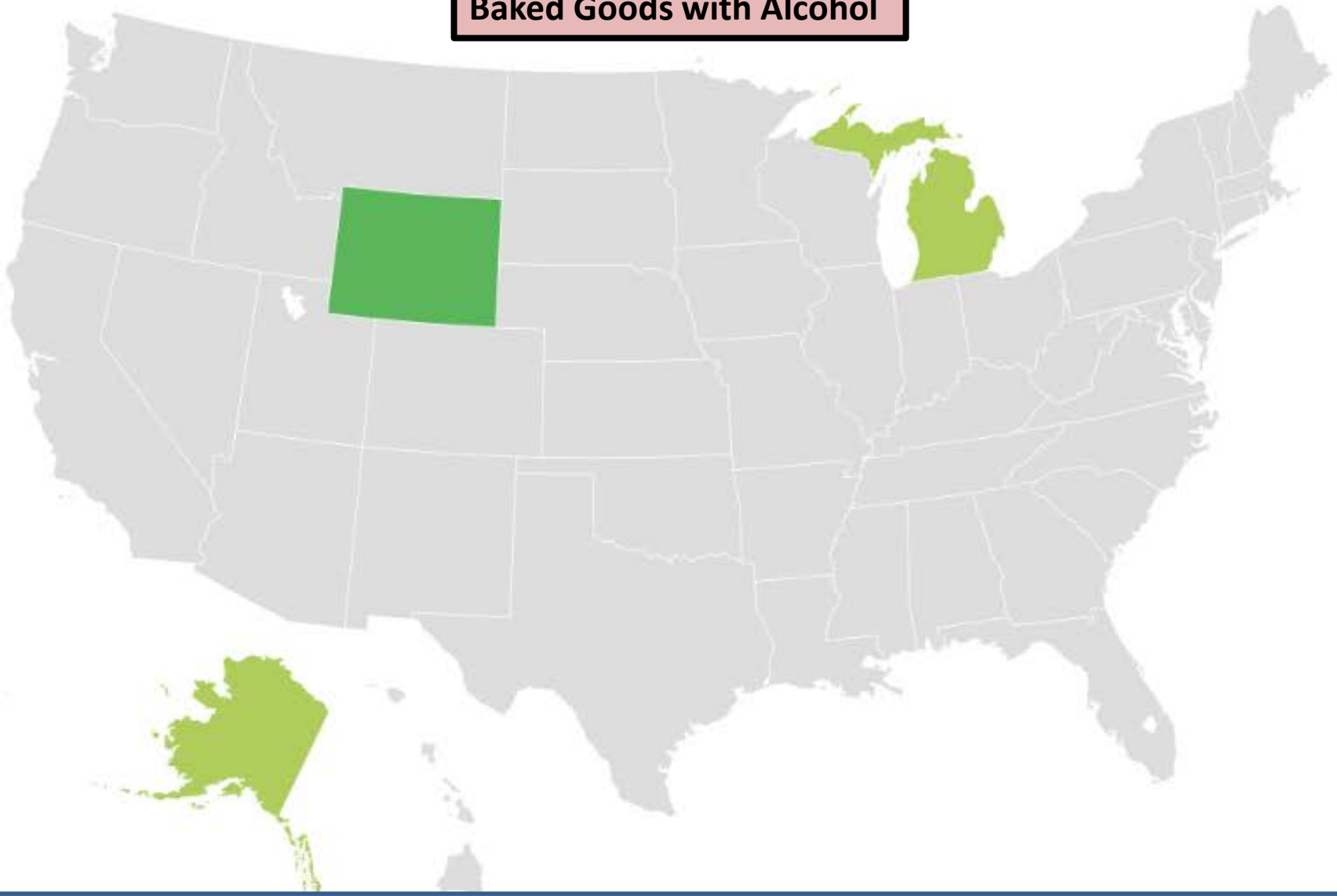
Baked Goods & Candies



Rum cake

Cottage Food Laws

Baked Goods with Alcohol



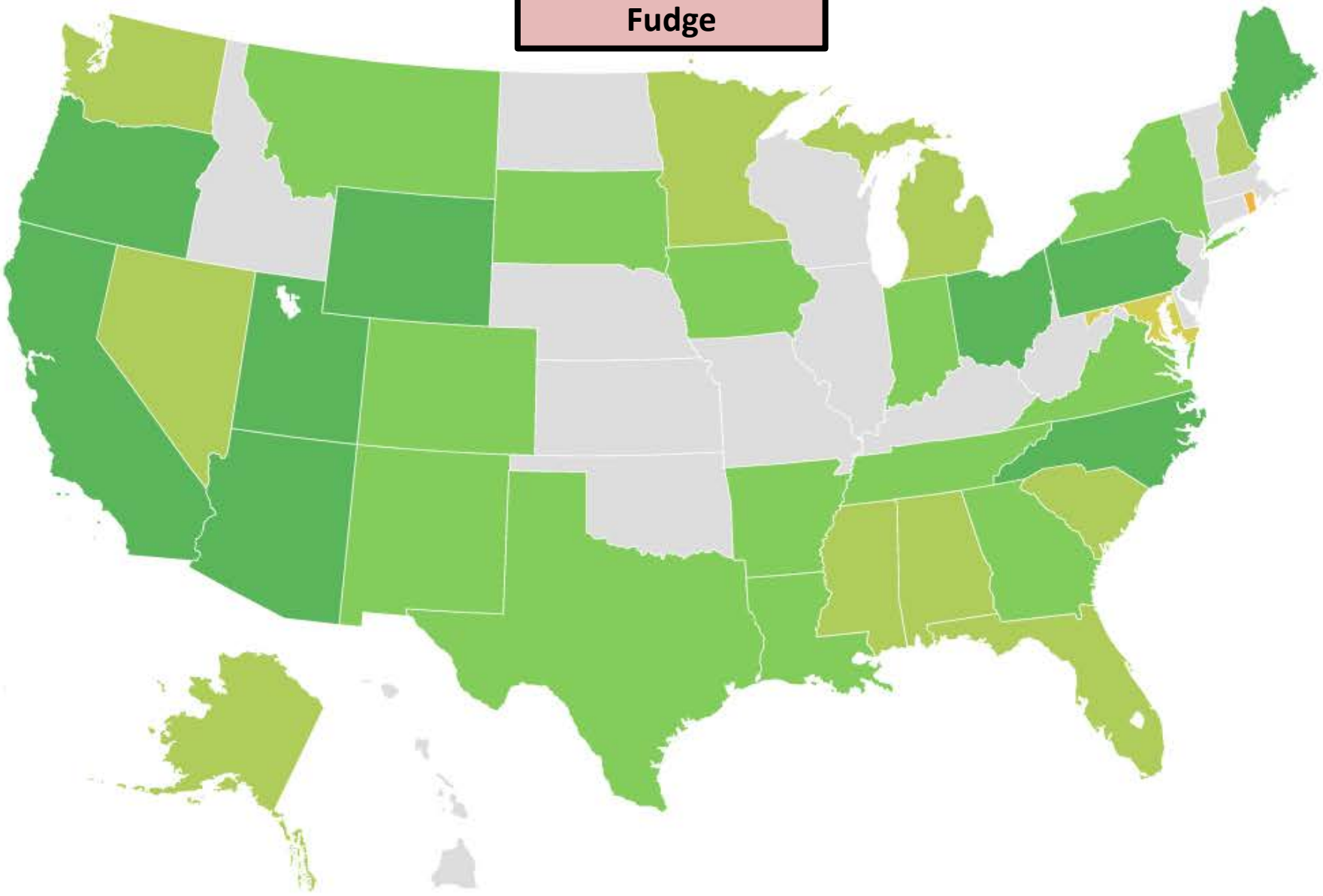
Cottage Food Laws

Candy with Alcohol

Home made
Fudge
$1.00
TUFFSTUFF
$1

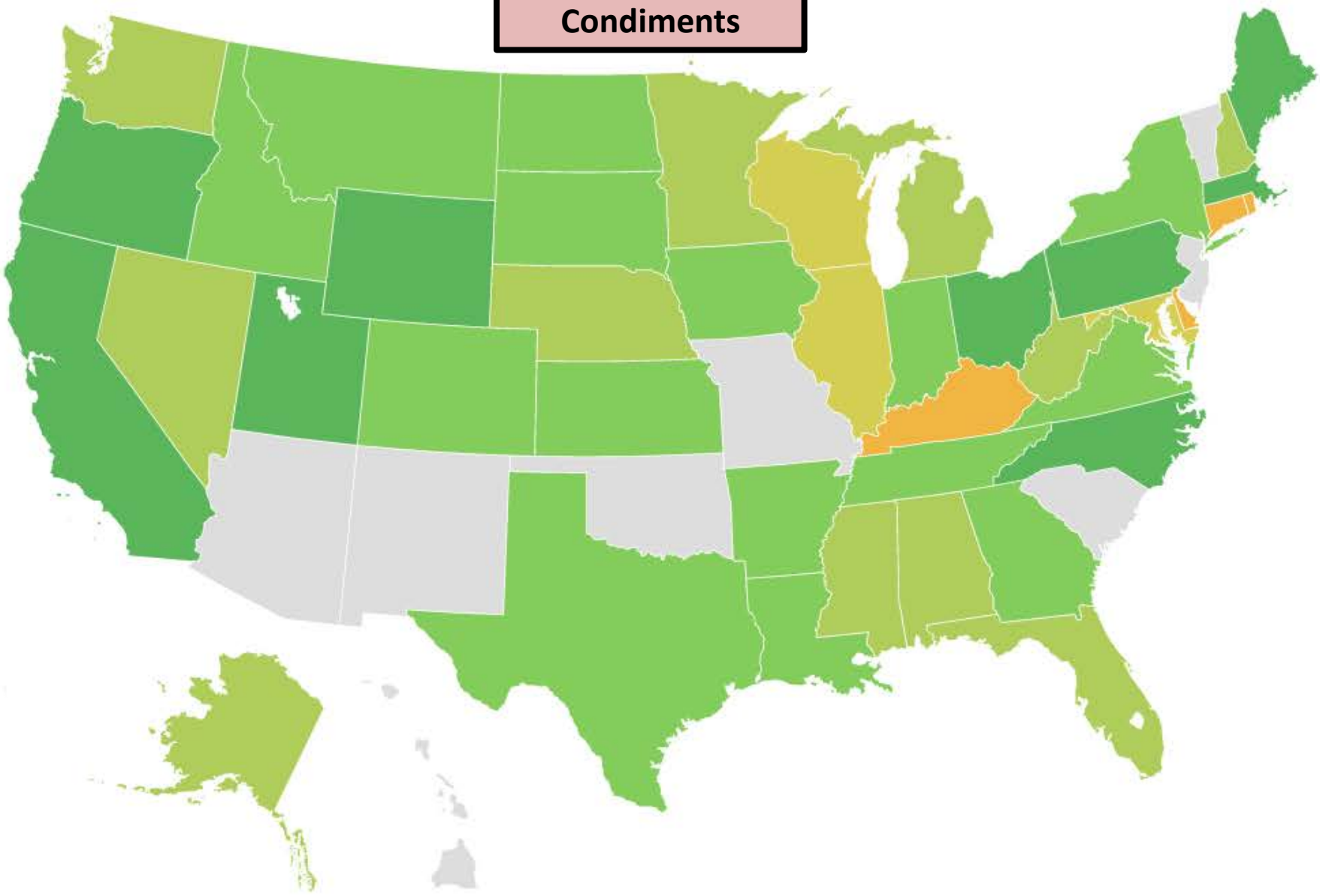
Cottage Food Laws

Fudge



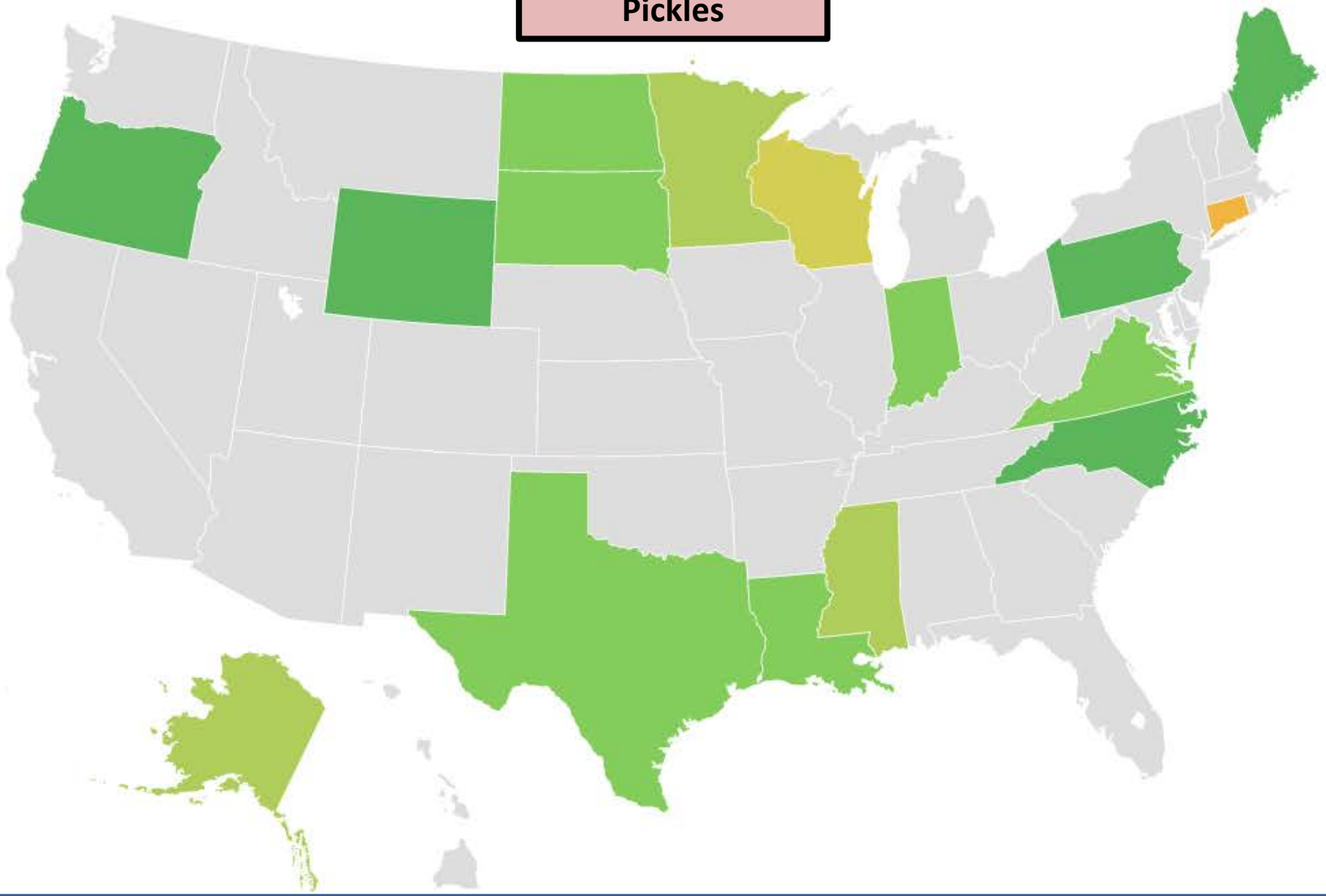
Cottage Food Laws

Condiments

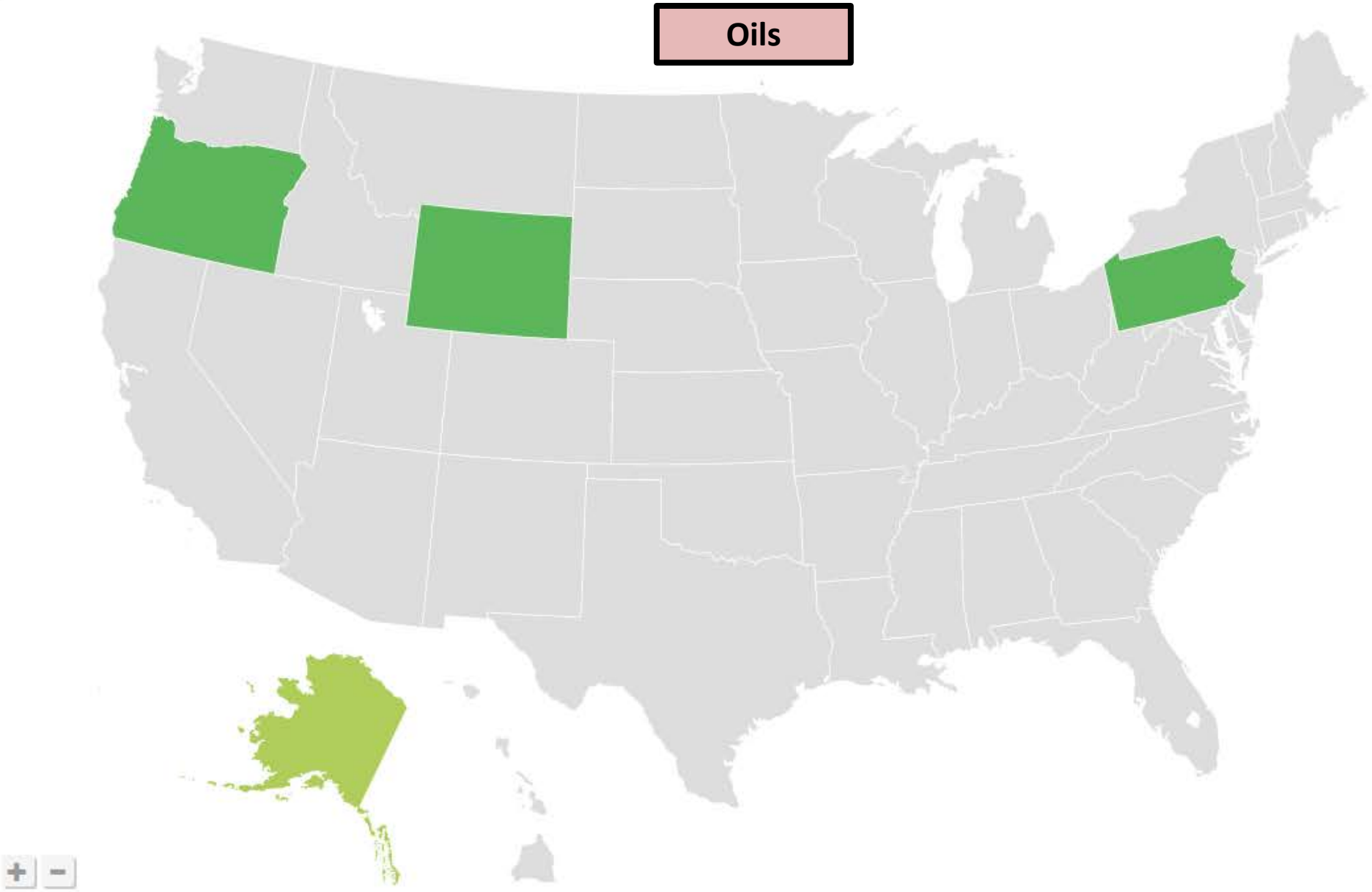


Cottage Food Laws

Pickles



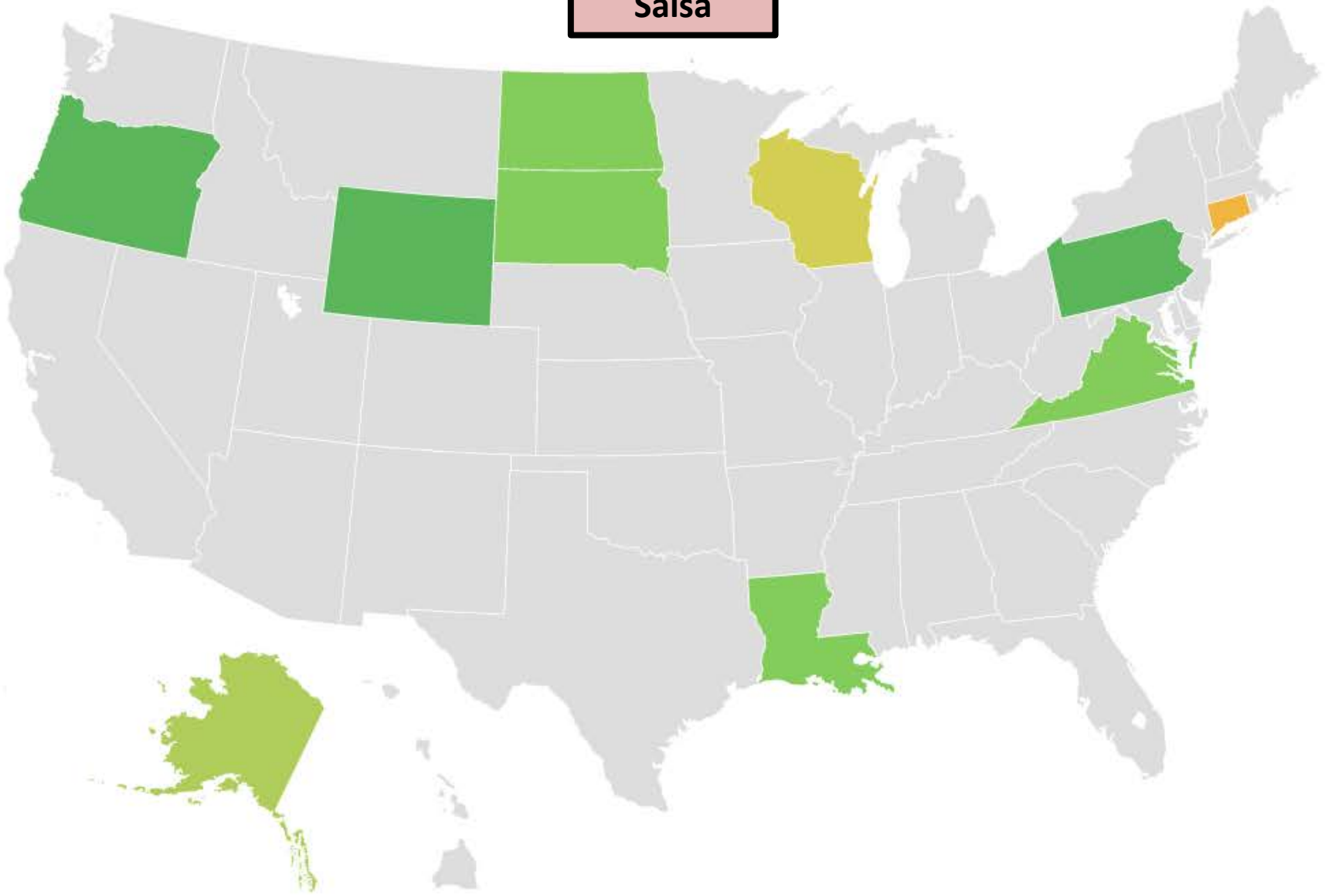
Cottage Food Laws



Zip
Freezer Gallon
Ziploc
152 BAGS

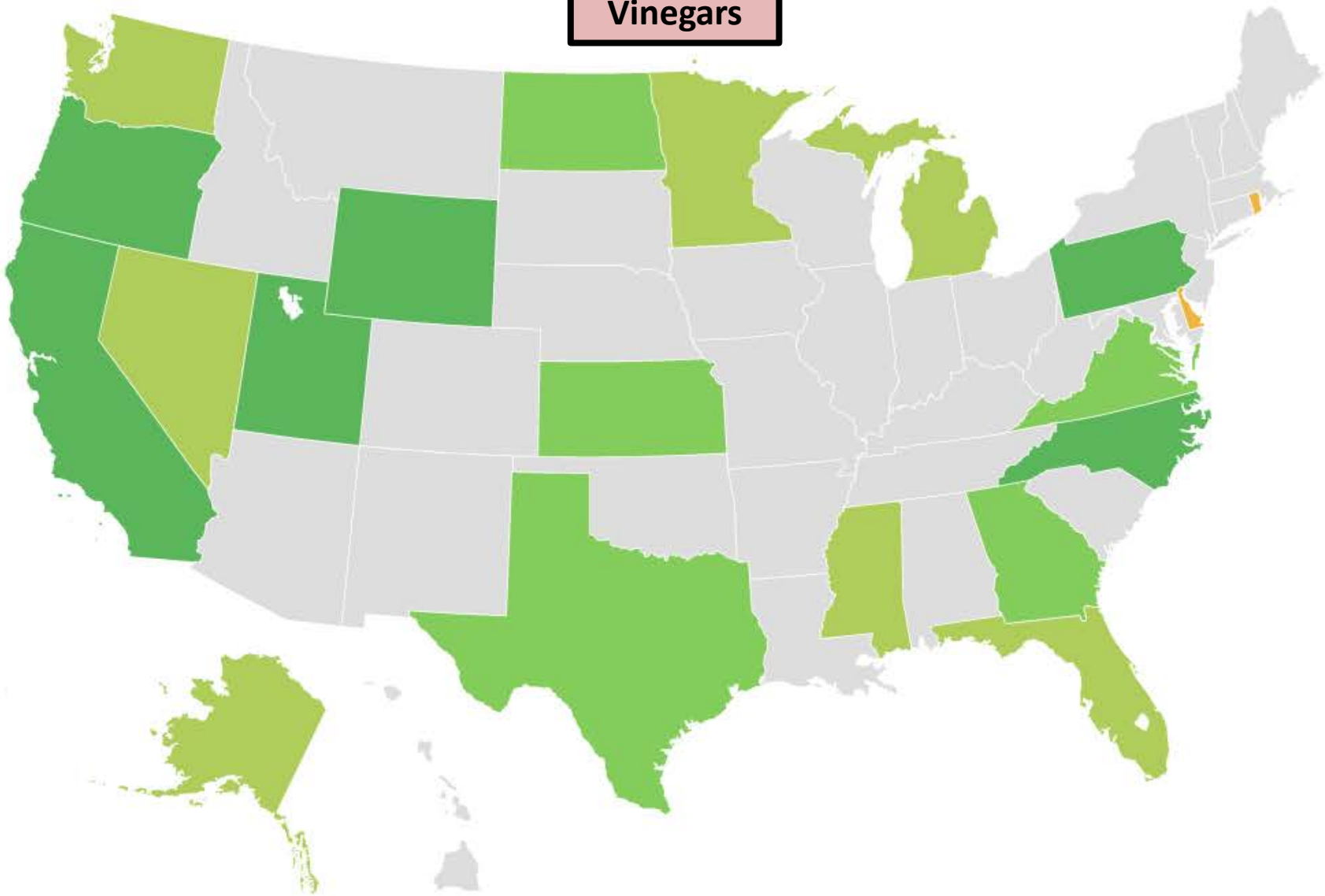
Cottage Food Laws

Salsa



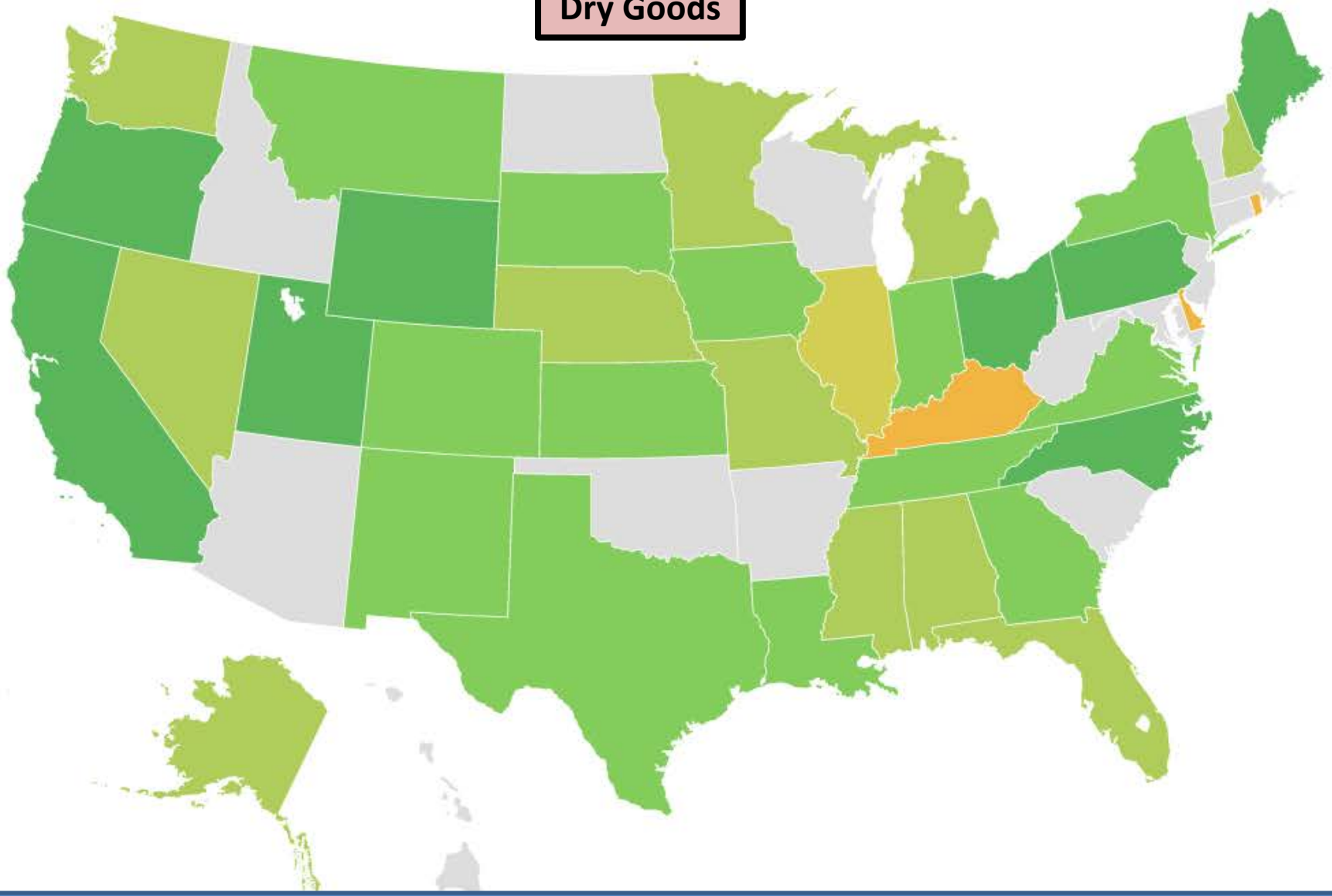
Cottage Food Laws

Vinegars



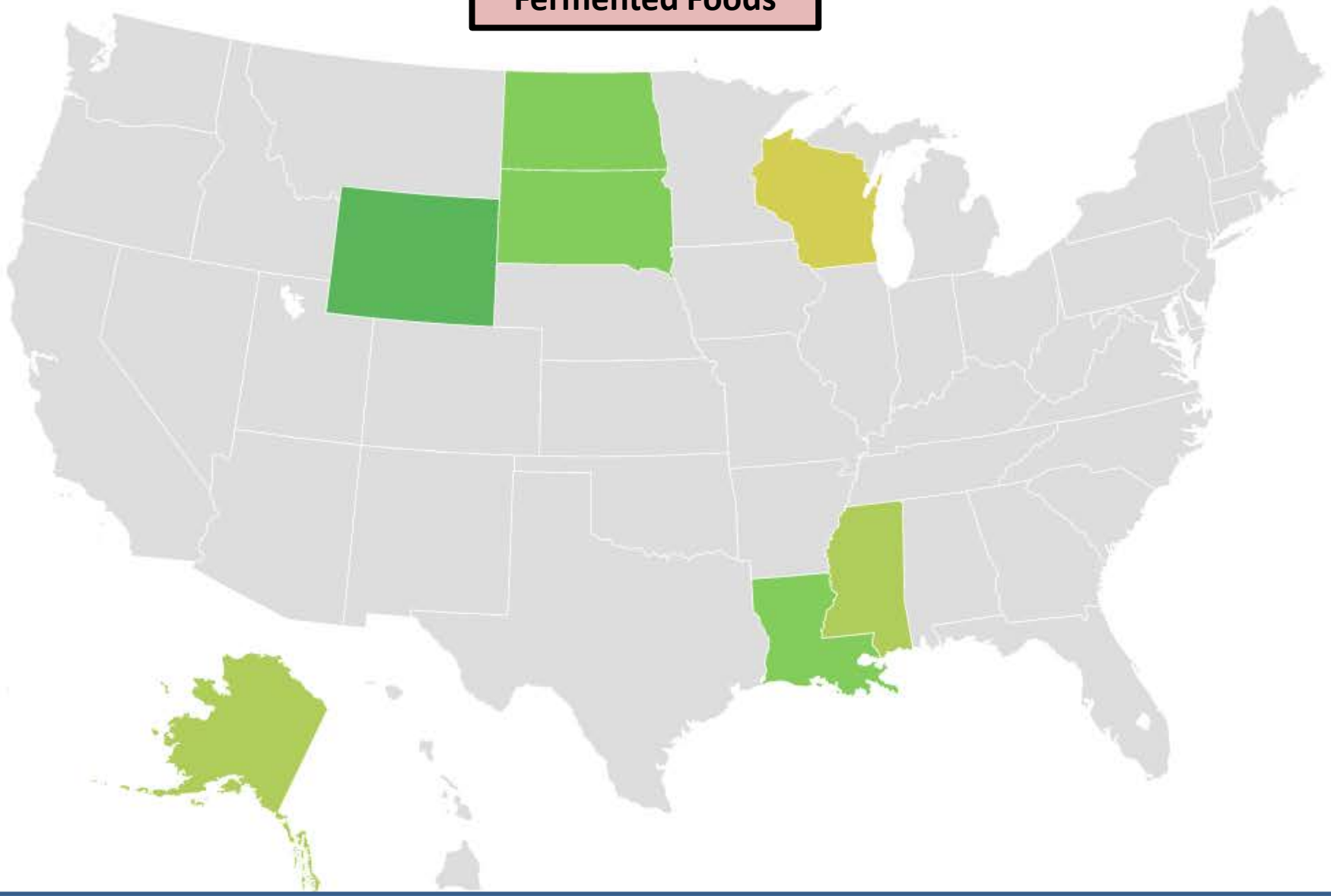
Cottage Food Laws

Dry Goods



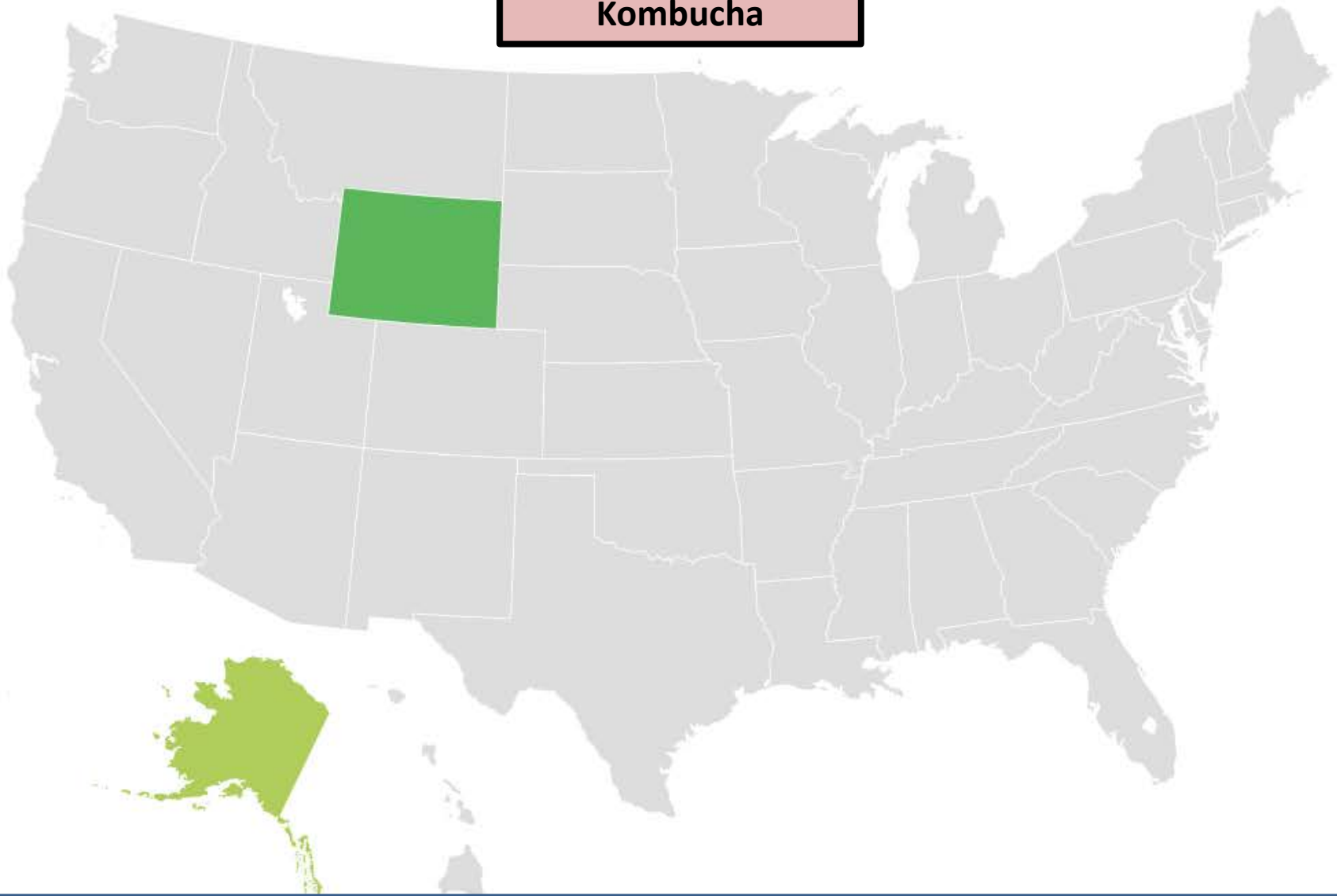
Cottage Food Laws

Fermented Foods



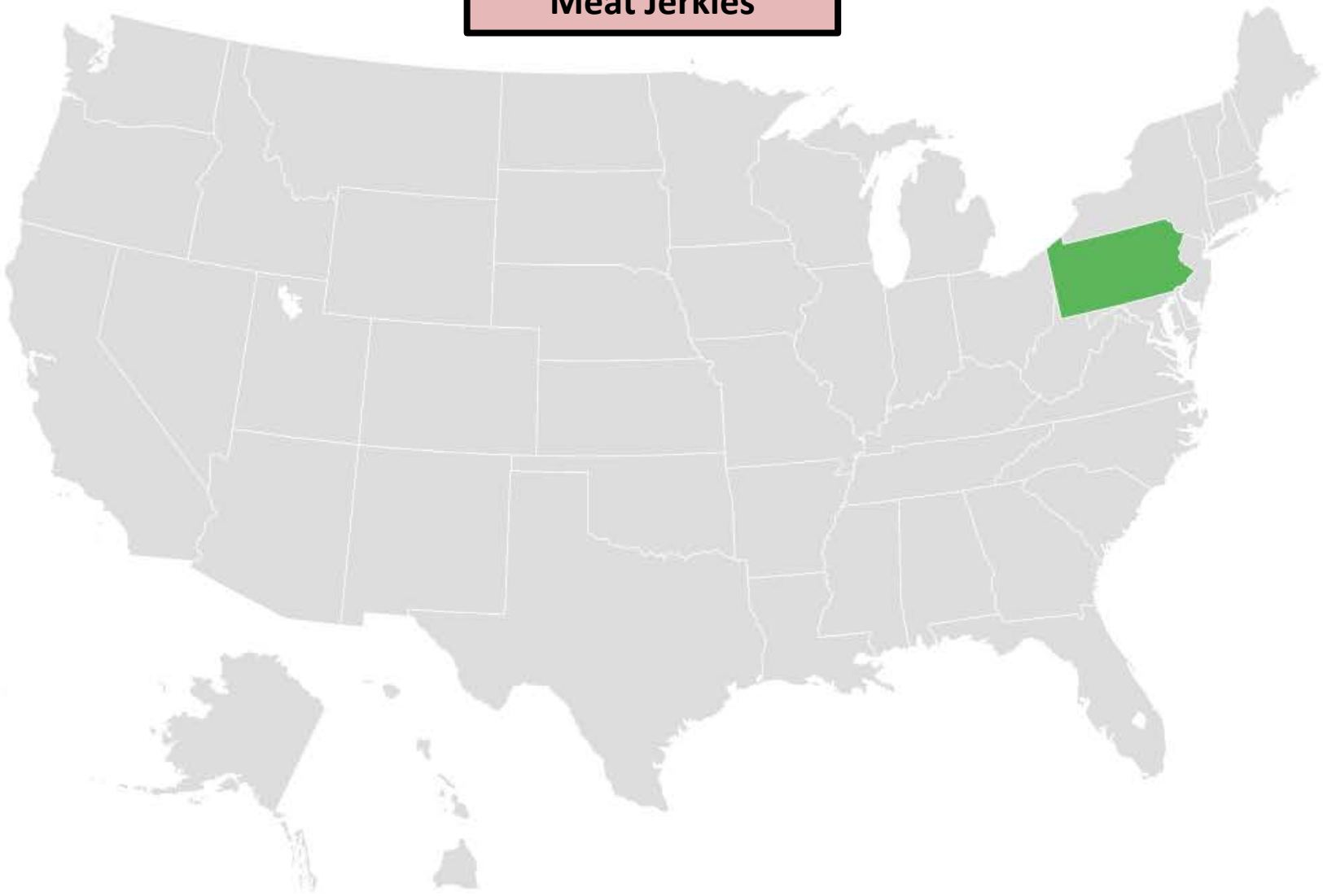
Cottage Food Laws

Kombucha



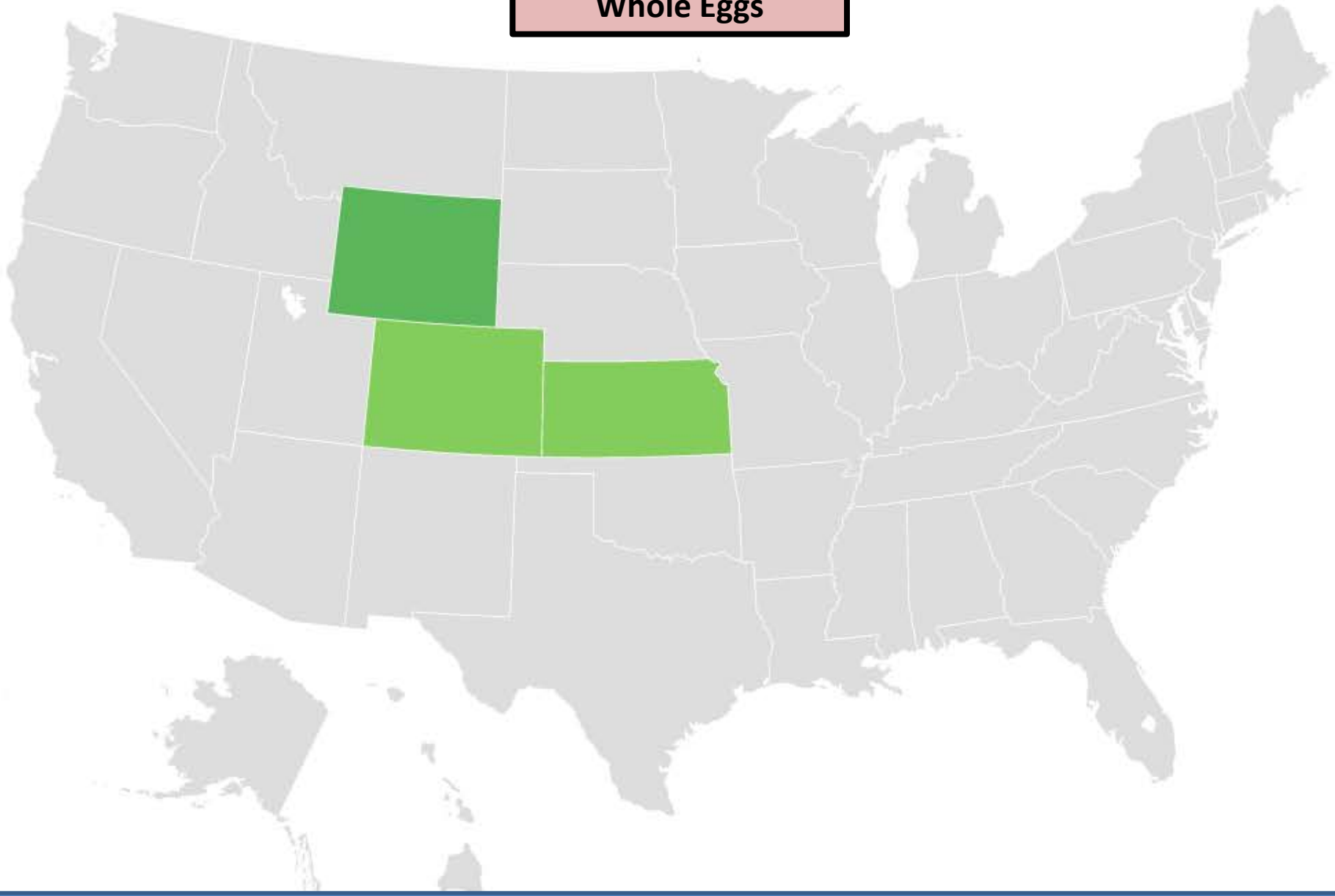
Cottage Food Laws

Meat Jerkies

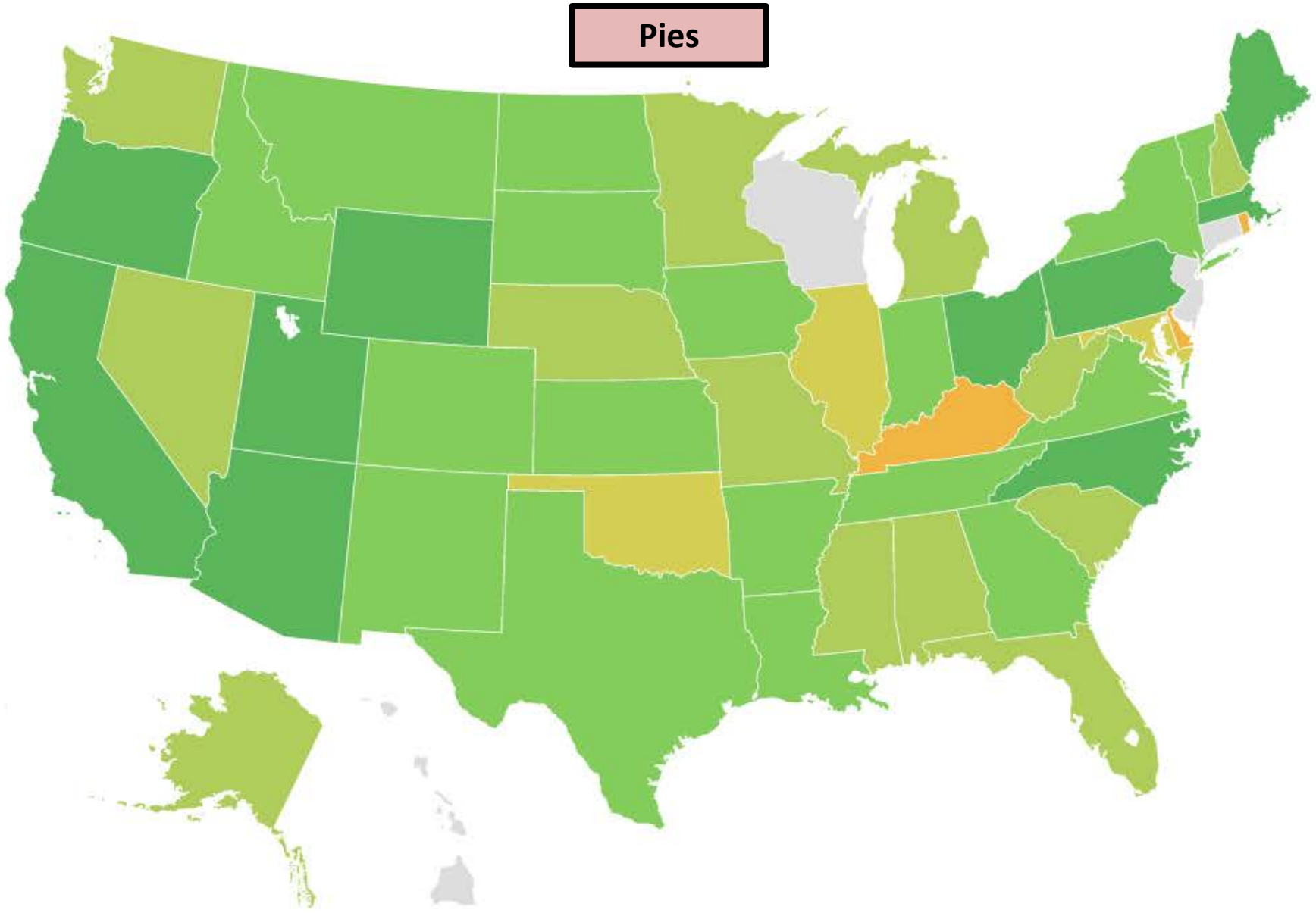


Cottage Food Laws

Whole Eggs

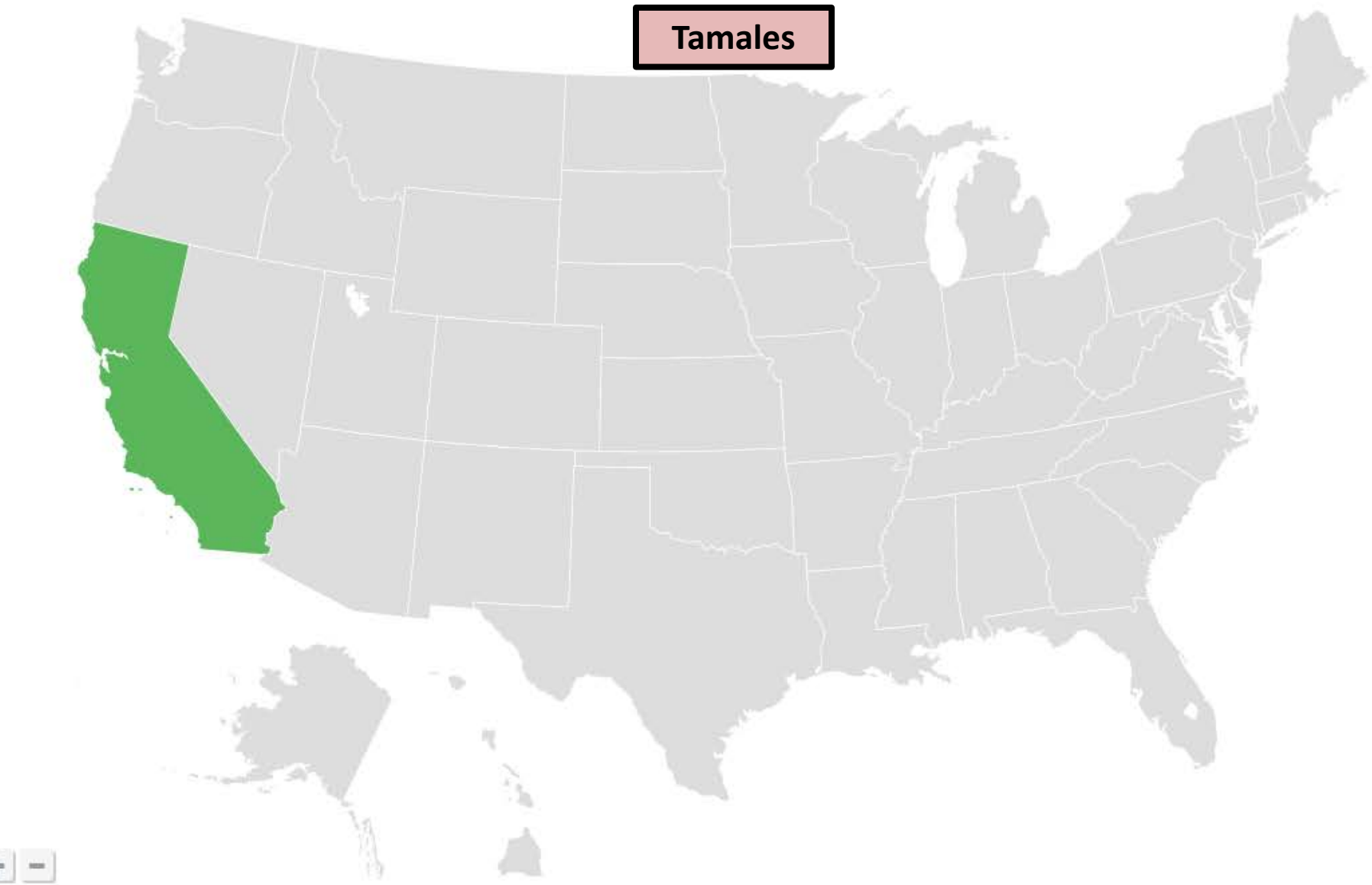


Cottage Food Laws



CHIPS
1 lb.
FRESH
Just!
Made
TAMALES
*Beef
*Green Corn
*Combination
$9.00 ½ DOZEN
Fresh
Corn tortillas $2.00 Dozen
Corn Chips $4.00 Bag
Made!

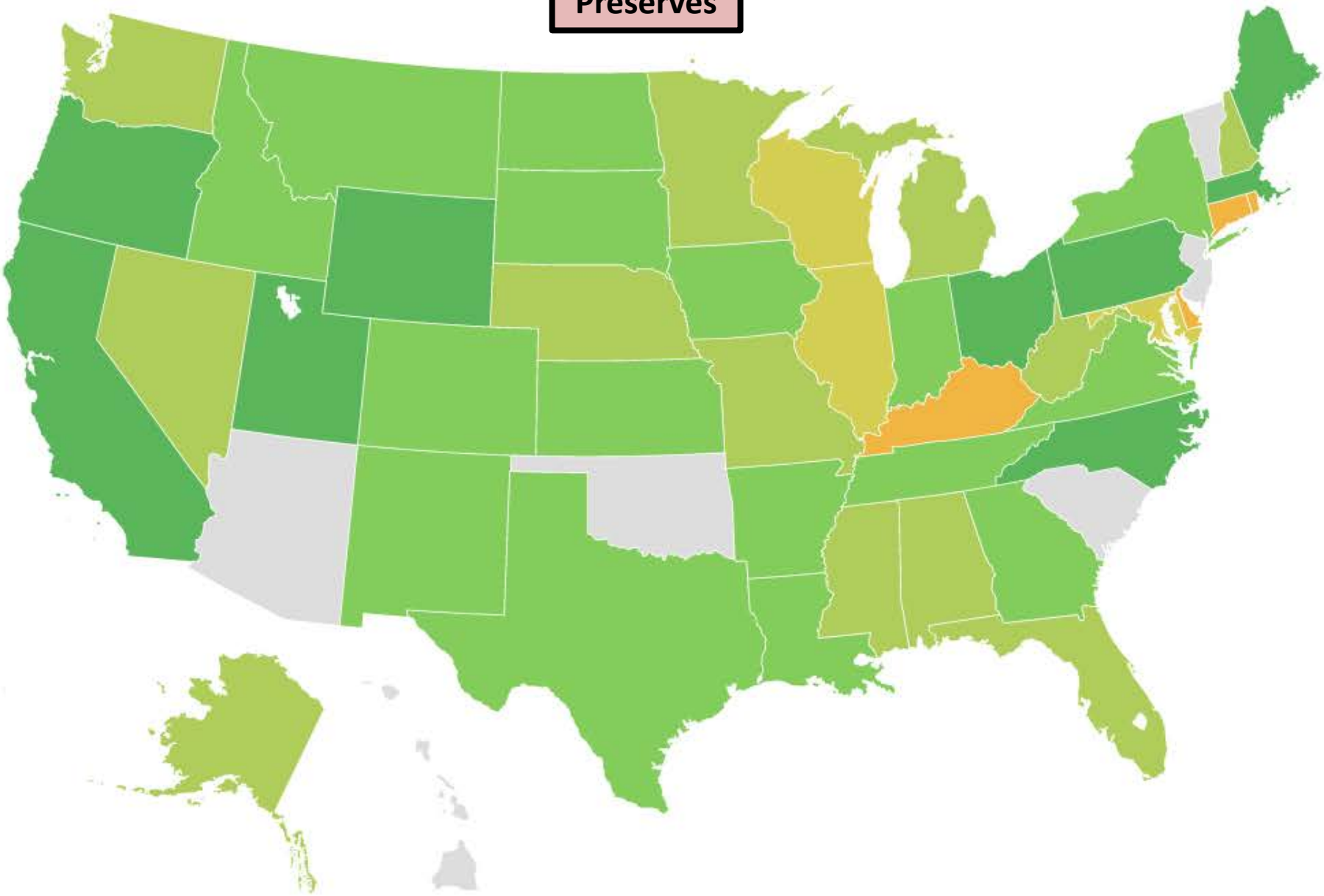
Cottage Food Laws



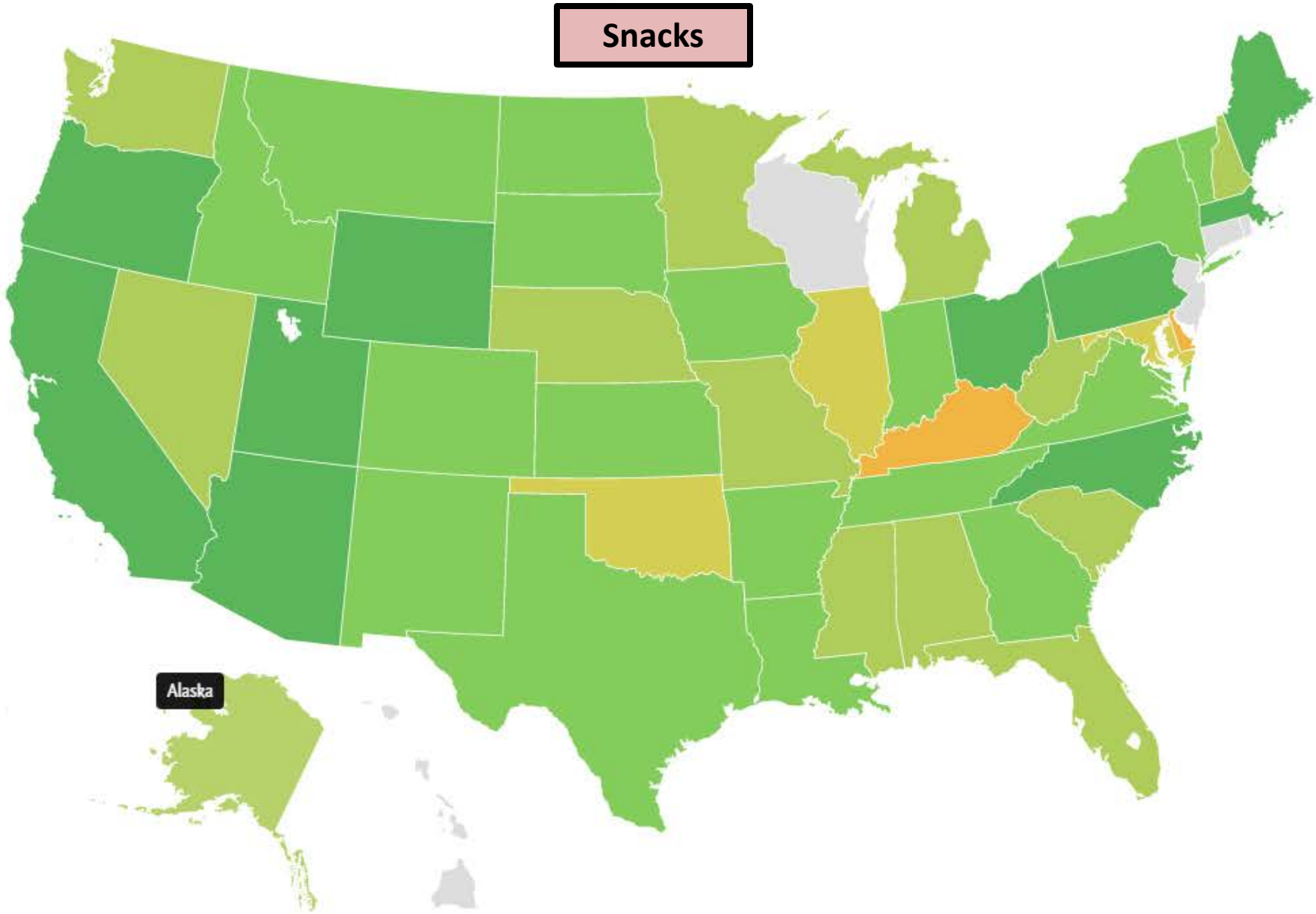
Ball
MASON JARS
for PRESERVING
MADE IN U.S.A.

Cottage Food Laws

Preserves



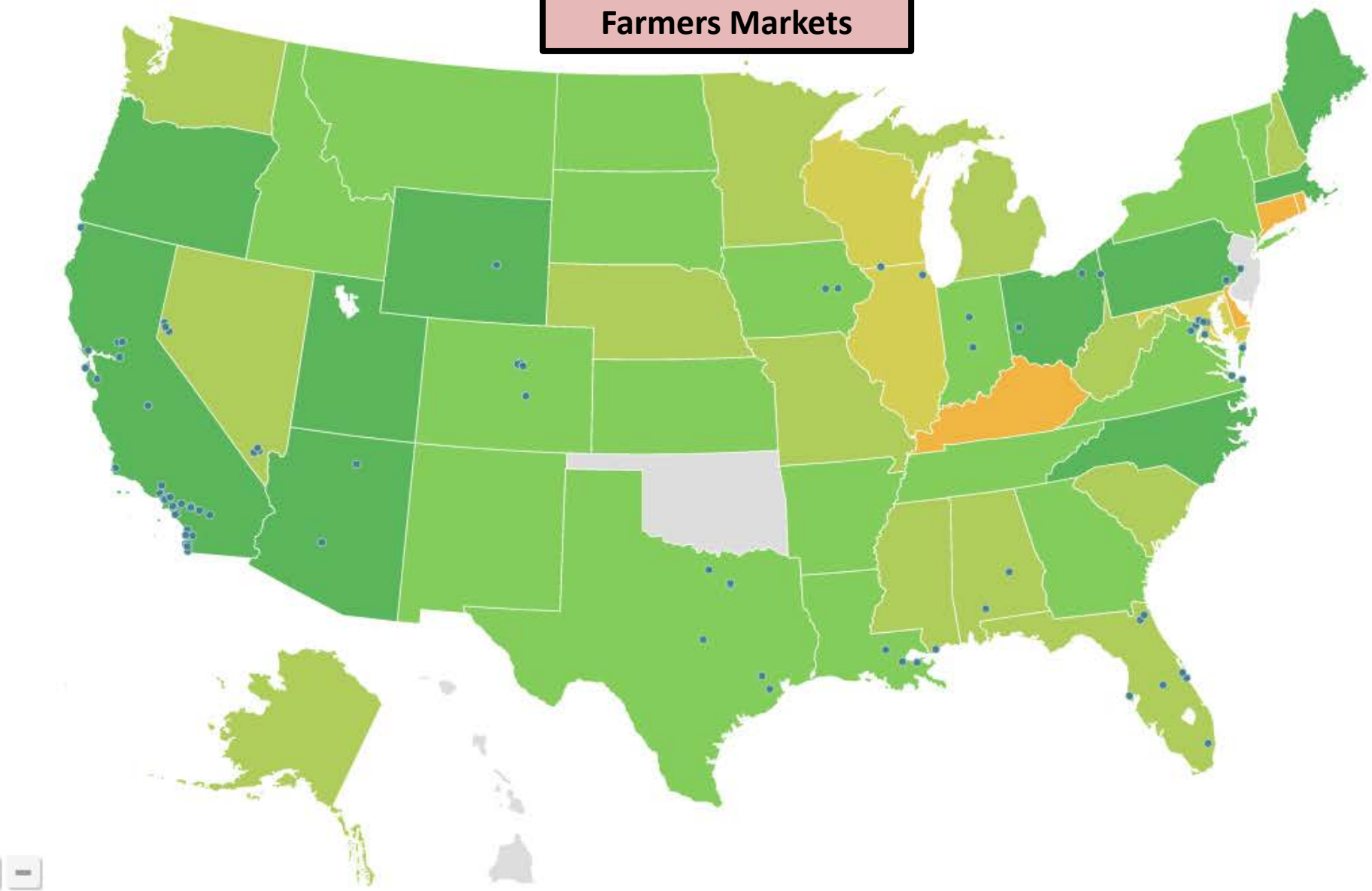
Cottage Food Laws



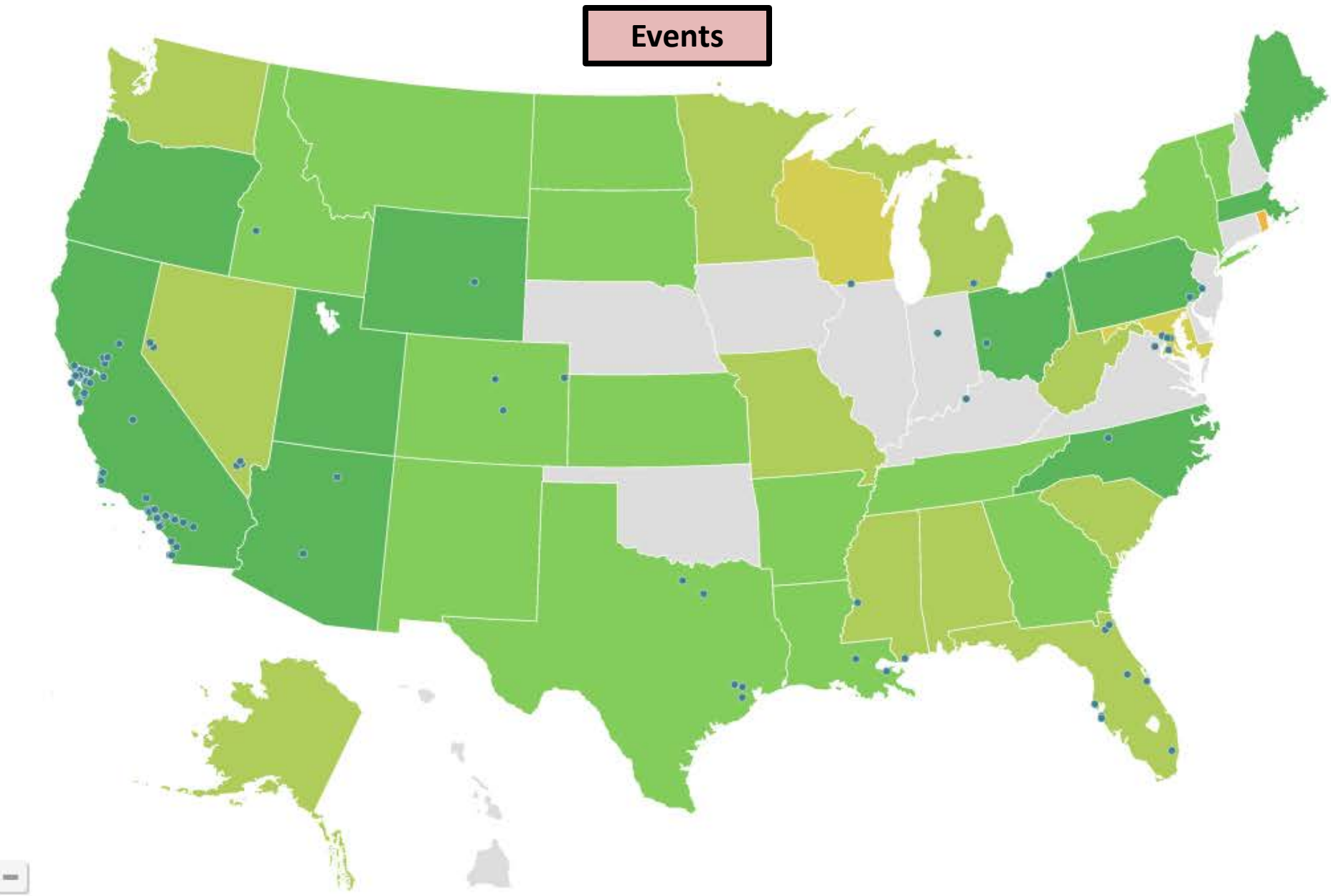
FOOTE'S HOLD DAIRY
FARMSTEAD GOAT CHEESE
GOAT MILK
LOCAL

Cottage Food Laws

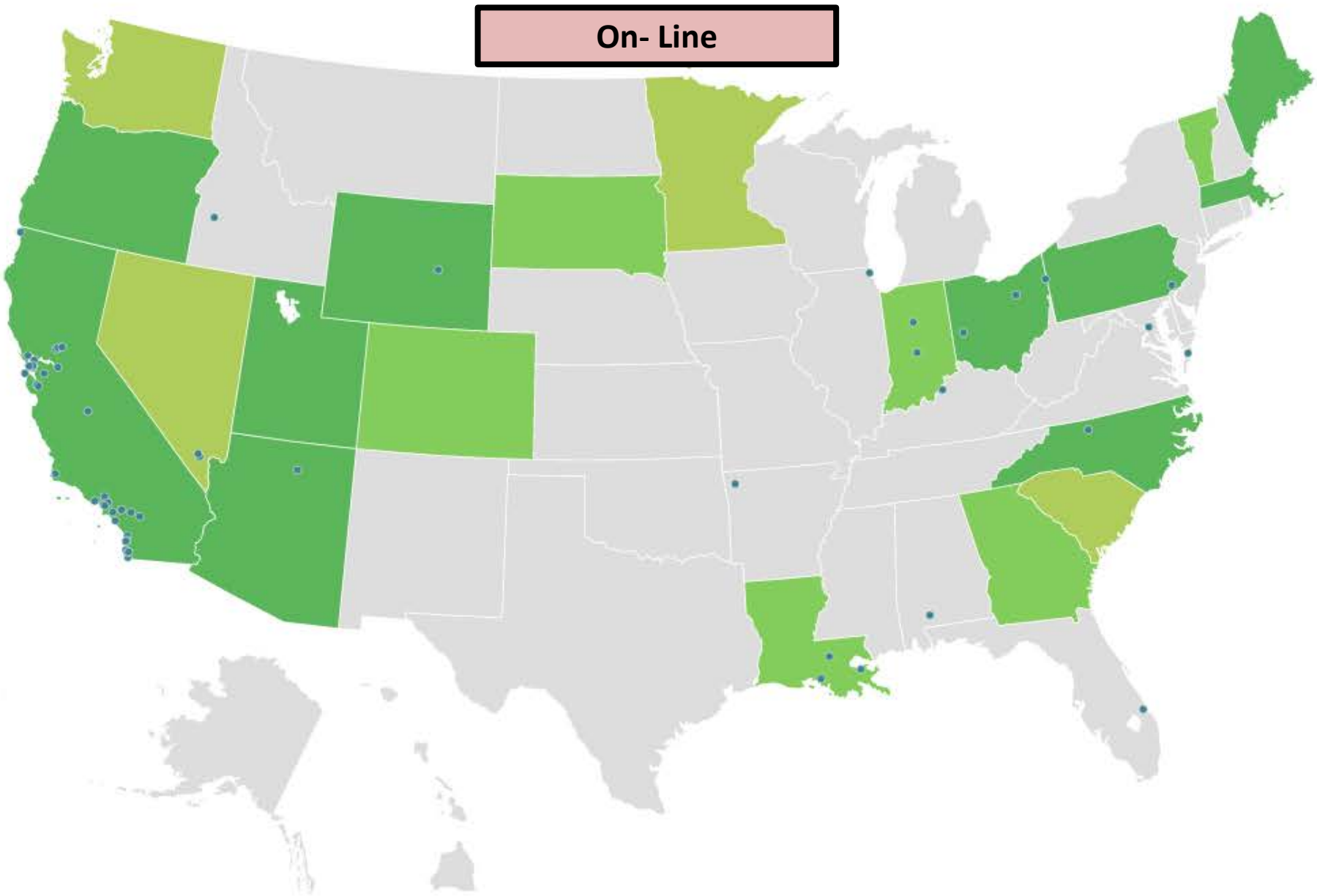
Farmers Markets



Cottage Food Laws

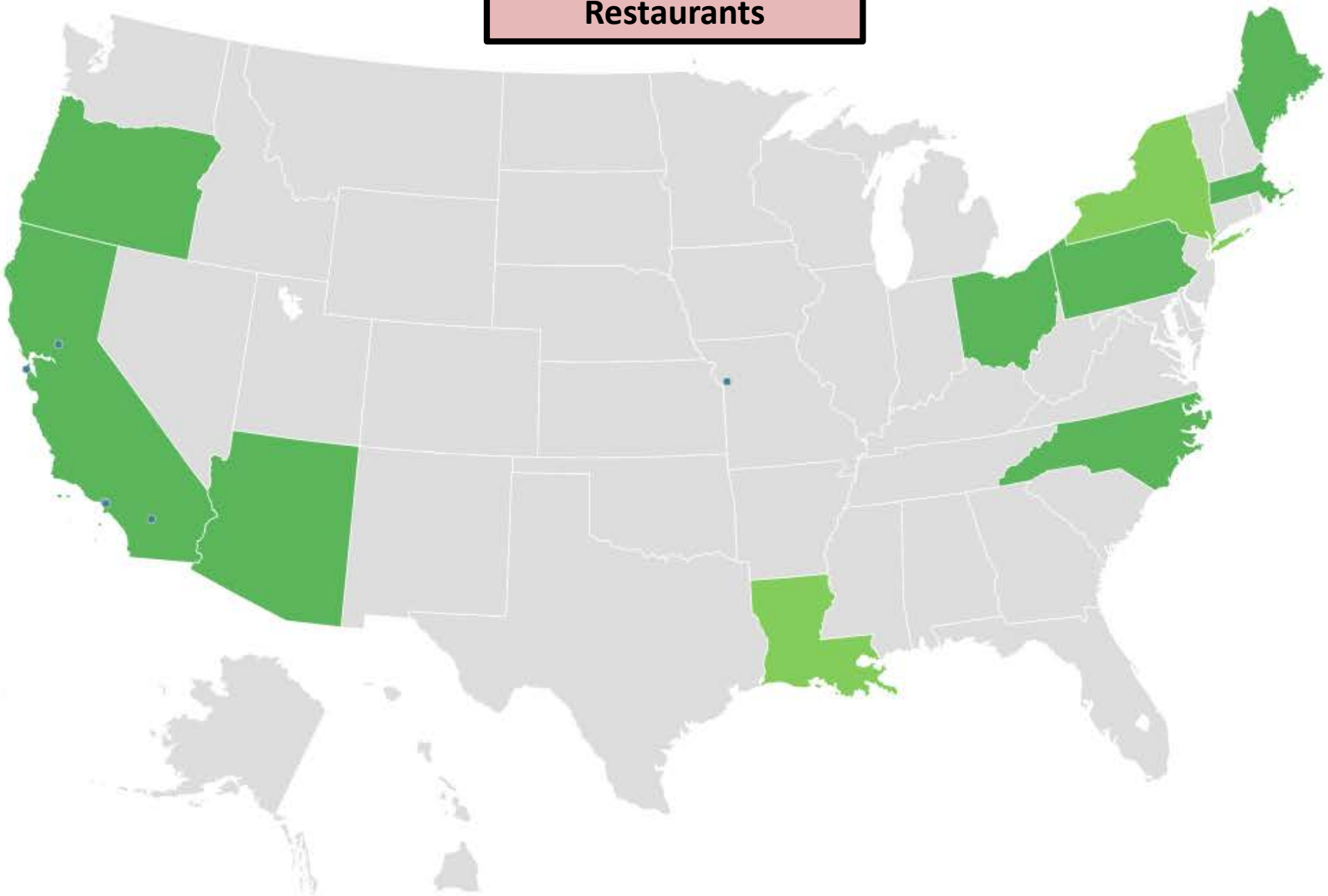


Cottage Food Laws



Cottage Food Laws

Restaurants



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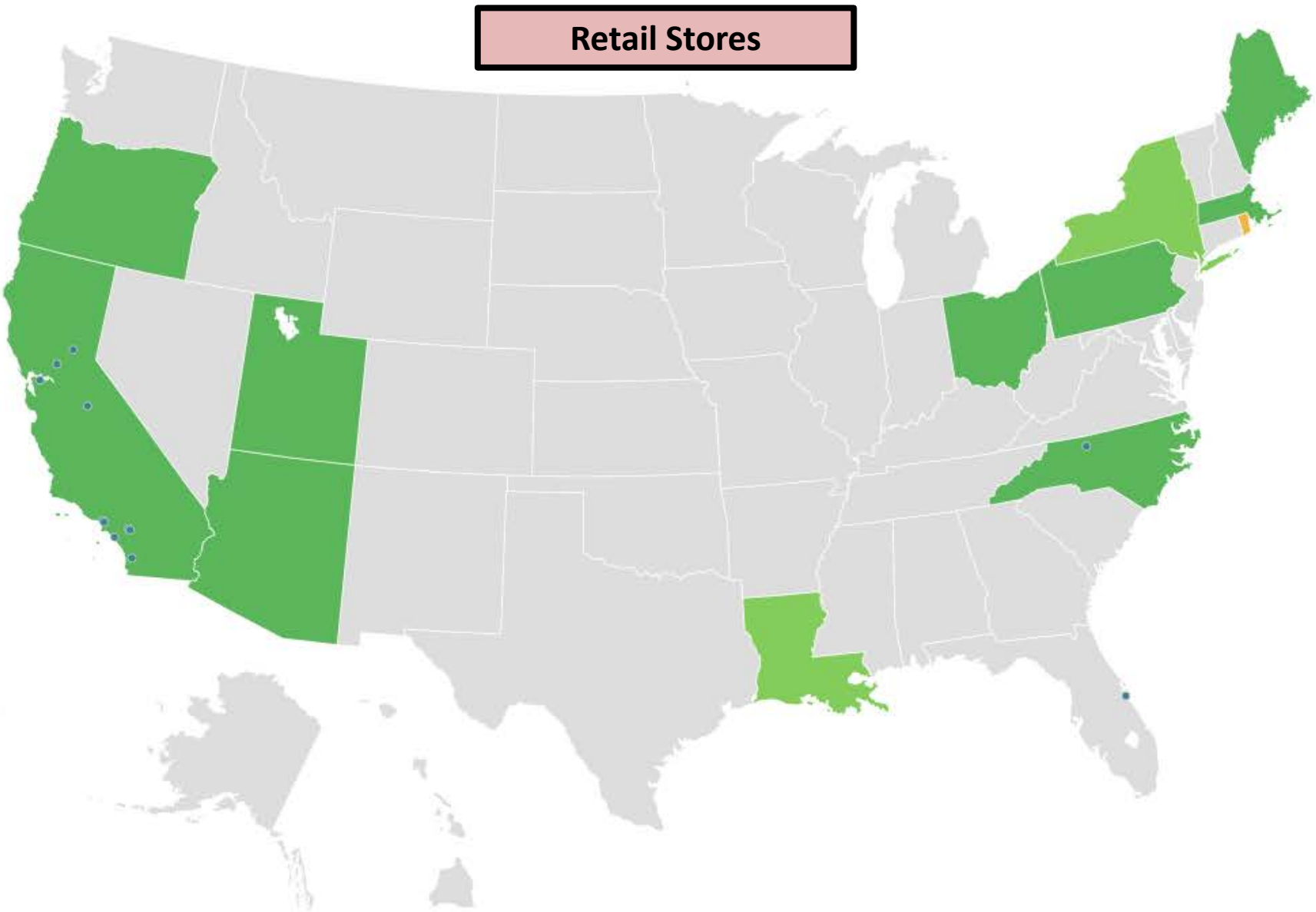
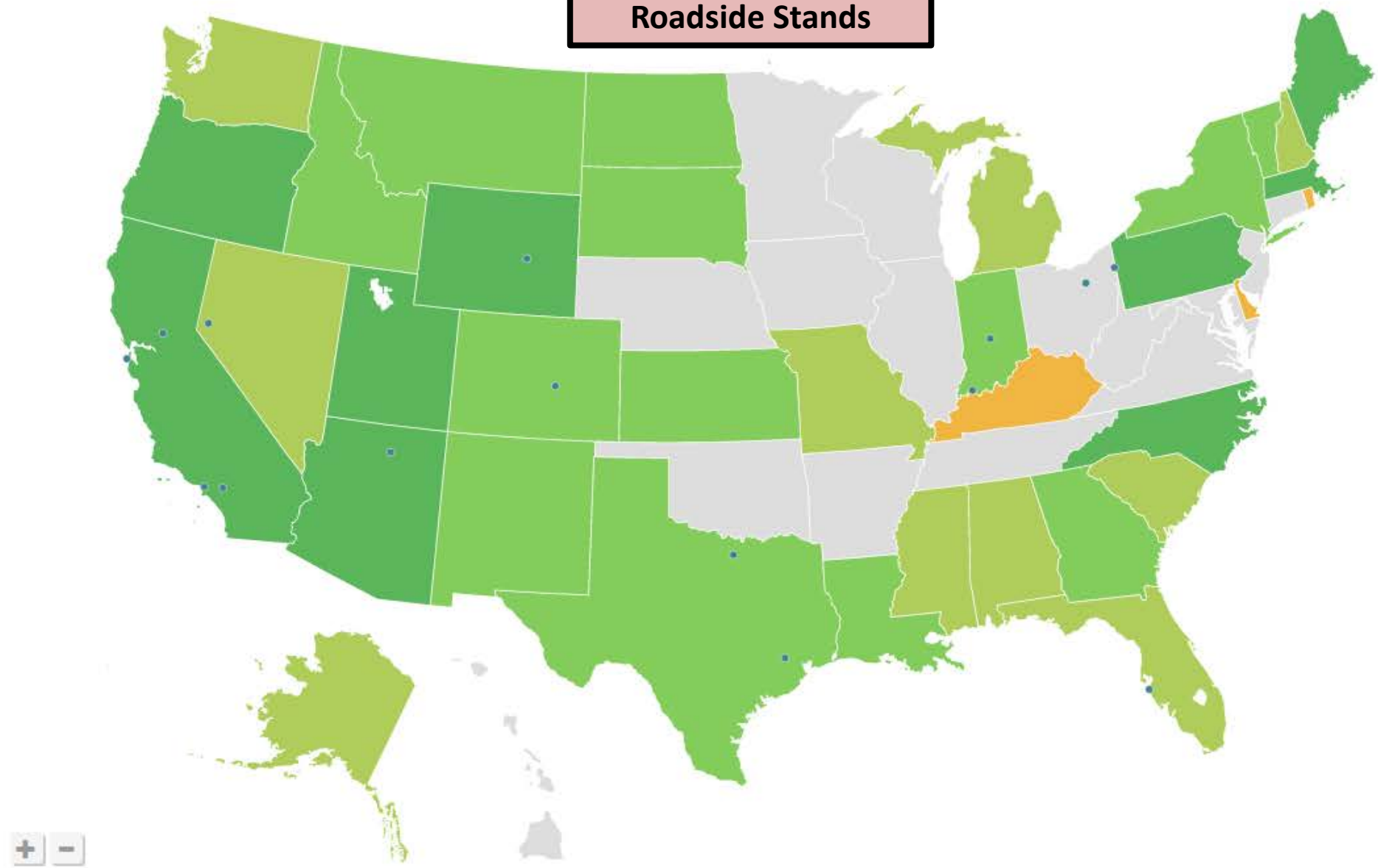


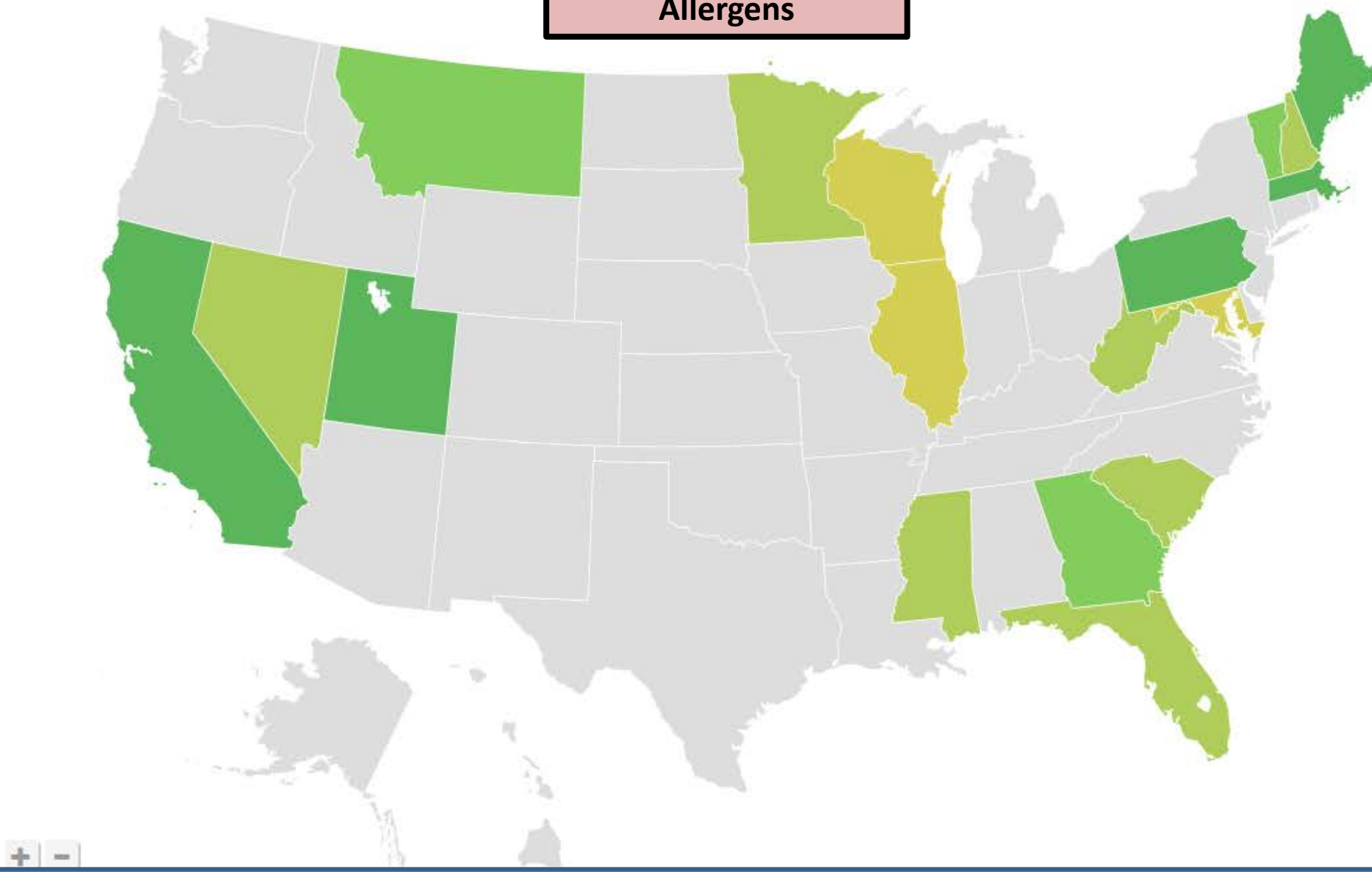
Cottage Food Laws

Roadside Stands



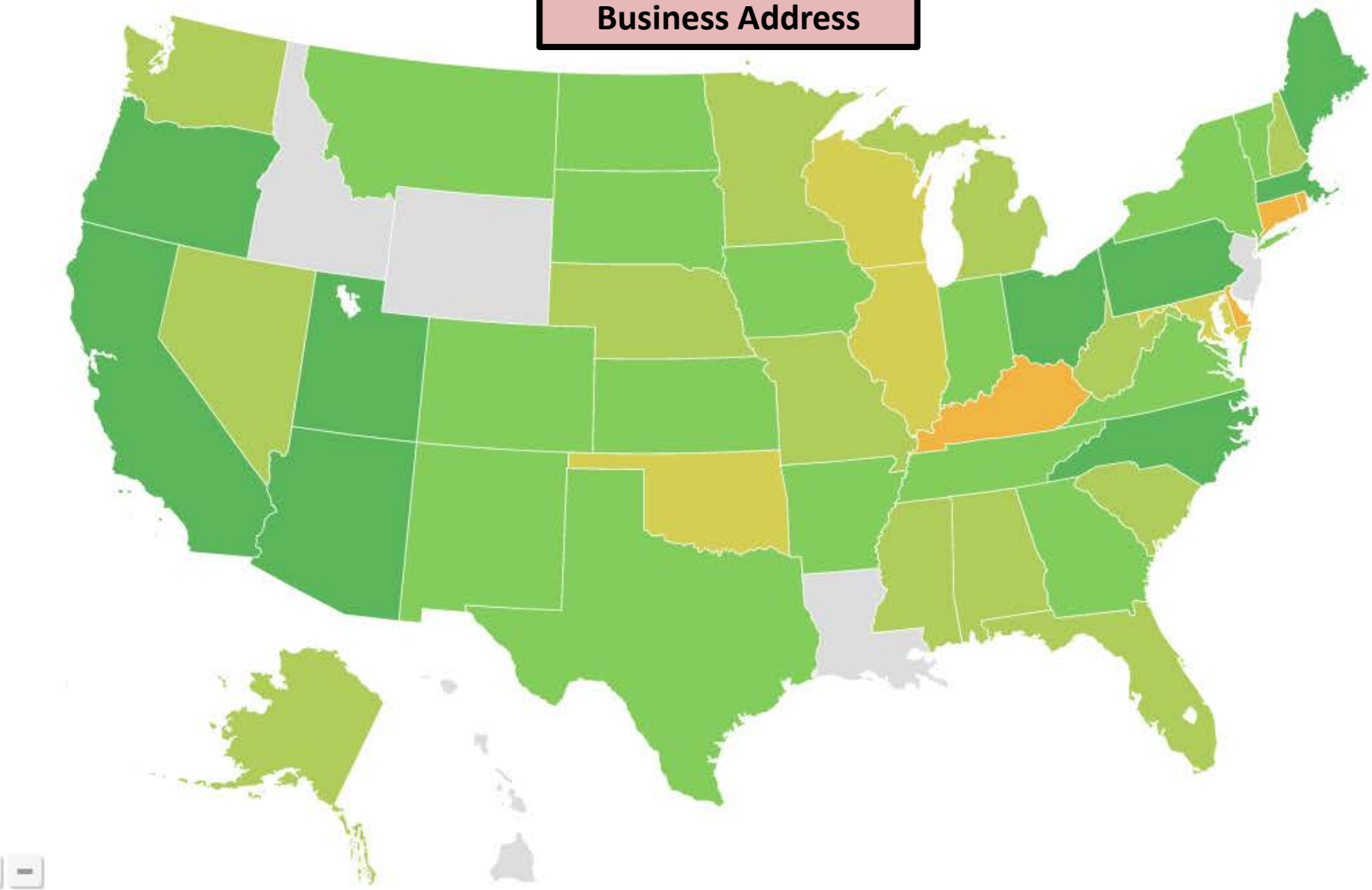
Cottage Food Laws

Allergens

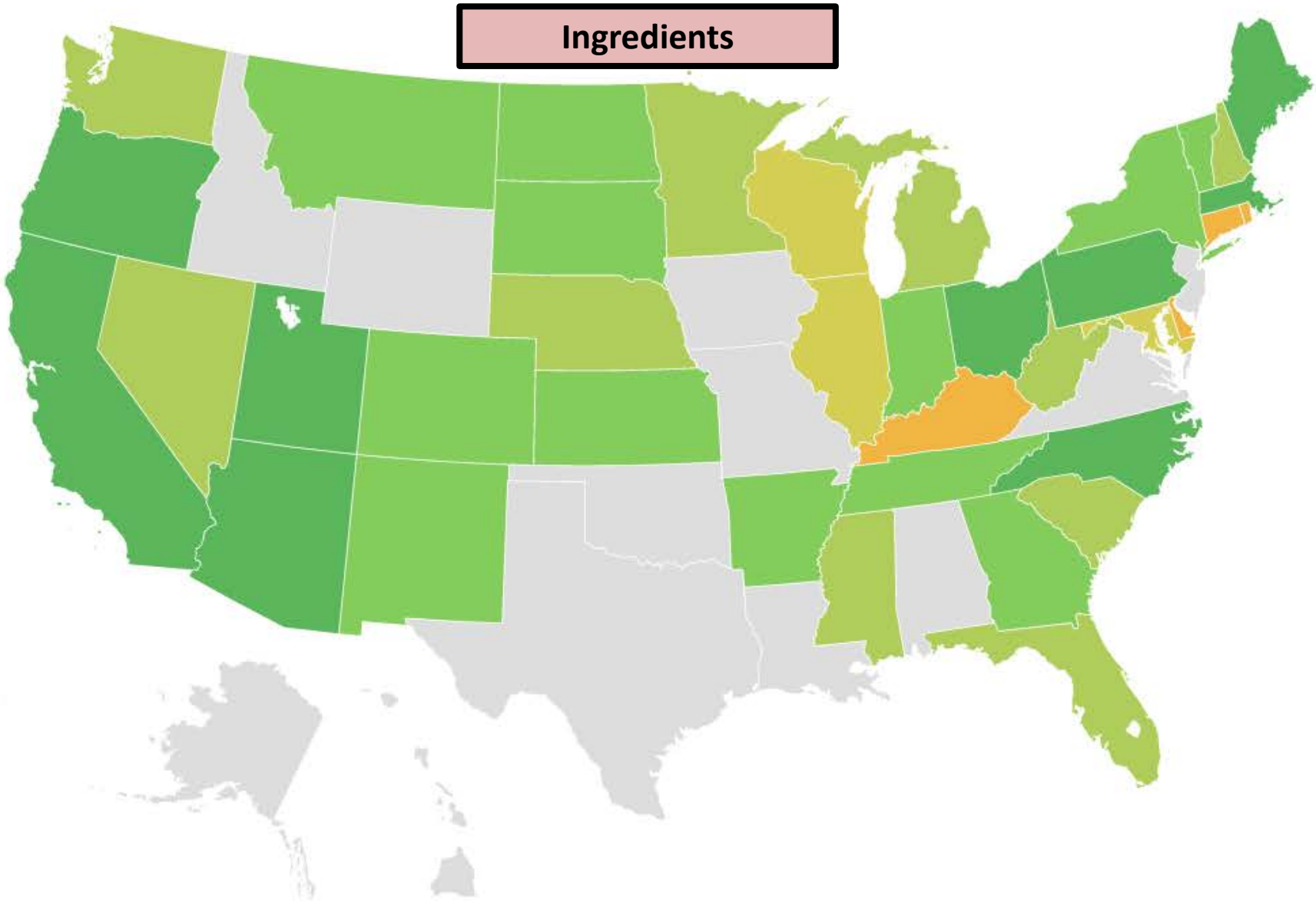


Cottage Food Laws

Business Address



Cottage Food Laws



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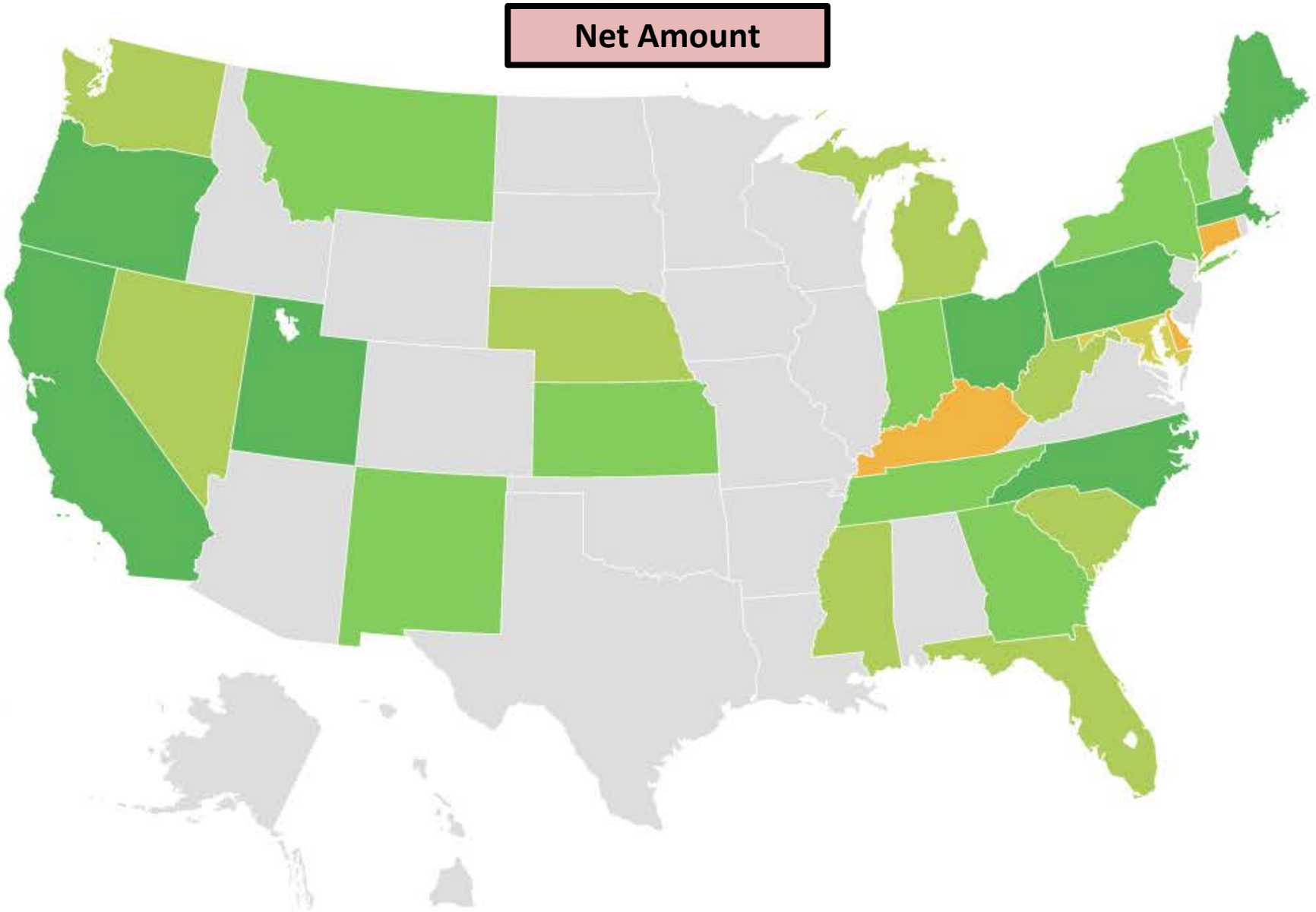

Acknowledgments

Pima County Health Department – Photo Library

Forrager.com

Questions?

Food Freedom

Good intentions or a catastrophe waiting to happen?

Roy Kroeger, REHS, EH Supervisor, Cheyenne-Laramie County, WY

2011 Wyoming Statutes
TITLE 35 - PUBLIC HEALTH AND SAFETY
CHAPTER 7 - FOOD AND DRUGS
35-7-1703. Wyoming Traditional Food Act; purpose.

Universal Citation: WY Stat § 35-7-1703 (1997 through Reg Sess)
Notwithstanding any other provisions of law, there shall be no licensure, permitting, certification, inspection, packaging or labeling required by any state governmental agency or any agency of any political subdivision of the state which pertains to the preparation, serving, use, consumption or storage of foods at a traditional event or activity.

Wyoming Traditional Food Act 2011

- Allows home prepared food of any kind to be served to the public at a traditional event without a food license, including donating foods to a non-profit (501) entities for fund raising.
- Exempts all non-profit entities from needing a Food License for traditional events such as chili cook-offs or food fund raisers at fairs, rodeos etc.
- Reduced permitted events from over 400 annual to 217 in 2015. Inspectors were only on-site for 16 events.

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2015 Wyoming Code
TITLE 11 - AGRICULTURE, LIVESTOCK AND OTHER ANIMALS
CHAPTER 49 - MARKETING HOMEMADE FOODS
SECTION 11-49-103. - Wyoming Food Freedom Act; purpose; exemptions; assumption of risk.

Universal Citation: WY Stat § 11-49-103. (2015)

11-49-103. Wyoming Food Freedom Act; purpose; exemptions; assumption of risk.

(a) The purpose of the Wyoming Food Freedom Act is to allow for the sale and consumption of homemade foods and to encourage the expansion of agricultural sales by farmers markets, ranches, farms and home based producers and accessibility of the same to informed end consumers by:

Remaining language of Food Freedom Act:

(i) Facilitating the purchase and consumption of fresh and local agricultural products;
(ii) Enhancing the agricultural economy;
(iii) Providing Wyoming citizens with unimpeded access to healthy food from known sources.

(b) Notwithstanding any other provisions of law, there shall be no licensure, permitting, certification, inspection, packaging or labeling required by any state governmental agency or any agency of any political subdivision of the state which pertains to the preparation, serving, use, consumption or storage of foods or food products under the Wyoming Food Freedom Act. Nothing in this article shall preclude an agency from providing assistance, consultation or inspection, when requested by the producer.

(c) Transactions under this section shall:

(i) Be directly between the producer and the informed end consumer;
(ii) Only be for home consumption;
(iii) Occur only in Wyoming;
(iv) Not involve interstate commerce;
(v) Not involve the sale of meat products, except:
(A) The sale of poultry and poultry products consistent with this article;
(B) The sale of live animals intended for slaughter;
(C) The sale of portions of animals for future delivery provided that the processing of the animals is done by the purchaser or by a Wyoming or federally licensed processing facility.

(d) Except for raw, unprocessed fruit and vegetables, food shall not be sold or used in any commercial food establishment unless the food has been labeled, licensed, packaged, regulated or inspected as required by law.

(e) The producer shall inform the end consumer that any food product or food sold at a farmers market or through ranch, farm or home based sales pursuant to this section is not certified, labeled, licensed, packaged, regulated or inspected.

(f) Not potentially hazardous food as defined by W.S. 35-7-110(a)(xxx) shall not be required to be labeled, licensed, regulated or inspected if it is sold at a farmers market or sold from a producer to an informed end consumer.

(g) Nothing in this article shall be construed to impede the Wyoming department of health in any investigation of food borne illness.

(h) Nothing in this article shall be construed to change the requirements for brand inspection or animal health inspections.

Sale and delivery may take place at a farm, ranch, farmers market, office, or any location agreed to between the producer and the informed end consumer.

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HEALTH
DEPARTMENT

One vendor can not be a Farmers Market.

A single vendor must set up on their own property.

A stand set up randomly most likely would require a food license.

Food can not be prepared at a stand.

Sales must be made to an "informed end consumer"

The person who is the last to purchase any product, who does not resell the product, and who has been informed that the product is not licensed, regulated, or inspected.

“Homemade” food is food that is prepared in a private home kitchen that is not licensed, inspected, or regulated.

Produce and home-processed foods that are processed without meat or wild game (except for poultry) can be made at home.

Poultry and poultry products may be sold under this act as long as the producer stays under the United States Department of Agriculture poultry exemption level.
Homemade Pot Pies can be sold to the public.

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The Food Freedom Act allows the sale of raw milk and products made from raw milk including cheese and ice cream.

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HEALTH
DEPARTMENT

Food Freedom products cannot be sold to any licensed establishment, except for raw, unprocessed fruit and vegetables.

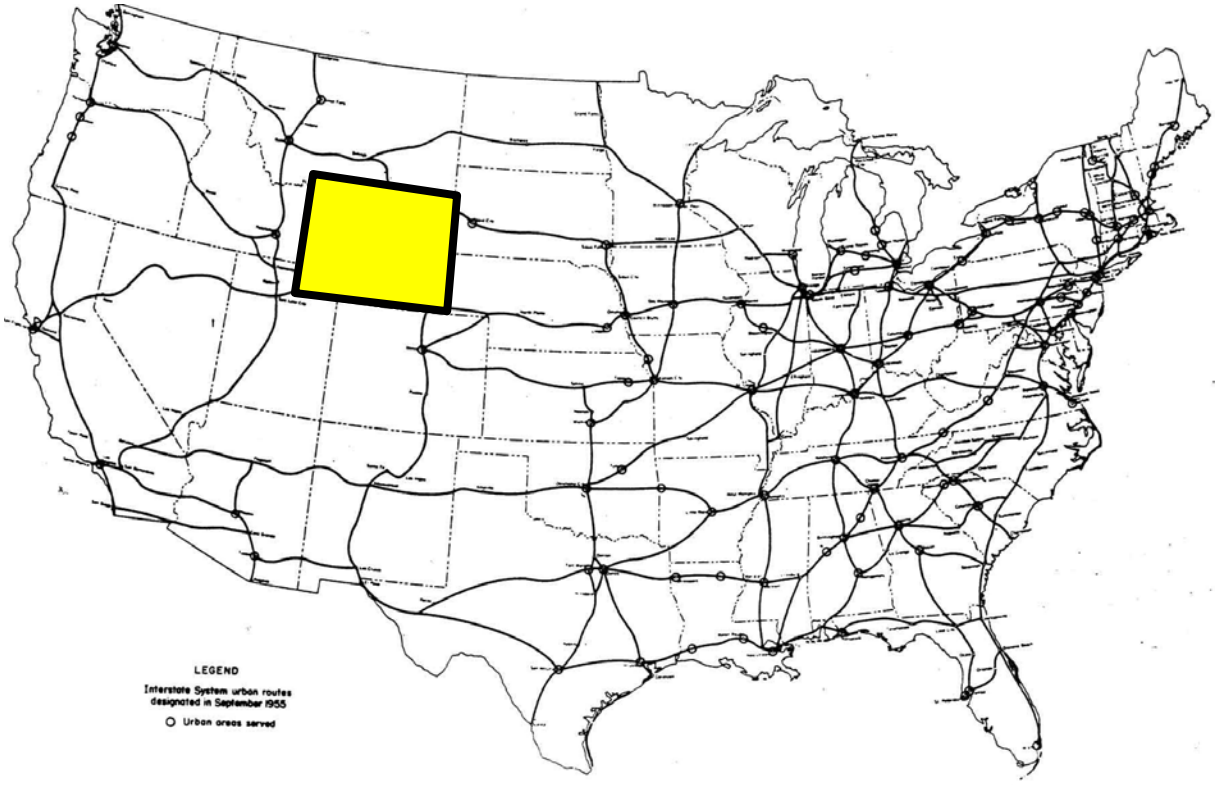
Food shall not be sold or used in any commercial food establishment unless the food has been labeled, licensed, packaged, regulated, or inspected as required by law.

Meat such as beef, pork, lamb, or goat cannot be sold under this act.

Meat and meat products must be slaughtered, processed and labeled in a state or federally inspected meat plant.

Wild game and game products cannot be sold under this act.

W.S. 23-3-302 prohibits the sale or barter of wild game, animals, birds, or fish.



Food Freedom products cannot be shipped interstate. Foods prepared in Wyoming can only be sold in Wyoming.

Producers from out-of-state may not sell their products in Wyoming.

This act prohibits interstate commerce.

Catering is allowed out of a home kitchens under this act but only to another home.

Food freedom producers are not allowed to serve food at public venues.

Non profits such as a school class may be able to cater under the Traditional Food Act with no license.

Food freedom producers cannot prepare food onsite at the farmers market.

Preparation at a stand make the stand a temporary food stand and must be licensed.

A person can prepare in a home kitchen and sell or give out ready to eat samples at the farmers market.

Item Details

Spud Triplett Dotson ▸ Cheyenne...

0 people recommended Spud

Cake pop arrangements

Cheyenne, Wyoming · last Sat

$15

Easter Cakepops $15 a dozen

...

See More

Message Seller

Internet sales are allowed under the Food Freedom Act as long as no meat (other than poultry) is included in the product.

CHEYENNE-LARAMIE COUNTY HEALTH DEPARTMENT

Item Details

Adriana Alzar ▸ Cheyenne Area O..

0 people recommended Adriana

cuba tamales

Cheyenne, Wyoming · 2 mos

FREE

Message Seller

This product is still not allowed and is in violation of the Wyoming Food Rule. Products including beef, pork and lamb are not allowed under the Food Freedom Act.

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The Wyoming Food Rule already allowed sales of ungraded eggs consistent with existing USDA Federal Regulations and exemptions.

The Food Freedom Act did not change these rules.

Homemade frozen food can be taken to the farmer's market and sold as a frozen product.

Fish can be sold at the farmer's market as long as they are purchased from an approved source. Wild caught fish cannot be sold in Wyoming.

The Wyoming Food Freedom Act does not state how the producer shall inform the end consumer just that they shall inform the end consumer that any food product or food sold at a farmers market or through ranch, farm or home based sales pursuant to this section (of the Act) is not certified, labeled, licensed, packaged, regulated or inspected.

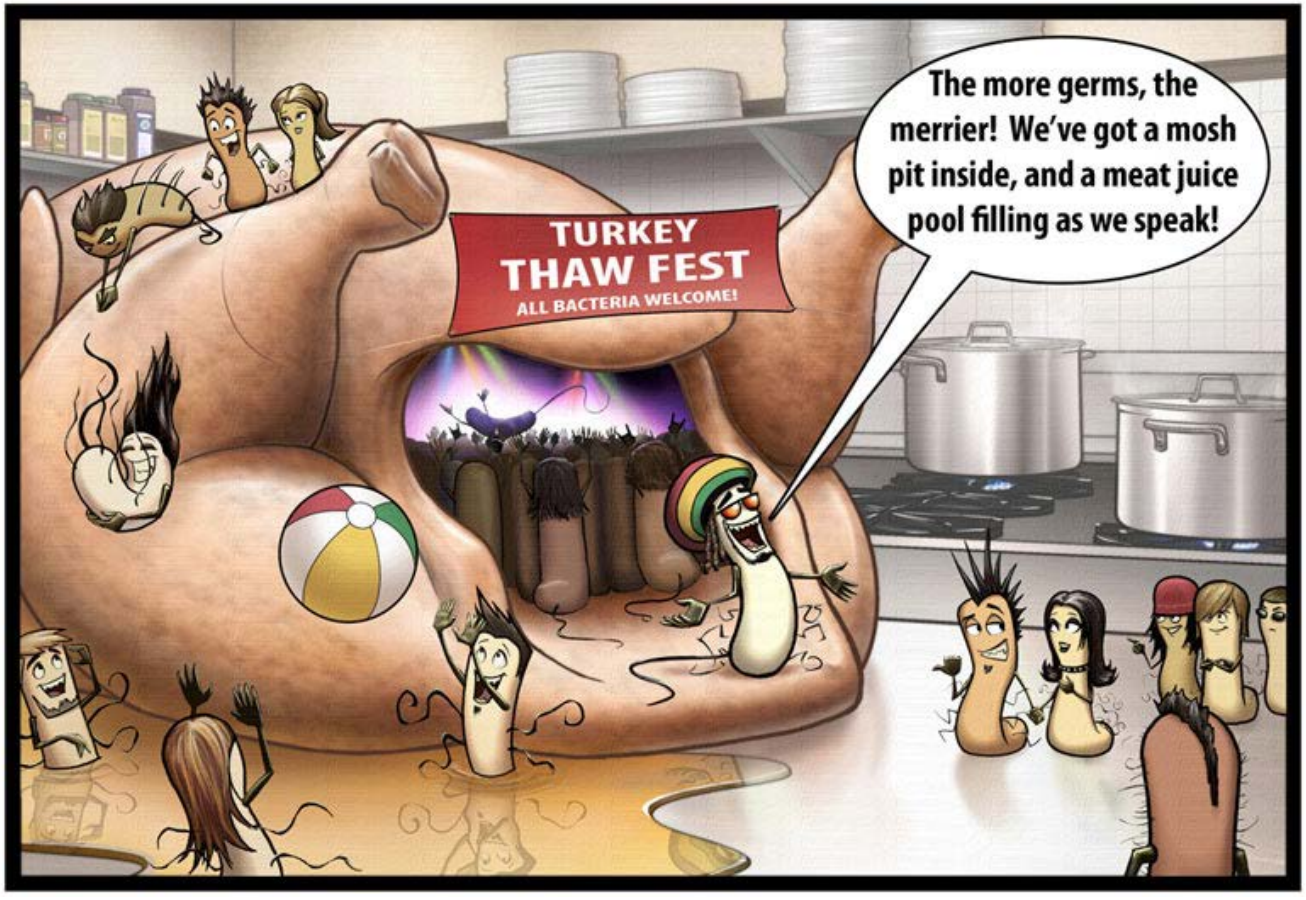
Foodborne illness investigations are allowed under this act when a Food Freedom Act producer causes a food-borne illness.

Nothing in this article shall be construed to change the requirements for brand inspection or animal health inspections.

The original Food Freedom bill proposed to exempt producers from lawsuits from food-borne illness, after much debate that section of the bill was amended out.

Now playing in Wyoming

Coming soon to a kitchen near you!



CHEYENNE-LARAMIE COUNTY HEALTH DEPARTMENT

The Prime Act H.R. 3187

- H.R. 3187, the Processing Revival and Intrastate Meat Exemption (PRIME) Act, would give individual states the freedom to permit intra-state distribution of custom-slaughtered meat such as beef, pork, or lamb, to individual consumers and to restaurants, hotels, boarding houses, and grocery stores that directly serve consumers.

- Bi-Partisan Bill co-sponsored by 15 Republicans and 5 Democrats.

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