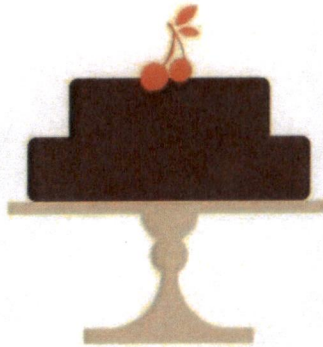


Cozy Cottage Bake Shop

801 S. Golden Oak Street, Anytown, Texas 77777

Name and physical address of the cottage food production operation.



Common or usual name of the product. This could be handwritten if you are buying labels in large quantities for various products.

Blueberry Muffins

Listing required major allergens and circling those present is one option if using pre-printed labels.

Contain the following allergens:

Eggs

Nuts

Soy

Peanuts

Milk

Wheat

Fish

Shellfish

This food is made in a home kitchen and is not inspected by the Department of State Health Services or a local health department.

Statement of non-inspection. This is the required language.

Q1. Do I have to label my cottage food products?

A: Yes.

Q2: What is supposed to be on the label?

The rules read:

(d) Packaging and labeling requirements for cottage food production operations. All foods prepared by an operator shall be packaged and labeled in a manner that prevents product contamination.

(1) The label information shall include:

(A) the name and physical address of the cottage food production operation;

(B) the common or usual name of the product;

(C) disclosure of any major food allergens, such as eggs, nuts, soy, peanuts, milk, wheat, fish, or shellfish used in the product; and

(D) the following 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."

(2) Labels must be legible.

(3) A food item is not required to be packaged if it is too large or bulky for conventional packaging. For these food items, the information required under paragraph (1) of this subsection shall be provided to the consumer on an invoice or receipt.

(4) A label for frozen raw and uncut fruit or vegetables must include the following statement in at least 12-point font when sold: "SAFE HANDLING INSTRUCTIONS: To prevent illness from bacteria, keep this food frozen until preparing for consumption" on the label or on an invoice or receipt provided with the frozen fruit or vegetables.

(5) Advertising media of cottage food products for health, disease, or other claims must be consistent with those claims allowed by the Code of Federal Regulations Title 21, Part 101, Subparts D and E.

NOTE: If your food is a pickled fruit or vegetable, fermented vegetable, or acidified canned plant-based product, then the label also must contain a unique batch number to correspond with your record-keeping. Read more about [pickling, canning, and fermenting](#).

Q3: Does the label have to be attached to the food package?

A: Yes, except for items that are too large or bulky for packaging (like wedding cakes); in that case, the label can be incorporated into the invoice.

Q4: Instead of listing the allergens, can I make a blanket statement that my product MAY contain all of the allergens listed in the labeling requirements?

A: No, you must actually list which allergens are present.

Q5. Do I have to list all the ingredients on the label?

A: You are not required to, but you can if you like. The rule only requires you to list any of the major allergens present in the food.

Q6: Can I add information to my label, such as a statement that the food may have come into contact with other allergens?

A: Yes. As long as you have all the required elements on your label, you can add any information you wish, such as your website, phone number, QR code, etc.

Q7: I don't like the way that statement about the food being prepared in a home kitchen sounds. Can I re-write it in my own words?

A: No, you must print the statement of non-inspection exactly the way it appears in the rule.

Q8: I don't want to put my home address on the label. Can I leave it off or put something else in its place?

No, there is no exception to this rule. Your home's physical address must be on the label, since that is the location where the food was prepared. (A cottage food operator by law must prepare their food in their primary residence.)

The cottage food law does **not** require the customer to visit your home. If you have an issue with the customer coming to your home, you can deliver the food or meet the customer at a safe public meeting spot. Many police departments offer safe spaces for internet transactions such as craigslist purchases.

You can add "By Appointment Only" on your label to discourage drop-ins.

NEVER:

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- **Open the door to a stranger.**
- **Invite a stranger inside your home.**

Q9: If I am selling a lot of small items, such as cookies or cake pops, to the same customer, does each one have to be individually packaged and labeled?

A: The law says that "food must be packaged" and "all food must be labeled." We would advise labeling every package of food in order to fully comply with the law.

Example: 10 unwrapped cookies in one large box: 1 label

Example: 10 wrapped cookies in one large box: 10 labels

"(a) **Food** described by Section 437.001(2-b)(A) sold by a cottage food production operation

must be packaged in a manner that prevents product contamination, except that a food item is not required to be packaged if it is too large or bulky for conventional packaging.

"(d) ... All foods prepared by a cottage food production operation must be labeled."

Q10. I'd like to split up my required information into two labels. Can I do that?

A: Yes.