

Home businesses operating in government housing involving FOOD

For Cottage Food Businesses, additional steps are required. You must send your information and schedule your inspection by sending an email to either zachary.d.vikara.mil@health.mil or christina.m.braham.mil@health.mil.

In subject line: Cottage Food Approval for HBB

Regulation 8-301.12 Cottage food operations*†

Home businesses operating in government housing involving FOOD production and sale are not subject to public health inspection as a FOOD ESTABLISHMENT under the TSFC. However, there are specific requirements governing production and sale of COTTAGE FOODS.

(A) COTTAGE FOODS may not be sold in a FOOD ESTABLISHMENT or retail store operating on a military installation.

(B) COTTAGE FOODS produced in nongovernment housing are regulated by the State or local Health Department. COTTAGE FOOD operations occurring in privatized government housing are expected to meet the regulatory requirements specified by the State or local Health Department in addition to the contents of this provision.

(C) Service-specific policies apply governing the approved sale or restriction of COTTAGE FOODS at Farmers Markets operated on a military installation.

(1) For Army, Navy, and Marine Corps installations, Army Veterinary Service food protection requirements for Farmers Markets apply..

(2) For Air Force installations, consultation with the REGULATORY AUTHORITY is required.

(D) A home business operating in government housing or privatized government housing shall register as a COTTAGE FOOD operator through the REGULATORY AUTHORITY for review and approval of proposed COTTAGE FOODS prior to initiating the sale of such FOODS. The registration shall be a written document containing:

(1) The street address of the location where the COTTAGE FOOD will be produced;

(2) A list of the COTTAGE FOODS that will be produced;

(3) A copy of the recipe for each FOOD produced. Recipes shall identify all of the ingredients and a description of the production method and process controls (for example, cooking equipment, product holding/storage, packaging); and

(4) The method of advertising or point of sale location in which the COTTAGE FOOD will be provided to the consumer.

(E) The COTTAGE FOOD operator shall—

(1) Produce the COTTAGE FOOD in the kitchen or residence that was stated in the registration packet and is identified on the food label as specified in Subparagraph (E)(5)(a) of this section.

(2) Maintain a copy of each COTTAGE FOOD recipe and provide a copy to the REGULATORY AUTHORITY upon request.

(3) Be the original processor of the FOOD. The FOOD may not be repackaged from another producer.

(4) Package or wrap the FOOD using clean food containers or food-grade foils or plastic wrap.

(5) Place a label on the PACKAGED FOOD to indicate—

(a) The name, address, and phone number of the COTTAGE FOOD producer;

(b) Ingredients that are known food allergens: milk, eggs, fish, crustacean, shellfish, tree nuts, wheat, peanuts and soy beans or a FOOD ingredient that contains a protein derived from a FOOD specified in this sentence; and

(c) A consumer notice that specifies, "This food was produced in a home kitchen not subject to public health inspection."

(F) Except as specified in ¶ (G) of this section, a home business may not sell HIGH-RISK FOODS or the following LOW-RISK FOODS:

(1) Honey.

(2) Home-canned vegetables, meats, or stews.

(G) The following FOODS may be APPROVED by the REGULATORY AUTHORITY on a case-by-case basis when suitable controls are identified and maintained:

(1) Cream- or custard-filled bakery products (for example, pies and pastries) and cheesecake. These products are considered a TCS FOOD and shall be refrigerated.

(2) High-acid FOODS (for example, jams and jellies). The producer shall test the acidity of each batch of the final product using acceptable test mechanism, such as withdrawing a small sample of the product and testing using pH paper. A log of testing results shall be retained by the COTTAGE FOOD producer for 1 year.