



# Cottage Food Guide





THURSDAY

*Illinois*  
**COTTAGE  
FOOD GUIDE**  
DECEMBER 2018



This Guide was developed by Illinois Stewardship Alliance in partnership with the Illinois Department of Public Health and University of Illinois Extension

Purpose: to help farmers, food entrepreneurs, and health departments understand the opportunities available through Cottage Food Law and comply with the highest safety standards to insure that cottage food products are safe, healthy, and enjoyable for all.

# About this Guide

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In 2012, Illinois Stewardship Alliance championed the Cottage Food Law in order to give farmers and food entrepreneurs the opportunity to prepare or lightly process food in their home kitchens for sale at farmers markets.

Prior to the passage of this law, a commercial kitchen was required, and the availability of renting a commercial kitchen, or expense of purchasing one, was out of reach for most starting food businesses.

When the Cottage Food Law passed in 2012, only a limited number of non-hazardous foods (baked goods, jams, and jellies) were allowed.

In 2017, the Alliance proposed an amendment, the Food Freedom Act, which drastically increased the number of allowed foods, and importantly, allowed for the processing of vegetables, giving farmers greater opportunity to add value to their products and preserve vegetables for sale over the winter. The Food Freedom Act also helps food businesses give farmers market shoppers more of the convenience foods they crave.

The Food Freedom Act flipped the Cottage Food paradigm from a small list of allowed foods, to instead allowing everything except a small list of hazardous foods.

For more information about Illinois Stewardship Alliance, our policy work, and our efforts to build local food systems, join our mailing list at [www.ilstewards.org](http://www.ilstewards.org)

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# What is Cottage Food?

## WHAT IS A COTTAGE FOOD OPERATION?

A “cottage food operation” means an operation conducted by a person who produces or packages food or drink in a kitchen located in that person's primary domestic residence or another appropriately designed and equipped residential or commercial-style kitchen on that property for direct sale by the owner, a family member, or employee and is registered with their local health department as a cottage food operator. The cottage food law was passed in 2012 in order to encourage entrepreneurship and build local food systems by providing farmers and food entrepreneurs the opportunity to develop and sell food products directly to consumers without the need for an expensive commercial kitchen space.

## WHAT CAN I MAKE UNDER COTTAGE FOOD LAW?

As of January 1, 2018, all food and drink are permitted, except for what is listed in the law (see page 3). Prior to 2018, there was a limited list of foods allowed, but Illinois Stewardship Alliance championed the [Illinois Food Freedom Act](#) in 2017 to expand cottage food opportunities, and this act became law and went into effect January 1st, of 2018.

Then again in 2018 the Alliance went back to the legislature to pass the [Home-Canned Tomato Bill](#) which added home-canned tomatoes to the list of allowable products, under certain conditions, as well as clarified other details of Cottage Food Law.

[View the Full Text of the Law](#)



*Dried noodles prepared by Amy Randazzo of Grani's Acres Farm in Fairbury, for sale at the Springfield Winter Farmers Market*

## WHAT FOODS ARE NOT PERMITTED TO BE PRODUCED FOR SALE BY A COTTAGE FOOD OPERATION?

- (A) meat, poultry, fish, seafood, or shellfish;
- (B) dairy, except as an ingredient in a non-potentially hazardous baked good\* or candy, such as caramel
- (C) eggs, except as an ingredient in a non-potentially hazardous baked good or in dry noodles;
- (D) pumpkin pies, sweet potato pies, cheesecakes, custard pies, crème pies, and pastries with potentially hazardous fillings or toppings;
- (E) garlic in oil or oil infused with garlic; except if the garlic oil is acidified (as with salad dressing).
- (F) canned foods\*\*, except the following, which may be canned only in Mason-style jars with new lids:
  - fruit jams, fruit jellies, fruit preserves, and fruit butters,
  - Syrups
  - Whole or cut fruit canned in syrup
  - Acidified fruit or vegetables
  - Condiments such as prepared mustard, horseradish, or ketchup that do not contain ingredients prohibited on this list and which are properly acidified
- (G) sprouts;
- (H) cut leafy greens, except for leafy greens that are dehydrated, acidified, or blanched and frozen;
- (I) cut or pureed fresh tomato or melon;
- (J) dehydrated tomato or melon;
- (K) frozen cut melon;
- (L) wild-harvested, non-cultivated mushrooms;
- (M) alcoholic beverages; or
- (N) Kombucha

\*A State-certified local public health department that regulates the service of food by a cottage food operation may require a cottage food operation to submit a recipe for any baked good containing cheese, at the cottage food operator's expense, to a commercial laboratory to verify that it is non-potentially hazardous before allowing the cottage food operation to sell the baked good as a cottage food.

\*\*All canned foods must be acidified to a final equilibrium pH of 4.6 and must be preserved in air-tight, vacuum-sealed containers that are heat processed sufficiently to enable storing the food at normal home temperatures. A State-certified local public health department that regulates the service of food by a cottage food operation may require a cottage food operation to submit a canned food that contains tomatoes, at the cottage food operator's expense, to a commercial laboratory to verify that the final product has an equilibrium pH of 4.6 or below. See the "Canning" section below for more details on canning tomatoes or foods containing tomatoes.

**NOTE:** Any food or drink listed in this section may still be sold if it is produced in compliance with regular agricultural or commercial food preparation laws and rules (i.e. made in a commercial kitchen). The cottage food law, which allows for food preparation in a home kitchen, is just an exception to regular commercial food laws and rules. If you wish to make a food listed in this section, please contact your local public health department to learn more about the commercial food preparation rules in your county.



# Acidification & Fermentation

## WHAT DOES "ACIDIFIED" MEAN?

According to the Food and Drug Administration as outlined by federal regulations, "acidified foods" means low-acid foods to which acid(s) or acid food(s) are added to reduce the pH to 4.6 or less and which have a water activity of greater than 0.85.

According to the Illinois Cottage Food Law: A food is "acidified" if: (1) acid or acid ingredients are added to it to produce a final equilibrium pH of 4.6 or below; or (2) it is fermented to produce a final equilibrium pH of 4.6 or below.

"Acidification" is the process of adding a certain amount of acid (generally vinegar or citrus) to a vegetable in order to safely preserve it (pickling is a common ways to acidify vegetables).

Fermented foods, such as sauerkraut, kimchi, and fermented crock pickles, are slightly different than acidified foods. Fermented foods are foods whose pH is reduced not by the addition of acids or acid foods, but by the by-products of a long, slow (2 to 3 weeks) bacterial fermentation process. Due to the nature of these products, A USDA tested recipe is strongly encouraged.

The onus is on cottage food producers to make sure that the vegetables are properly acidified and do not cause harm to consumers. We highly recommend that cottage food producers send their acidified and fermented vegetable recipe samples to a lab for testing to ensure that the recipes are indeed safe for consumption.

## Testing Labs

Note: A State-certified local public health department that regulates the service of food by a cottage food operation may require a cottage food operation to submit a canned food (using an untested recipe), at the cottage food operator's expense, to a commercial laboratory to verify that the final product has an equilibrium pH of 4.6 or below.

Naturally acidic fruits, acidified or fermented fruits and vegetables, and acidified or fermented cut leafy greens are all allowed under cottage food law. Examples of acidified fruits and vegetables include pickled asparagus, pepper relish, and canned corn salsa with commercial lime, lemon juice or vinegar. An example of an acidified cut leafy green is chilled coleslaw. An example of a fermented cut leafy green is sauerkraut.



*Photos from an on-farm pickling and fermenting class hosted by Illinois Stewardship Alliance*

# Home Canning

## WHAT DOES "CANNED" MEAN?

"Home canned food" means food preserved in air-tight, vacuum-sealed container that is heat processed sufficiently to enable storing the food at normal home temperatures.

There are two types of canning: boiling water bath canning and pressure canning. Boiling water bath canning is used for fruit jams, jellies, and syrups, as well as high acid food products (like naturally acidic fruits and acidified fruits and vegetables), while pressure canning is used for low acid foods. Pressure canning low acid foods is high-risk. **The canning of low acid foods, like green beans and sweet corn, is not allowed unless sufficient acid is added (pickled).**

Note: The canning of acidified fruits and vegetables is not a requirement, this is just one option that is available. They can also be sold frozen, or sold chilled in a sealed container or jar without going through the boiling water bath canning process. However, the canning process will make them shelf-stable (i.e. refrigeration is not necessary) and increase shelf-life.

Home-Canned Tomatoes must follow an additional set of guidelines. In order to sell canned tomatoes or a canned product containing tomatoes, a cottage food operator shall either:

1. Follow exactly a recipe that has been tested by the United States Department of Agriculture or by a state cooperative extension located in this State or any other state in the United States;

2. Submit the recipe, at the cottage food operator's expense, to a commercial laboratory to test that the product has been adequately acidified; use only the varietal or proportionate varietals of tomato included in the tested recipe for all subsequent batches of such recipe; and provide documentation of the test results of the recipe submitted to an inspector upon request during any inspection authorized.

## Testing Labs

## CANNING RESOURCES

University of Illinois Extension is a great resource for canning techniques, tips, and safety information to insure your cottage food products are safe and delicious. They've compiled information on different types of canning below.

## BOILING WATER BATH CANNING VS PRESSURE CANNING

Before doing any canning, it's essential that you understand the difference between the two methods of canning and that you use the correct method for the product you are preserving. The two methods include boiling water bath canning and pressure canning. Knowing which one to use, and how to use it correctly, will protect the health and safety of those consuming the product. NOTE: Both boiling water bath canning or pressure canning of high-acid foods or acidified foods may be used in a Cottage Food Operation. Before selling your canned products, please read "About Food Preservation" at University of Illinois Extension's website, [From Garden Gates to Dinner Plates: Illinois Cottage Food Law](#).

## A NOTE FROM U OF I EXTENSION

We are pleased to collaborate with Illinois Stewardship Alliance and the Illinois Department of Public Health to offer educational information regarding Illinois Cottage Food Laws. University of Illinois Extension is the flagship outreach effort of the University of Illinois at Urbana-Champaign, offering educational programs to residents of all of Illinois' 102 counties and far beyond. For more than 100 years, the land grant mission of U of I Extension has provided educational programs aimed at making life better, healthier, safer, and more profitable for individuals and their communities. For more information about canning, workshops, or other opportunities visit: [extension.illinois.edu](http://extension.illinois.edu)

## BOILING WATER BATH CANNING VS. PRESSURE CANNING (Continued)

**1. Boiling water bath canning-** Heat is transferred to the food by the boiling water that surrounds the jars. This boiling temperature of 212°F for the time specified in an approved recipe is sufficient to destroy molds, yeasts, enzymes, and some bacteria. Processing times are usually given for altitudes under 1,000 feet above sea level. Illinois' mean elevation is 600 feet above sea level with the highest point of elevation (1,235 feet) at Charles Mound in northern Jo Daviess County. At higher altitudes, water boils at lower temperatures, making it necessary to process foods longer. Generally, high-acid foods or acidified foods can be safely canned in a boiling water bath canner.

- Fruits
- Jams, Jellies, preserves, conserves and marmalades
- Tomatoes, tomato sauces without meat, and salsa. However, they are borderline between high and low acid and need acid added to them (commercial lemon juice or vinegar). All canned tomato recipes must be tested for PH levels.
- Fermented foods, such as crock/fermented pickles, kimchi, and home canned sauerkraut. It is highly recommend that cottage food producers send their acidified and fermented vegetable recipe samples to a lab for testing.
- Foods to which a sufficient amount of vinegar is added, such as pickles and pickled products

**2. Pressure canning-** The bacterium of greatest concern in home canning is *Clostridium botulinum* because it can produce spores that generate a dangerous and potentially deadly toxin that causes food poisoning. Botulism spores thrive on low-acid foods in the absence of air, in the presence of moisture, and at room temperature, which are the conditions inside a jar of home-canned meat or vegetables. Spores of *Clostridium botulinum* may survive at boiling water bath temperatures, but they are destroyed when processed in a pressure canner where the temperature reaches 240°F or higher.

All low-acid foods must be processed in a pressure canner operated at 11 to 15 PSIG for a designated amount of time. PSIG is pounds per square inch of pressure as measured by a gauge. At temperatures of 240° to 250°F, the time needed to destroy bacteria in low-acid canned food ranges from 20 to 100 minutes as stated in a tested recipe. This time and pressure cannot be altered. A pressure cooker cannot be used as a pressure canner. (Read the [National Center for Home Food Preservation](#) for more information). **Low-acid foods require processing in a pressure canner and are NOT allowed in a Cottage Food Operation.**

- Meats, including beef, pork, poultry, fish, seafood and wild game
- Vegetables
- Soup and stews
- Meat sauces

### CAN I CAN IT?

- Pepper Jelly: YES, if sufficient acid is added
- Pumpkin or Apple Butter: YES
- Blackberry Preserves: YES
- Strawberry Rhubarb Jam: YES
- Pickled Asparagus: YES
- Pickled Cucumber: YES
- Maple Syrup: YES
- Peaches in Syrup: YES
- Corn: NO, unless sufficient acid is added (Corn Relish)
- Green Beans: NO, unless sufficient acid is added (Pickled Green Beans)
- Corn Salsa: YES, if sufficient acid is added
- Vegan Tomato Soup: YES, as long as a USDA recipe is used or the recipe is submitted to a lab and no other prohibited foods (meat, dairy, cut leafy greens, etc.) are added
- Tomato-Basil Spaghetti Sauce: YES, as long as a USDA recipe is used or the recipe is submitted to a lab and no other prohibited foods (meat, dairy, cut leafy greens, etc.) are added
- Vodka Sauce: NO, this contains dairy and alcohol (no alcohol allowed)
- Horseradish: YES, as long as no other prohibited foods, like dairy, are added.
- Mustard: YES



# Cut Leafy Greens

## WHAT IS A CUT LEAFY GREEN?

"Leafy greens" includes iceberg lettuce; romaine lettuce; leaf lettuce; butter lettuce; baby leaf lettuce; escarole; endive; spring mix; spinach; cabbage; kale; arugula; and chard. "Leafy greens" does not include microgreens or herbs such as cilantro or parsley.

"Cut leafy greens" means fresh leafy greens whose leaves have been cut, shredded, sliced, chopped, torn or otherwise made into smaller pieces; it does not mean the harvest cut.

This means that items like fresh salads, freshly chopped and sautéed spinach, or fresh torn kale in vegan soup are not allowed UNLESS you are using microgreens, baby greens, or leafy greens that have only received the harvest cut and have not been torn, chopped, or cut in any other way.

However, greens that are cut up and dehydrated, acidified, or blanched and frozen may be sold and may be used in cooked and chilled or frozen soups or other products. This means dried kale chips are good to go and so are frozen bags of spinach. Frozen or chilled, sauerkraut and kimchi are also allowed.

## FAQ about allowed foods

### 1. Are heat-treated vegetables (cooked and chilled) allowed (i.e. vegan soups, pasta salad with sautéed veggies, prepared foods)?

Yes! This means that things like freshly prepared sautéed veggies or chilled baked sweet potatoes can be sold under cottage food law. However, these items must be prepared in your home kitchen, and cannot be prepared on site. **When you are travelling with prepared foods to the farmers market, please use the highest safety standards possible** and make sure your products are clearly labeled with proper cottage food labeling (See the Labeling Section). Chilled foods must be held at 41°F or colder (at all times) using an accurate food thermometer. Frozen foods must be stored frozen, transported solidly frozen and kept frozen at all times before sale.

### 2. What does "vegetable" mean?

"Vegetable" generally refers to all parts of a plant that are eaten by humans. It is not a scientific term. However, much of the produce we commonly refer to as "vegetables" are scientifically classified as "Fruits," including: tomatoes, eggplant, cucumbers, zucchini, peppers. "Fruits" are the mature ovaries of a plant. In 2018 Illinois Stewardship Alliance worked to pass new legislation that would allow both acidified "fruits AND vegetables" in order to avoid confusion. The bill was signed into law on August 24, 2018 and went into effect immediately.



*Sauerkraut and Kimchi made by a cottage food operation and sold at the Old Capitol Farmers Market in Springfield*

### 3. Can I make the following?

- **Kimchi:** Yes, canned, chilled or frozen. pH Testing recommended.
- **Sauerkraut:** Yes, canned, chilled or frozen. pH Testing recommended.
- **Chilled Ready-Made Salads:** Only with harvest cut greens. Cut melon and tomatoes are not allowed on the salad. If the dressing is homemade, it also must follow cottage food regulations.
- **Canned Tomato Pasta Sauce:** Yes (without meat), but the recipe must be an official USDA recipe or state cooperative extension recipe, or must receive pH testing at a lab and the same varietal or varieties of tomato must be used. This is because the acidity levels of tomatoes vary substantially from varietal to varietal, so a recipe that is safely acidic with one type of tomato may not be acidic enough with another type. There are many low acid hybrid tomatoes on the market now that did not exist when some older recipes were developed.
- **Fresh Tomato Salsa:** No. Fresh-cut tomatoes are not allowed. Tomato salsa may be canned and sold provided that the salsa recipe be submitted to a lab for pH testing, or if the recipe is an official USDA recipe.
- **Chilled or Frozen Vegan Soup:** Yes, but it cannot contain fresh cut leafy greens or other items that are prohibited under Cottage Food Law. All guidelines for safe transport of frozen or chilled foods must be followed in order to sell this product from the farmers market.
- **Cheesy Bread:** Yes, but lab testing may be required.
- **Chilled Pasta salad with Fresh Veggies:** Yes, but cut tomatoes, melon, and fresh cut leafy greens are not allowed.
- **Homemade Tortillas:** Yes
- **Grape Jelly:** Yes
- **Rhubarb Pie:** Yes
- **Chilled Salad Dressing:** Yes. If garlic is included in the dressing, the dressing must be properly acidified. Dressing cannot contain dairy or eggs. pH testing recommended.
- **Maple Syrup:** Yes
- **Pre-Cut Bag of Sweet Potato Fries:** Yes. These may be frozen, chilled, or sold freshly cut.
- **Chilled Zucchini Noodles:** Yes

### 4. I'm still unsure if my food is allowed. What do I do?

If you have read through this guide and are still unsure whether a food or drink you want to make would be allowed, you should speak with your local public health department or local county extension office. If you are still uncertain, you can contact Illinois Stewardship Alliance at [molly@ilstewards.org](mailto:molly@ilstewards.org) to let us know.



*Hot sauces from JimmySticks in Springfield*



*Vegan Meal Prep from Healthy AF Nutrition in Dekalb*



*Strawberry Rhubarb jam from Natural Artistry in Springfield*



# Sales Avenues

**A cottage food operation may ONLY sell products at a farmers market in Illinois**, unless the products meet the exception in the next paragraph. A farmers market is defined as a common facility or area where farmers gather to sell a variety of fresh fruits and vegetables and other locally produced farm and food products directly to consumers. Items sold by a cottage food operation are intended for end-use only. Cottage food items may NOT be sold to bakeries, restaurants, or retail stores for re-sale.

As of 2016, cottage foods that have a locally grown agricultural product as the main ingredient may be sold on the farm where the agricultural product is grown or delivered directly to the consumer. "Main ingredient" means an agricultural product that is the defining or distinctive ingredient in a cottage food product, though not necessarily by predominance of weight (For example, blueberry muffins made with local blueberries or locally-grown wheat flour).

A locally-grown agricultural product refers to a raw agriculture product bought **directly** from an Illinois farm or mill. Examples include eggs, flour, corn meal, vegetables, and fruits. To find local food and farms near you visit [www.buyfreshbuylocalcentralillinois.org](http://www.buyfreshbuylocalcentralillinois.org)

## 1. Can I deliver cottage food products directly to customers?

Yes, with certain very important exceptions. Delivery is **ONLY** allowed if you are using a locally-grown agricultural product, that you grow or purchase direct from a local farm or mill, as a signature/main ingredient in your cottage food item. For example, you can only deliver blueberry muffins if you use a main ingredient that was grown on your own farm or purchase the main ingredient from a neighboring farm. The law was written this way in order to encourage the use of local products to build local and regional food systems. You will need to work with your county health department to establish you're your signature ingredient is purchased direct from a local farm. We recommend listing the farm name somewhere on your packaging to ensure transparency. Delivery cannot take place across state lines. Delivery does **NOT** include shipping products in any manner. If you plan to deliver products, please use the **highest safety standards possible**. Chilled or frozen foods must be transported at or below 41 degrees F.

## 2. Can I sell products online for home delivery?

Yes, with certain very important exceptions. As stated above, delivery is **ONLY** allowed if you are using a locally grown agricultural product, direct from a local farm or mill, as a signature ingredient in your cottage food item. Items cannot be shipped through the mail and cannot cross state lines. In addition, at the point of ordering on your website, you must include clear and visible language to let customers know that they are purchasing a cottage food item made in a home kitchen. This labeling should also be visible on the packaging when you deliver the products to your customers. If you plan to deliver products, please use the **highest safety standards possible**. Chilled or frozen foods must be transported at or below 41 degrees F.

## 3. Can I sell products from my home?

No. However, you may apply for a separate Home Kitchen Operation, which allows for sales of non-hazardous baked goods from your home. The Home Kitchen Operation has a separate set of rules and regulations apart from the Cottage Food License, including a monthly cap on sales of \$1000.

\*\*\*The municipality, township, or county having jurisdiction to enforce this law must have adopted an ordinance authorizing home kitchen operations. Check with your local government or health department to see if this is allowed in your locality.\*\*\*

# Sales Avenues

4. I don't own a farm, but I buy ingredients from a local farm for my cottage food operation. Can I sell my cottage food product on that farm, or through their CSA?

Yes! The law clearly states that "cottage foods that have a locally grown agricultural product as the main ingredient may be sold on the farm where the agricultural product is grown or delivered directly to the consumer." If your product contains an ingredient from a local farm, that farm may sell your product on their farm (for example through a farm stand or on-farm store), or may deliver it directly to the consumer (for example through their CSA). All cottage food products must be clearly labeled as such, and contain ingredients grown on the farm as the signature ingredients.

Example:

Mary's Berries owns a small berry farm. She sells her berries weekly at the farmers market, and through a berry CSA with a weekly pick-up at the church parking lot on Sunday. Jim's Jams recently started a small cottage food operation using berries from Mary's farm. He also sells his product at the farmers market, and in addition, partners with Mary to offer his product to her CSA members. Mary simply adds a check box to her CSA form, and customers can select if they would like to add a weekly jar of Jim's Jam's to their CSA for an additional cost.

The partnership helps make Mary's CSA more marketable, since she knows that many of her customers want the option to buy jam and she doesn't have time to make it herself, and it helps both Jim and Mary sell more products.

5. I make cottage food from ingredients grown on my farm. Can I partner with a neighboring farm to distribute my cottage food ingredients through their CSA?

No. Cottage food may only be sold on farm or through a farm's CSA if it contains ingredients from that farm. The idea behind cottage food is that it is a direct relationship between the producer and the customer. This allows customers to make informed decisions based on knowing the producer (either the cottage food operation or the farmer that grew the ingredients). Using a farm's CSA, without using any of their products, removes that relationship and turns the farm into a distributor.

Example:

Pete has a small farm where he grows hot peppers. He recently began pickling his peppers and selling them at his local farmers market. Jane has a small farm growing grain and milling it into flour and bread. She sells her flours and breads at the farmers market and through her CSA. Pete would like to partner with Jane to offer his pickled peppers in her Jane's Grain CSA because pickled peppers go great on sandwiches made with Jane's bread. Unfortunately, since Pete isn't using any ingredients grown on Jane's farm, he can only sell his products through the farmers market, or through delivering them himself direct-to-consumer, but cannot have Jane deliver for him through her CSA.

6. Can I create a multi-farm CSA, where the CSA is owned by multiple farmers who can distribute their cottage food products together directly to consumers.

No. Unfortunately at this time, this is stretching the limits of cottage food law past the original intent to be a direct relationship between producers and customers since it is unlikely that a customer would have a direct relationship with all of the farms. Further legislation would need to be developed to flesh out details surrounding multi-farm CSAs.



# Labeling, Certification, and Signage

## 1. What are the labeling and signage requirements?

**Labels:** Items produced by cottage food operations must be packaged and labeled with the following information:

1. The name and address of the cottage food operation;
2. The common or usual name of the food product;
3. All ingredients of the food product, including any colors, artificial flavors, and preservatives, listed in descending order by predominance of weight shown with common or usual names;
4. The following phrase: "This product was produced in a home kitchen not subject to public health inspection that may also process common food allergens."
5. The date the product was processed; and
6. Allergen labeling as specified in federal labeling requirements.

**Signage:** In addition, at the point of sale, a placard must be displayed in a prominent location that states the following: "This product was produced in a home kitchen not subject to public health inspection that may also process common food allergens."

## 2. What does allergen labeling as specified in federal labeling requirements mean?

It means that a cottage food operation on its label must identify if any of the ingredients are made from one of the following food groups: milk, eggs, wheat, peanuts, soybeans, fish, tree nuts, and shellfish.

Example: If the cottage food operation is making wheat bread they have the following two options:

1. Include the allergen in the ingredient list. For example: (Whole wheat flour, water, salt, and yeast.) In this example the statement "Whole Wheat Flour," meets the requirements.
2. Include an allergen statement ("Contains:") after the ingredient list. For example: (whole wheat flour, water, sodium caseinate, salt and yeast. Contains: wheat and milk)
  - a. The "Contains" statement must reflect all the allergens found in the product. In this example, the sodium caseinate comes from milk so it is listed as an allergen.

## 3. What food safety certification is required?

The person preparing or packaging products as a cottage food operation must have an ANSI accredited Certified Food Protection Manager (CFPM) certificate. The City of Chicago has an additional certification for cottage food operations registered in Chicago. To find CFPM courses, search for a course provider online or visit the [Illinois Food Sanitation Training Website](#). CFPM course and exam fees vary by location, but in general range from \$100-\$200. Certificates are valid for 5 years.

An Illinois Department of Public Health (IDPH) approved Food Service Sanitation Manager Certificate (FSSMC) is no longer required as of 2018. Current FSSMC holders who received their certification in 2014 or later should be in compliance with the CFPM certification already. Anyone who received a FSSMC prior to 2014 should check with their public health department to find out whether they need to recertify as a CFPM.

## LABELING, CERTIFICATION, AND SIGNAGE (Continued)

### 4. What are the cottage food operation registration & fee requirements?

The name and residence of the person preparing and selling products as a cottage food operation must be registered with the health department of a unit of local government where the cottage food operation resides.

A state-certified local public health department may take the following additional regulatory measures:

1. Include up to a \$25 annual fee for registration;
2. Require that as part of the registration a cottage food operation must agree to grant access to the local public health department to conduct an inspection of the cottage food operation in the event of a consumer complaint or foodborne illness outbreak.
3. In the event of a consumer complaint or foodborne illness, a local health department is allowed to inspect the premises of the cottage food operation in question and set a reasonable fee for that inspection.

### 5. What limits are there on gross receipts?

The Illinois Food Freedom Act removed the cap on gross receipts, beginning in 2018. There is no limit anymore.

### 6. Additional Food Safety Provisions

If the Illinois Department of Public Health or a unit of local government has received a consumer complaint or has reason to believe that an imminent health hazard exists or that a cottage food operation's product has been found to be misbranded, adulterated or not in compliance with the cottage food law then it may invoke cessation of sales until it deems that the situation has been addressed.

## Refrigeration & Sampling

### REFRIGERATION

If you are selling a chilled or frozen cottage food product (i.e. a bag of frozen broccoli, frozen vegan soup, or a chilled non-dairy coconut cream parfait), this food product must remain at or below 41 degrees at all times, including during transport, and during sales at the farmers market.

Under [The Local Food Business Opportunities Act HB2820](#), local health departments cannot limit a vendor's choice of refrigeration or cooling equipment and cannot charge a fee for use of such equipment.

As an alternative to mechanical refrigeration, an effectively insulated, hard-sided, cleanable container with sufficient ice or other cooling means that is intended for the storage of potentially hazardous food products may be used.

However, if you are unable to maintain your product at the appropriate temperature, the health department may require an effective alternative form of refrigeration.

### SAMPLING

- A cottage food operation may offer samples at a farmers market either by preparing pre-packaged samples in the kitchen of the cottage food operation, or by obtaining a sampling certificate and preparing samples on the spot at the farmers market. A new state sampling certificate is now available; certificates are valid for 3 years and cover farmers markets statewide.
- [More information about the sampling certification process is available on the IDPH webpage.](#)