



# FRAME

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agricultural micro-entrepreneurs



## Module 6: Home-Based Food Businesses

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# Module 6: Home-Based Food Businesses

- Part 1: Comparison of Utah laws for home-processing
- Part 2: Food safety for home kitchens





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## Module 6

### Part 1: Comparison of Utah laws

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# Two Home-Processing Options in Utah

- 2007 – HB 339, Regulation of Cottage Food Production Operations
  - Amended in 2017 Session by HB 58, Direct Food Sales Amendments
- 2018 – HB 181, Home Consumption and Homemade Food Act
  - Does not replace the Cottage Food Program
- Both have pros and cons
  - Which is best depends on your business



# Overview of Cottage Program

- Allows non-potentially hazardous foods to be made in private home kitchens, products must be approved by UDAF
- Must have business license, food handler's permit and pay annual registration fee
- Cannot sell to restaurants (to use as an ingredient) or for consumption on-premises
- Apply on UDAF Cottage Food Program page

[Utah Code 4-5-501](#)

[Admin Rule R70-560](#)



# Overview of Homemade Foods Act

- Allows all but a few specific foods to be made in private home kitchens
- Must have business license
- Specific labeling requirements
- Only direct to consumer sales from home, private property, or outdoor markets, no restaurants or stores
  - Specific signage requirements for outdoor markets

[Utah Code 4-5a](#)

[Admin Rule R70-570](#)



# Licensing, Registration Requirements

## Cottage Program

- Business License
  - Cost varies by city
- Food Handler's Permit
- UDAF registration

## Homemade Food Act

- Business License
  - Cost varies by city



# Types of Food Products Allowed

## Cottage Program

- Only non-potentially hazardous foods
  - No refrigerated foods or meats
  - No acidified or low-acid bottled foods
  - No baked goods with vegetables or cream/dairy fillings

## Homemade Food Act

- No raw milk or raw dairy products
- No meats or meat products under USDA jurisdiction\*
  - Small-scale poultry & rabbit production allowed
- All other foods allowed

\*UDAF will review meat-containing products on a case by case basis to determine if they would be USDA or FDA regulated





# Labeling Requirements

## Cottage Program

- FDA labeling requirements
  - Font size and placement requirements
- Must state “Home Produced” by product name

## Homemade Food Act

- Producer name & address
- Allergen listing
  - Ingredient statement not required
- “Not for Resale”
- “Processed and prepared without the benefit of state or local inspection”
- No font size or placement requirements



# Example Honey Caramel Labels

## Cottage Program

**Honey Caramels**  
 Home Produced

Ingredients: Honey, cream, pecans  
Allergens: contains milk, tree nuts (pecans)

**Honey Candy Co.**  
123 Honeybee Lane  
Salt Lake City, UT 84118  
(801)123-4567

NET WT 24 OZ (1.5 LB) 680 g

## Homemade Food Act

**HONEY  
CARAMELS**

 **NOT FOR RESALE**   
*Processed without benefit  
of State or Local inspection*

This food contains pecans and milk

Honey Candy Co.  
123 Honeybee Lane, Salt Lake City, UT 84118



# Allowed Sales Locations

## Cottage Program

- Intent is to be direct-to-consumer
- Cannot sell to be eaten on premises
- Cannot sell to restaurants as an ingredient
  - Can sell to restaurants to be used as made – e.g. cakes or pies

## Homemade Food Act

- Must be direct-to-consumer
  - Sales from home, private property
- Direct-to-Sale Market
  - ONLY homemade foods
- Farmer's Markets
  - Separate, designated section
- Cannot sell to restaurants or commercial establishments



# Required Wording for Homemade Section at Farmer's Markets

**FOOD ITEMS OFFERED FOR  
SALE IN THIS SECTION OF  
THE FARMERS MARKET  
ARE HOMEMADE AND  
HAVE NOT BEEN CERTIFIED,  
LICENSED, REGULATED, OR  
INSPECTED BY STATE OR  
LOCAL AUTHORITIES**

- 22 x 28" minimum
- White background
- Red print
- Capitalized text, at least 2" in height



# Exercise

- Home-Based Food Business guidebook



**What is your food business idea?**

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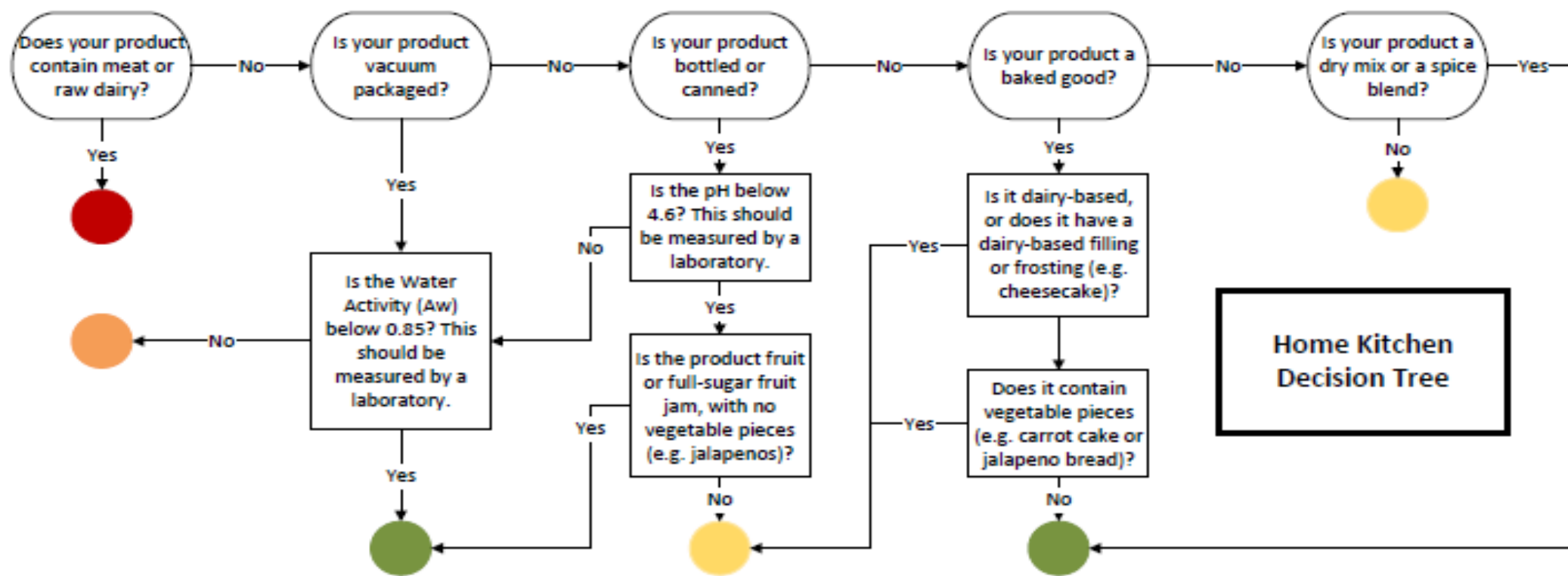
The first step to starting a food business is refining your idea. You need to be able to state your idea specifically, more than just "I'd like to have a booth at a Farmer's Market full of items I bake." The more specific you can be, the better you can understand the feasibility and profitability of your idea.

*For example: I will make and sell jars of raspberry jam.*





**My business idea:**

**My next step:**

Questions to Ask When Starting a Home-Based Food Business 2



Home Kitchen  
Decision Tree

-  Your product can be made in a home kitchen, under either the Cottage Food Act or the Home Consumption and Homemade Food Act (HB 181).
-  Your product might be approved under the Cottage Food Act, but more information is needed. You can make your product under the Home Consumption and Homemade Food Act (HB 181).
-  Your product must be processed carefully to be safe from *Clostridium botulinum*, the bacteria responsible for botulism poisoning. Though it can be made under the Home Consumption and Homemade Food Act (HB 181), it is best to keep refrigerated or frozen and advise consumers to do the same.
-  Your product cannot be made in a home kitchen. Commercial processors of meat and raw dairy must meet additional safety and inspection requirements.





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### Part 2: Food safety for home kitchens

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# Why Food Safety Matters

- Who would feel good about making even one customer sick?





# Equipment Condition

- Check countertops regularly for chips or cracks
- Use only non-corrosive cookware
  - Stainless steel, aluminum, or copper
- Utensils should be non-absorbent, free of cracks, and easy to clean
  - Plastic, stainless, or silicon
  - Wooden utensils are not recommended, and may not be allowed



# Enamel and Non-Stick Cookware

- Do not use if pan is chipped or flaking



# Cleaning vs Sanitizing

- Which comes first – sweeping or mopping?
- Cleaning means removing visible dirt or debris
- Sanitizing means treating with an antibacterial agent
- You can't sanitize an unclean surface!



# Cleaning and Sanitizing

- Clean surfaces and equipment first, then wipe with sanitizing solution
- Sanitize before starting and after finishing production, and once an hour during
- Cloths can be stored in sanitizing solution when not being used
- Check sanitizing solution once an hour and remix as needed



# Using Sanitizers

- **Unscented** chlorine bleach
  - Minimum: 50 ppm (about 1 tsp per gallon water)
  - Maximum: 200 ppm (about 1 tbsp per gallon water)
  - Temperature about 70F, pH between 6.5 and 7.5
  - Leave on surfaces for at least 2 minutes
  - Stronger concentration can be used on surfaces, but they must be rinsed with fresh water before preparing food
- Quaternary Ammonium (“Quats”) and Iodophores
  - Make and use according to manufacturer instructions



# Cleaning and Sanitizing Kitchen Tools

- Modification for home kitchens
  1. Scrape or wipe into garbage can
  2. Wash & rinse in kitchen sink or dishwasher
  3. Sanitize in separate tub or container
  4. Air dry



# Other food safety questions to ask

- How to wash hands properly? How often, or when?
- How to handle ingredients or partially mixed product when you answer the door or the phone?
- How to use an instant-read thermometer?
- How to check the pH of bottled foods?
- How to prevent cross-contamination in baked goods? What ingredients do you need to be careful with?

