



UNIVERSITY OF ILLINOIS  
EXTENSION

Illinois Migrant Council

# PREPARING A NEW GENERATION OF ILLINOIS FRUIT AND VEGETABLE FARMERS

a USDA NIFA BEGINNING FARMER AND RANCHER  
DEVELOPMENT PROGRAM PROJECT  
GRANT # 2012-49400-19565

<http://www.newillinoisfarmers.org>





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**GROWING A NEW GENERATION  
OF ILLINOIS FRUIT AND VEGETABLE FARMERS**

# ILLINOIS COTTAGE FOOD LAW

Deborah Cavanaugh-Grant  
September 2015



# Objectives

- Increased knowledge of the what is a “Cottage Food Operation”
- Increased knowledge of Cottage Food operator requirements
- Increased knowledge of what products can and cannot be sold
- Increased awareness of resources and organizations that provide information and support

# What We'll Cover

- History of Cottage Food in Illinois
- What is a cottage food operation
- What kinds of foods can be sold
- What foods are not permitted
- Labeling requirements
- Resources

# History of cottage food in Illinois

**Senator David Koehler (D-Peoria)**

**Rep. Lisa Dugan (D-Kankakee)**



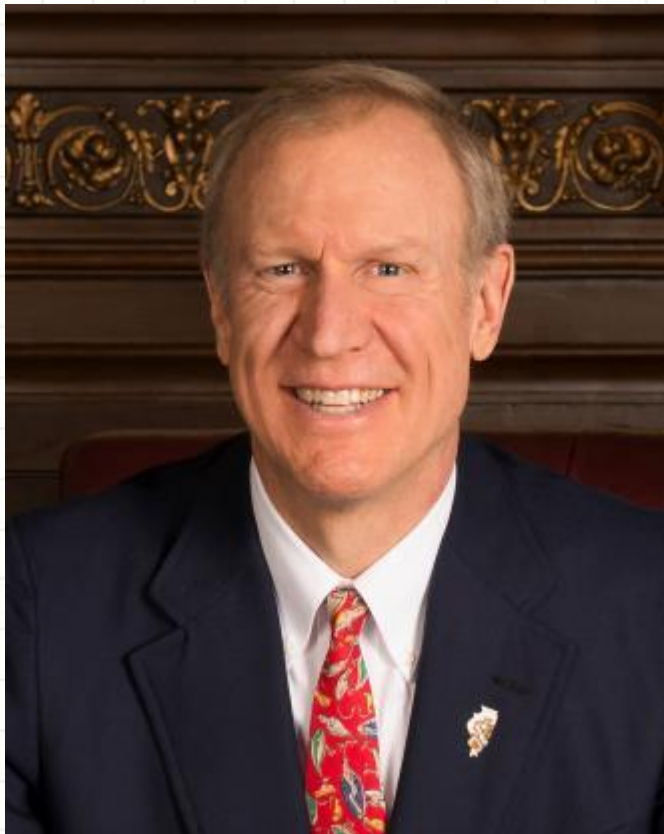
[www.senatordavekoehler.com](http://www.senatordavekoehler.com)



[www.housedem.state.il.us](http://www.housedem.state.il.us)

# History of cottage food in Illinois

**Governor Bruce Rauner**



[www.illinois.gov](http://www.illinois.gov)

Cottage Food Law Expansion Bill - Public Act 99-0191  
Effective January 1, 2016



# What is a cottage food operation?

- Business selling non-potentially hazardous food at farmer's markets, on-farm, farm-stands, and CSAs
- Food can be prepared in domestic “home” kitchen
- Operation must be registered with the local county public health department
- Person preparing and packaging must hold a current Food Service Sanitation Management Certificate
- Gross receipts must not exceed \$36,000 per year

# What kinds of foods can be sold?

- High acid jams, preserves, and jellies

*apple, apricot, grape, peach, plum, quince, orange, nectarine, tangerine, blackberry, raspberry, blueberry, boysenberry, cherry, cranberry, strawberry, red currants, \*rhubarb, \*tomato, \*pepper or a combination of those fruits*



Jenna Smith, UofI Extension

# Fruit butters

- *Apple, apricot, grape, peach, plum, quince, and prune*
- Other flavors are allowed if the recipe has been tested in a commercial lab and documented to have a pH value of 4.6 or less



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# Dry herbs

- Dry herbs, dry herb blends & dry tea blends



Teresa Brockman, Teresa's Fruit and Herbs , Eureka, IL

# Baked goods

- Breads, cookies, cakes, etc.
- High acid fruit pies:
  - apple, apricot, grape, peach, plum, quince, orange, nectarine, tangerine, blackberry, raspberry, blueberry, boysenberry, cherry, cranberry, strawberry, red currants, or a combination of these fruits



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# What foods are not permitted?

- Any food defined as potentially hazardous by the 2009 FDA Food Code such as, but not limited to:
  - Meat and dairy products, canned vegetables, pickled products, raw seed sprouts, jams
  - Preserves and jellies made from watermelon
  - Butters made from pumpkin, banana, and pear
  - Baked goods: pumpkin, sweet potato, custard or any cream pies, cheese cake, or any pastry with a potentially hazardous filing or topping
  - Heat treated plant food, baked or boiled potatoes, cut leafy greens, cut tomatoes, cut melons, garlic and oil mixtures

## Potentially Hazardous Foods: 2009 FDA Food Code

- Meat (beef, pork, lamb)
- Poultry (chicken, turkey, duck, etc.)
- Fish (tuna, salmon, etc.)
- Shellfish and crustaceans (shrimp, crab, clam, etc.)
- Shell Eggs
- Milk and milk products
- Heat-treated plant food (cooked rice, beans, or vegetables)
- Baked or boiled potatoes
- Cut leafy greens
- Cut tomatoes
- Raw sprouts and seeds
- Tofu and soy-protein foods
- Untreated garlic and oil mixtures
- Cut melons: like watermelon, cantaloupe, honeydew

# Labeling requirements

- Must conform to the Illinois Food, Drug and Cosmetic Act
  - Name and address of cottage food operation
  - Common name of product and weight
  - All ingredients listed in descending order by weight
  - Allergen labeling
  - Date product was processed
  - Both a statement on the label and at a point of sale placard that must read, “This product was produced in a home kitchen not subject to public health inspection that may also process common food allergens.”

# Allergen labeling

- Cottage food label must identify:
  - Milk, eggs, wheat, peanuts, soybeans, fish, crustacean shellfish, and tree nuts
- Allergens may be listed as part of ingredient list **OR**
- As allergen statement, such as, “contains....” as separate list after ingredients

# Label Example

**THIS PRODUCT WAS PRODUCED IN A HOME KITCHEN NOT SUBJECT TO PUBLIC HEALTH INSPECTION THAT MAY ALSO PROCESS COMMON FOOD ALLERGENS**

## **Chocolate Chip Cookie**

Net Wt. 3 oz (85.05 g)

Ingredients: Enriched flour (Wheat flour, niacin, reduced iron, thiamine, mononitrate, riboflavin and folic acid), butter (milk, salt), chocolate chips (sugar, chocolate liquor, cocoa butter, butterfat, (milk), Soy lecithin as an emulsifier), walnuts, sugar, eggs, salt, artificial vanilla extract, baking soda

Contains: wheat, eggs, milk, soy, walnuts

Artie Pinkster

123 Foodstuff Lane

Casserole City, IL 60000

Production Date: 4/19/2012



# Registration & Fees

- The cottage food operation must have an Illinois Department of Public Health approved Food Service Sanitation Manager Certificate.
- 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.

# Additional cottage food safety information

- Invoke cessation of sales if:
  - Received a consumer complaint or has reason to believe that an eminent health hazard exists
  - Or product has been deemed to be misbranded, adulterated or not in compliance with the Cottage Food Law

# Additional cottage food safety information

- A state-certified local public health department may, upon providing a written statement to IL Dept. of Public Health, take additional regulatory measures:
  - Charge a reasonable registration fee
  - Registration requires that operation must agree to grant access in the event of a complaint or foodborne illness outbreak

# Resources

- University of Illinois Extension's Website on the Illinois Cottage Food Law  
<http://web.extension.illinois.edu/cottage/>
- Guide to Illinois Laws Governing Direct Farm Marketing  
<http://www.ilstewards.org/illinois-stewardship-alliance-publishes-legal-guide-for-farmers/>
- Department of Public Health (IDPH) Technical Information Bulletin #44  
<http://www.ilstewards.org/wp-content/uploads/2013/06/TIB-44-Cottage-Food-Operations.pdf>
- Department of Public Health (IDPH) Technical Information Bulletin #44a  
[http://www.ilstewards.org/wp-content/uploads/2013/06/TIB-44a-supplement\\_April-2012.pdf](http://www.ilstewards.org/wp-content/uploads/2013/06/TIB-44a-supplement_April-2012.pdf)
- Illinois Farmers Market Food Safety A Guide for Vendors, Market Managers and Consumers  
<http://www.idph.state.il.us/about/fdd/ILFarmersMrktFoodSafety.pdf>



# Summary



2010-05-26 Cottage by Biczzz

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Listing of Local Illinois Health Departments  
<http://www.idph.state.il.us/local/alpha.htm>



# To reach us

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# If you have questions ...

- University of Illinois Extension Local Food Systems and Small Farms team
  - <http://web.extension.illinois.edu/smallfarm/>
- USDA's Start2Farm site
  - <http://www.start2farm.gov/>