



Health Department
1720 Commerce Street
Garland, TX 75040
972-205-3460
EnvHealth@GarlandTx.gov

Cottage Food Production Operations in the City of Garland

Definition

A cottage food production operation is defined as an individual, operating out of the individual's home, who:

- Produces a baked good, candy, coated and uncoated nuts, unroasted nut butters, fruit butters, a canned jam or jelly, a fruit pie, dehydrated fruit or vegetables, including dried beans, popcorn and popcorn snacks, cereal, including granola, dry mix, vinegar, mustard, roasted coffee or dry tea, dried herb or dried herb mix, whole (uncut) frozen fruits or vegetables, and the following items, as long as the pH is 4.6 or less: canned acidified plant-based foods, fermented vegetables, pickled fruits or vegetables. All items must not require time or temperature control to prevent spoilage.
- Has an annual gross income of \$50,000 or less from the sale of the described foods.
- Sells the foods produced directly to consumers (no wholesaling to retailer).
- Orders may be taken via internet or mail order, but delivery must be at the point of sale or another location designated by the consumer.

Licensing

A cottage food production operation is exempt from the requirements of a food service establishment and does not have to comply with the Texas Food Establishment Rules. Health departments do not have regulatory authority to conduct inspections of a cottage food production operation. However, the Department or local health authority has authority to act to prevent an immediate and serious threat to human life or health through emergency order, recall orders and delegation of powers or duties. Health departments are required to maintain records of all complaints against a cottage food production operation.

You must obtain a food handler's card prior to selling your food. If you have anyone assisting you in the preparation of your product, such as an employee, they must also obtain a card if at any time they will be unsupervised by you. This does not include members of your household.

Sampling at Farmer's Markets

A cottage food production operation that provides samples prepared onsite does not require a permit, but may be inspected by the Garland Health Department. Prepacked and properly labeled samples do not require a temporary food permit or inspection.

Frozen fruits and vegetables

- Must be whole and uncut
- Must be stored and delivered to the customer at an air temperature of not more than 32 degrees F
- On the item label, or on an invoice or receipt provided to the customer, the following statement in at least 12-point font: "SAFE HANDLING INSTRUCTIONS: To prevent illness from bacteria, keep this food frozen until preparing for consumption."

Pickled/Fermented/Acidified Plant-Based Products

Included foods:

- Acidified canned plant-based foods that are thermally processed before being placed in an airtight container
- Pickled fruits or vegetables, including beets and carrots, that are preserved in vinegar, brine, or a similar solution
- Fermented vegetable products, including products that are refrigerated to preserve quality.

***All finished products must have a final pH of 4.6 or less.**

To ensure proper pH, one of the following options must be used:

- Use a recipe that is from a source approved by Texas DSHS, or
- Use a recipe that has been tested by an appropriately certified laboratory that confirmed the finished fruit or vegetable product s an equilibrium pH value of 4.6 or less, or
- Use a recipe that is approved by a qualified process authority, or
- If you do not use a recipe described above, you must test each batch of the recipe with a calibrated pH meter to confirm the finished fruit or vegetable, product has pH value of 4.6 or less.

Labeling

Foods sold by a cottage food production operation must be packaged and labeled. The label must include the following information:

- Common name of the product
- Name and physical address of the cottage food production operation
- If a food is made with a major food allergen (eggs, nuts, soy, peanuts, milk or wheat), that ingredient must be listed on the label; and
- A statement: *"This food is made in a home kitchen and is not inspected by the Department of State Health Services or a local health department."*
- For pickled fruit or vegetables, fermented vegetable products, or plant-based acidified canned goods, a cottage food producer must label the batch with a unique number, the recipe used, source or recipe or testing results, and date the batch was prepared.

Visit <https://www.dshs.texas.gov/foodestablishments/cottagefood/faq.aspx> for FAQ regarding Texas Cottage Food Operations and more information on pickled/fermented/acidified plant-based food recipes requirements and frozen fruit and vegetable sales.

For more helpful information visit www.TexasCottageFoodLaw.com.