



Guide to Operating a Successful Home-Based Food Business

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The Alaska Department of Environmental Conservation (DEC) revised regulations June 24, 2012 to allow producers to sell non-potentially hazardous food directly to the consumer without a food processing permit if certain conditions are met. Non-potentially hazardous foods are foods that do not easily support the growth of dangerous bacteria and do not require temperature control for safety.

Exemption Requirements

Producers of food under the Alaska Food Code exemptions must meet the following conditions:

- Have and provide detailed knowledge about the ingredients of the food product and how it was processed, prepared and packaged.
- Have the food product formulation or recipe available in case there is ever a concern about the safety of the product. This information must be maintained by the producer and be available if DEC or consumers have questions regarding the product. For a product that is pickled or dried, the producer needs to have information available about the pH or water activity. Producers may work with UAF Cooperative Extension Service or test their own product to show that it is safe.
- Process, prepare, package and sell the product only in Alaska.
- Make sure the person who sells directly to the consumer knows what ingredients were used to make the product and how the food was prepared and packaged. This individual must be able to answer consumers' questions about the product, including whether allergens are present in the food product. In order to qualify for the exemption, the processor may not distribute the product to stores or restaurant or by mail order or on consignment.
- Keep total receipts of sales of all food items sold under this exemption to demonstrate that gross sales do not exceed \$25,000 within a calendar year.
- If the food is not prepared in a permitted, approved or inspected kitchen, the producer must inform the

consumer by a card, placard or sign placed in a conspicuous area that says: "THESE PRODUCTS ARE NOT SUBJECT TO STATE INSPECTION."

- Label packaged food with either
 - the Alaska business license number or
 - the name, physical address and telephone number of the individual who prepared the food to allow DEC to trace the product back to the producer if there is a problem or complaint.

Knowledge

Producers of food under the exemption are expected to be knowledgeable and able to communicate with consumers about the ingredients used in the food and how the food was processed and packaged. This is critical because many consumers with allergies or other food sensitivities will be making an important health-related decision about whether to purchase and consume the product based on this information.

The producer and sales person must be able to answer the following questions:

- What ingredients were used to make the product?
- Do any of those ingredients contain sub-ingredients? (For example, margarine contains soy, a major food allergen.)
- Do any of those ingredients contain allergens?
- What types of foods do you prepare in your kitchen? Are any of them allergens?

The Eight Major Food Allergens

eggs	peanuts
dairy	tree nuts
fish	wheat
soybeans	crustacean shellfish

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Non-potentially Hazardous Foods

Baked goods	<p>Most baked goods are considered non-potentially hazardous foods because they are cooked to high enough temperatures to kill any bacteria that may be harmful. This, combined with their low water activity, makes them fairly shelf-stable.</p> <p>Exceptions include baked goods with cream-based fillings, custards, whipped cream or meringue, and toppings with vegetables or cheese, which require refrigeration to maintain the safety of the products. These items are not included under these exemptions and an DEC permit may be required.</p>
Pickled vegetables and fruits	<p>Pickled or acidified foods are products that are shelf-stable because their pH is below 4.6 and they have been processed in a hot-water bath to ensure that the can is properly sealed and sterilized.</p> <p>To safely produce pickled foods, see Extension publications <i>Bullwhip Kelp</i>, FNH-00131; <i>Zucchini from A-Z</i>, FNH-00260; <i>Beets</i>, FNH-00561A; <i>Pickles and Relishes Lesson 6</i>, FNH-00562F; <i>Pickling DVD</i>, FNH-1284 (\$5); <i>So Easy to Preserve</i>, MGA-00989 (\$18).</p>
Fermented foods*	<p>Fermented foods such as sauerkraut, some kinds of pickles and green olives are low-acid foods that are exposed to conditions that allow acid-producing microorganisms to reduce the pH of the food to 4.6 or below.</p> <p>To safely produce fermented foods, see Extension publications <i>Sauerkraut</i>, FNH-00170; <i>Alaska Grown Cabbage</i>, FNH-00169 (\$4).</p>
Canned acidic foods: salsas and sauces**	<p>Canned acidic foods are products that are shelf-stable because their pH is below 4.6 and have been processed in a hot-water bath to ensure that the can is properly sealed and sterilized. The pH of tomatoes varies from 4.0 to 4.7, depending on the variety and the ripeness of the fruit. This is why it is important to test the final pH of these products to determine if additional vinegar or another acid is necessary. To safely produce acidic foods, see Extension publications <i>Canning Tomatoes and Tomato Products</i>, FNH-00171; <i>Canning Acidic Foods</i>, FNH-00562C; <i>Salsa Recipes for Canning</i>, PNW-00395</p>
Dehydrated foods	<p>Foods that have the majority of their water removed do not support the growth of dangerous bacteria or molds. A water activity value of less than 0.88 is considered safe.</p> <p>To safely produce dehydrated foods, see Extension publications <i>Fruit Leather</i>, FNH-00228; <i>Drying Fruits and Vegetables</i>, FNH-00562H; <i>Drying Foods DVD</i>, FNH-001285 (\$5)</p>
Jams and jellies	<p>Jams and jellies have very little water available for bacteria to grow because of the combination of high sugar content and the acidity of the fruits used to produce the product.</p> <p>To safely produce jams and jellies, see Extension publications <i>Jams and Jellies</i>, FNH-00562E</p>

* See Fermented Foods, page 3.

** See Sauces and Salsas, page 3.

Recipe Formulation of Non-Potentially Hazardous Foods

Recipe formulation is important because a producer must be able to assure that the product being sold is a non-potentially hazardous food. A good method to determine whether a product is non-potentially hazardous is to determine if it requires refrigeration to keep it safe or to preserve it. If it does not require refrigeration at any time, it is most likely non-potentially hazardous. If producers are unsure about the safety of their product or whether it requires refrigeration for safety, they should contact their local Cooperative Extension Service office or the DEC.

There are several considerations in determining whether a food is non-potentially hazardous, including pH, water activity, the interaction between the water activity and pH, heat treatment (cooking) and packaging. The pH and water activity values that define a non-potentially hazardous food are included in **Appendix A**.

Foods that are heat-treated (cooked) to eliminate the vegetative cells of bacteria need to be addressed differently than a raw product with no, or inadequate, heat treatment.

Examples of non-potentially hazardous foods include jams, jellies, pickled vegetables, bread, kettle popcorn, confections, trail mix, granola, tortillas, fry bread, fermented fruit and vegetable products, pastries, and waffle cones. For a more extensive list see **Appendix B**.

Low-Acid Food

Because the risk to the public health is too great, DEC does not allow the sale of home canned low-acid vegetables (e.g., canned green beans not pickled or fermented), meat, poultry or seafood products of any kind.

Acidified Food

Acidified foods are low-acid foods to which acid(s) or acid food(s) are added. They have a finished equilibrium pH of 4.6 or below. (18 AAC 31.990).

*Fermented Foods

(FDA Draft Guidance for Industry: Acidified Foods, September 2010). Once the fermentation process is completed, the fermented food will have a pH that is well below 4.6, which will prevent the growth of pathogenic bacteria such as *Clostridium botulinum* or *Salmonella*. Fermented foods are susceptible to molds. Mold growth can be prevented by keeping the product refrigerated after fermentation or by processing the product in a hot-water bath.

If you have any questions on the safety of the processing methods you are using, refer to Extension publications and at www.uaf.edu/ces/pubs/catalog or go to www.uaf.edu/ces/preservingalaskasbounty for online training materials.

In addition, Extension agents and food technicians or DEC food safety and sanitation personnel will be glad to consult with you on proper procedures for food preservation.

**Sauces and Salsas

Salsas that qualify under this exemption contain tomatoes, other vegetables and some type of acidic ingredient such as vinegar or lemon juice. Most sauces like barbecue or hot sauce are acidic (pH below 4.6) and therefore pose little health risk. Any salsa or sauce that a producer wants to make under this exemption must have a pH test performed on it to ensure that the pH is low enough (has enough acid) so that no potentially harmful organisms may grow in it. Fresh salsas require pH testing to qualify under this exemption.

The equilibrium pH of tomatoes varies from approximately 4.0 to 4.7, depending on the variety and the ripeness of the fruit. This is why it is important to test the final pH of these products to determine if additional vinegar or another acid is necessary.

Hot-Water Bath or Hot Fill

In a hot-water bath, food is heated sufficiently to destroy most bacteria and molds. Acidifying controls the growth of bacteria, such as *Clostridium botulinum* (botulism), that are not killed during the hot water bath or hot fill process.

Product Testing

To ensure that your product(s) have the proper pH and water activity (A_w) to be non-potentially hazardous, have your product tested.

Product testing is available locally at these two locations, or contact a private testing company:

Cooperative Extension Service

Attn: Test Kitchen
P.O. Box 756180
Fairbanks, AK 99775
907-474-5391

Alaska DEC Laboratory Services

5251 Dr. Martin Luther King Jr. Ave.
Anchorage, AK, 99507
907-375-8200

The cost is \$15 per sample for pH testing and \$10 per sample for water activity at any of these locations.

Procedure for testing

1. Call the test location first to determine what shipping and handling procedures must be followed.
2. Ship your samples.
3. Expect a turnaround time of approximately four weeks.
4. For questions regarding test results, contact Cooperative Extension Service or your local DEC Environmental Health Officer.

Documentation: Recipe or Product Formulation

A producer's recipe is proprietary information; however, a detailed list of ingredients must be on hand at the point of sale to answer questions from consumers.

Your complete recipe formulation must be made available for the regulatory authority (i.e., DEC or the Municipality of Anchorage) for review if there are any questions on whether your product is a potentially hazardous food and safe to be sold under the exemptions. A producer should also have documentation on any product testing that has been completed. Examples of documentation could include:

- Laboratory results for pH or water activity
- Records of pH testing with a pH meter by the producer
- A letter from a process authority

A *process authority* is a qualified person who has expert knowledge acquired through appropriate training and experience in the processing of foods.

See **Appendix D** for example documentation of pH or water activity from a lab.

See **Appendix E** for an example of how to properly formulate a recipe.

Where may you sell your product

You may sell your product in the state of Alaska as long as you are not within the Municipality of Anchorage. If you intend to sell within the [Municipality of Anchorage](#), contact them to determine their regulatory requirements.

All sales must be face to face. Advertising and marketing may be done online or through social media, but sales transactions must be in person with the consumer who is purchasing the food.

Who may sell your product

The intention of this regulation is to ensure that the producer sells his or her own product directly to the consumer. However, there are some cases in which someone else may be able to sell your product for you. An individual such as a family member or friend who directly assists with production and is fully knowledgeable about the production method and ingredients may also sell your food products to consumers. This allows the consumer to speak directly with the person(s) who prepared the food to discuss any pertinent questions in regard to that product. If someone else were allowed to sell your food, she or he may not be able to fully answer questions or discuss potential concerns.

You may sell your food directly to the consumer only. This means the person that is purchasing the food product from you is using it for personal use only and will not be reselling it to the best of your knowledge. Retail entities are responsible for ensuring that their food products come from an approved source. If they purchase your food for retail sale knowing that it does not come from an approved source, you will not be held liable. The visible placard with the statement "This Product is Not Subject to State Inspection" will ensure that this message is conveyed and a wholesaler does not accidentally purchase your product for resale.

Limits on sales volume

To operate within the Alaska DEC Cottage Food Exemption, gross receipts from sales of your exempt products may not exceed \$25,000.

What counts as gross receipts? What doesn't count? What part of business counts as gross receipts?

Gross Receipts

[Gross receipts](#) are the total amounts the organization or business received from all sources during its annual accounting period, without subtracting any costs or expenses. (Source: [U.S. IRS: www.irs.gov/Charities-&-Non-Profits/Gross-Receipts-Defined](http://www.irs.gov/Charities-&-Non-Profits/Gross-Receipts-Defined))

Labeling and placards

The labeling and placards requirements are important so customers can understand that they are purchasing a product that has not been regulated by any agency. It allows customers to make informed decisions about purchasing your product and also allows wholesalers or other food businesses to know that your product cannot be purchased for resale in their retail location(s).

If the product that you are selling is sold in a packaged form, it must comply with some basic label requirements. Your booth and/or your labels must conspicuously display the following statement:

“THESE PRODUCTS ARE NOT SUBJECT TO STATE INSPECTIONS.”

In addition, packaged food must include the following on its label(s):

- Alaska business license number *or*
- Name of producer (you or your business name), physical address and telephone number

Though not required, you may wish to include the following items:

- Ingredient list (in descending order from most to least abundant ingredient)
- Allergen statement
- Net weight or net volume of product
- Nutrition Facts Label

Assistance with labeling is available through the DEC guidance document [Labeling Packaged Foods](#) or the [UAF Cooperative Extension Service](#).

We recommend that you take advantage of some great free publicity by registering your products with the Made In Alaska Program. For more details, visit <http://commerce.alaska.gov/ded/dev/mia/home.htm>.

If you are selling an agricultural product, take advantage of the Alaska Grown Program as well. For more details, visit http://dnr.alaska.gov/ag/ag_AKGrown.htm.

Safe Preparation

Ensuring that your home-prepared food is safe to the consumer is paramount to the success of your small business. To further your knowledge of safe food handling, consider obtaining your Alaska [Food Worker Card](#) from Alaska DEC. This costs \$10 and gives you a basic food safety certification. For a more in-depth food safety course, consider the [certified food protection manager certification training](#).

Take these following precautions to provide the safest product to your consumers:

Food should be processed at times when there are no other activities in the kitchen. Small children or pets should not be allowed into the kitchen while you are preparing or packaging products for sale. Only individuals doing food preparation should be allowed in the kitchen during food processing.

Preparing products for sale while making a meal, doing laundry or washing dishes increases the likelihood for cross-contamination.

Before you begin

- Wash your hands thoroughly with soap and warm water for at least 20 seconds. If you do anything that will contaminate your hands, such as coughing, blowing your nose, eating, handling garbage, using the toilet or handling raw animal foods such as eggs, wash your hands again.
- Clean and sanitize all surfaces by washing with hot, soapy water, rinsing and then wiping or spraying surfaces with a 50–100 parts per million (ppm) bleach solution. Allow the bleach solution to air dry so it has adequate time to sanitize the surface.

To make a proper bleach solution in a spray bottle:

- Use ¼ to ½ teaspoon of nonscented bleach per quart of water. In this case, more is not better; a too-high concentration of bleach may leave a toxic residue.
- Use cool water — not hot — to make up your sanitizer solution. If you use water that is too hot, the bleach will rapidly disappear from the solution.
- The bleach water should not be used to clean up a spill. You should first clean the surface with hot, soapy water and then apply the bleach solution.
- Be sure to check the concentration of your bleach frequently with chlorine test strips. They are a reliable way to ensure your bleach cleaning solutions are properly mixed. Chlorine test strips can be purchased from restaurant supply companies. These test strips will last a long time if kept away from moisture.
- Change your bleach solution frequently. If it gets contaminated with foods, detergents or fats and oils, it will not be an effective sanitizer.

When cleaning, pay special attention to cutting boards as they are a common source of cross contamination.

All chemicals and cleaning compounds should be stored away from your food preparation area or safely stored in a cupboard.

Protect your perishables

- Keep all perishable ingredients such as milk and eggs refrigerated until use. Bacteria grow quickly in these foods at room temperature. Ideal refrigerator temperature is 41°F or lower. Keep a thermometer

in your refrigerator so you can make sure that your refrigerator is holding food at safe temperatures.

Packaging and transport

Now that you have prepared a safe product in your home, it is important to ensure that your product continues to be protected from hazards until it is consumed.

- Make sure to wrap or cover all products to protect them from possible contamination during transportation, storage or display.
- Use tongs or disposable gloves to keep from handling your products while packaging them or dispensing them to the customer.
- Package individually wrapped items at home ahead of time.

Community Kitchens

Consider using a [community kitchen](#) or a kitchen approved by DEC instead of your home kitchen.

Get creative with your packaging. Most people want the products that they purchase from farm stands or farmers markets to have that country or homemade feel to them. Also consider gift packaging. Bundling your items into a gift basket is a great way to increase the amount of money you make per transaction.

Getting your business off on the right foot

Make sure that your business has all of the legal requirements in place so that you do not run into any problems while starting out.

Obtain a business license from the State of Alaska

This costs \$50 per year. Anyone doing business in Alaska must purchase a [business license](#) no matter how small the enterprise may be.

Look into product liability insurance.

It may be difficult to acquire liability insurance for your product if it is not inspected; however, check with your local insurance provider to learn if they have any “safety nets” that may be beneficial to your small business.

Consider your maximum gross receipt of sales

Ensure that your business will be operating within the legal profit margins discussed in the DEC exemptions (18 AAC 31.012).

Obtain pH and water activity tests when applicable

Do this before you begin commercial production.

Wild-Harvested or Foraged Foods Gathered from State Lands

If you are interested in using non-timber forest products obtained from state lands as part of your product for commercial sale, please follow the regulations for commercial harvesting. Make sure to read and fully comprehend the [Alaska Non-Timber Forest Products Harvest Manual: For Commercial Harvest on State-Owned Lands](#) prior to harvesting.

Permits for commercial harvest cost \$100 plus applicable per unit fees. Permits are valid for 12 months from date of issue.

At the Market

Booth Design

Be creative with your displays and signage. Simple things like bright, colored signs and cloth can draw people’s attention and help them remember where your booth is located.

Product Display

Consumers want clean food. Be sure that your products, table and display are clean and that your food products look fresh throughout the day. Use baskets or trays in your display to offset your products. Put some items up higher than others to make your booth both look more attractive and more bountiful.

You as a vendor

Vendors should have a nice clean appearance. If you are dirty, consumers may think your food is dirty too. If there are multiple sellers at your booth, consider a uniform of sorts, such as matching shirts, hats or aprons.

Vendors should stand at their booths, look alert and be amendable to the customer’s needs. Engage your customers in conversation about your products. This is a great way to help them remember who you are and what you sell, increasing the likelihood they will return to your booth in the future.

Finally, smart phones have applications available that allow you to take credit cards. This may help increase the number of clients who can purchase your product.

Samples

Samples can be a very important part of your stand. They are a great way to introduce customers to new products and increase their purchases. They also draw customers to your booth, making you look busier. However, be sure to SAFELY provide samples. The sample should be no bigger than one small bite. You want people to buy the product, not fill up on the sample! Cover your sample plate with

either a mesh or plastic cover to keep any bugs or other debris off of your sample. Have toothpicks available for the consumer to use to take a sample. Make sure to have clearly labeled containers for “new” toothpicks and “used” toothpicks. To minimize your work and possible contamination at the booth, portion samples in your home kitchen. If you must portion your samples on site, make sure to have clean utensils, cutting boards, gloves and a temporary hand-washing station.

Using Technology

Make use of social networking applications such as Facebook, Twitter and blogs to update the public on your products, any weekly specials you may have and what events or markets you will be at throughout the season.

Facebook: Users create profiles where they can post photos, videos and comments on their own wall and on their Facebook friends’ walls, which are much like a public bulletin board. Create a Facebook page for your business and post regular comments about your products, videos of people enjoying your product or how it was made, or any other information. Be sure to post often, but make sure the information is new, interesting and abbreviated. Posting information a minimum of one to two times a week gives your consumers a reminder that you are there, but posting several times a day when something new and exciting is going on may be the perfect promotion for you.

In order to create a business page on Facebook, you must first create a personal page. Then you can add a business page to it. Once you have your business page established, you can change what people view from your personal page to your business page. Facebook is an interactive forum. Make sure to “like” and share information about other businesses and activities rather than just promoting yourself. This is also beneficial to you as it links you to more activities and, therefore, more people who may be interested in your product(s).

Twitter is for the more interactive marketer. You must be willing to post comments or information about your products almost daily to use this social networking platform. Twitter is very similar to a real-time newsfeed in which users send out short messages called “tweets” to their “followers.” Tweets can be no longer 140 characters. Many of the same rules apply to tweeting as they do to Facebook. Don’t let your feed be a constant stream about you. Break up your activities by helping other people promote their products, interests and activities too.

On Twitter, the hash tag “#” is important. The hash tag is used to sort tweets that all pertain to the same conversation or topic. To use hash tags, place a “#” immediately



(without spaces) in front of the word(s) you wish to emphasize. For example, if I am talking about Fairbanks, “#Fairbanks” and “#Alaska” may be used to place these tweets in categories about Fairbanks and Alaska.

Both Twitter and Facebook also have features that allow you to publish a comment written on one of them to the other without having to rewrite it. In other words, if you write something on your Facebook wall, you can automatically publish it to your Twitter page or vice versa. If using this feature, make sure the messages are short enough (140 characters or less) to fully show up on Twitter. If the post is too long, the message will be truncated.

Be Professional

Whether you choose to use Facebook, Twitter or both, make sure to be professional, but also remember that people want to feel like they are following a real person. Be authentic, use your own voice and try to connect with people at a real level.

A blog may be a good addition to your Facebook or Twitter pages. Blogs are a great place to tell the story of your business. They are more useful than Facebook or Twitter in telling longer stories and you can use both text and photos to portray your business. Think of a blog as your own personal, online newspaper where you keep people up to date on anything from new products to your daily chores and activities. Anytime you update your blog, you should post the link to Facebook and Twitter.

Appendix A

Refer to this table for food products that are heat treated and then immediately packaged.

Interaction of pH and Water Activity for Control of Spores in Food Heat-treated to Destroy Vegetative Cells and Subsequently Packaged			
Water Activity Values	pH Values		
	4.6 or less	greater than 4.6 and no greater than 5.6	greater than 5.6
0.92 or less	non-PHF*	non-PHF*	non-PHF*
greater than 0.92 and no greater than 0.95	non-PHF*	non-PHF*	PA**
greater than 0.95	non-PHF*	PA**	PA**

* non-PHF means non-potentially hazardous food
 ** PA means a variance granted under 18 AAC 31.930 is required to consider the food non-PHF
 This table is from the Alaska Food Code 18 AAC 31.985 Definition of potentially hazardous foods (PHF).

Appendix B

Refer to this table for food products that are not packaged or jarred but could also include fermented foods that are dispensed on site.

Interaction of pH and Water Activity for Control of Vegetative Cells and Spores in Food Not Heat-treated or Heat-treated but Not Packaged				
Water Activity Values	pH Values			
	less than 4.2	no less than 4.2 and no greater than 4.6	greater than 4.6 and no greater than 5.0	greater than 5.0
less than 0.88	non-PHF*	non-PHF*	non-PHF*	non-PHF*
go less than 0.88 and greater than 0.90	non-PHF*	non-PHF*	non-PHF*	PA**
greater than 0.90 and no greater than 0.92	non-PHF*	non-PHF*	PA**	PA**
greater than 0.92	non-PHF*	PA**	PA**	PA**

* non-PHF means non-potentially hazardous food
 ** PA means a variance granted under 18 AAC 31.930 is required to consider the food non-PHF
 This table is from the Alaska Food Code 18 AAC 31.985 Definition of potentially hazardous foods (PHF).

Appendix C

Description of food being produced:

Pickled beets, 1-pint glass jars

Recipe makes about 8 pints

Product formulation:

beets, red	7 pounds
vinegar	1 quart
salt	1½ teaspoon
sugar	1½ cup
water	2 cups
onions, yellow	1 pound

Equipment:

cutting board
knife
stock pot
4-quart saucepan
water bath canner
spoons
chopstick
pint glass jars
lids and rings
jar lifter
1-quart saucepan
paper towel
cloth towels

Process of preparation:

1. Trim beet tops, leaving 1 inch of stem and root on each.
2. Wash beets thoroughly with cool water.
3. Sort beets to three size groups.
4. Cook each batch until tender (25–30 minutes)
5. Drain and discard liquid from sauce pan.
6. Cool beets.
7. Trim stems and roots off beets.
8. Slice beets into ¼-inch-thick slices. Set aside.
9. Peel and slice onion in ⅛-inch to ¼-inch slices. Set aside.
10. Combine vinegar, salt, sugar and water in 4-quart saucepan.
11. Bring vinegar mixture to a boil.
12. Add beets and onions to vinegar mixture.
13. Simmer for 5 minutes.
14. Add 2 inches of water to water bath canner.
15. Place empty glass jars face-down in water bath canner.
16. Heat water bath canner with jars on stove top until boiling. Hold for 5 minutes to sterilize the jars.
17. Add 2 inches of water to 1-quart saucepan on stove top. Place jar lids in water and place on low heat.
18. Remove pint jars from water bath canner and place right side up on cloth towel.
19. Fill pint jars with beets and onions leaving ½ inch headspace in each jar.
20. Add hot vinegar mixture to each jar, leaving ¼ inch headspace.
21. Use the chopstick to poke down into each jar to remove excess air.
22. Wipe jar lids with damp paper towel.
23. Place one warm lid on top of each jar. Screw on closure ring to hand-tight.
24. Add 8–10 inches of water (enough water that all jars will be fully submerged) to water-bath canner.
25. Gently place filled and closed pint jars into water.
26. Bring filled water-bath canner to a boil.
27. Once water is boiling, process for 30 minutes.
28. Remove water-bath canner from heat.
29. Remove jars from water-bath canner using the jar lifter and place on a cloth towel to cool.
30. Rinse jars and check seals once jars are cooled.
31. Pack into cases of 12.

COTTAGE FOOD EXEMPTIONS

Food sold under the Alaska Food Code exemption 18 AAC 31.012(a).

Alaska Food Code allows for the sale of non-potentially hazardous foods to be sold directly to the consumer without a permit as long as certain conditions are met. For food to fall under this exemption, it must be sold directly to the consumer, gross sales must not exceed \$25,000, and it must be properly labeled per the exemptions.

What Foods Are Exempt?

There are many foods that fall under this exemption, including:

Baked Goods

- Breads (or similar baked goods)³
- Cakes (including celebration cakes)³
- Sweet breads and muffins that contain fruits or vegetables (e.g., pumpkin or zucchini bread)³
- Cooked fruit pies³
- Cookies³
- Baked goods that contain alcohol (e.g., rum cake)
- Crackers³

Bottled/Jarred Items

- Jams and jellies in glass jars that can be stored at room temperature³
- Vinegars (including flavored vinegars)³
- Mustards²
- Extracts, including vanilla and lemon extract³
- Pickles²
- BBQ sauces²
- Salsas²
- Relishes²
- Ketchup²
- Bottled carbonated beverages³
- Juices (berry and rhubarb)²

Candies/Confections

- Fudge³
- Truffles³
- Brittles³
- Chocolate covered pretzels, marshmallows, graham crackers or fruit.³

Fermented Products

- Kombucha^{2, 3}
- Fermented fruit and vegetable products (e.g., sauerkraut and kimchee)²

Other Products

- Baked product mixes (e.g., pancake, cake or cookie mix)³
- Dried soup or dip mixes³
- Dehydrated vegetables or fruit³
- Popcorn, popcorn balls³
- Dry herbs and dry herb mixtures³
- Dried pasta made with eggs¹
- Nuts, coated or uncoated³
- Roasted coffee and dried tea
- Waffle cones³
- Tortillas³
- Flat breads (including elephant ears)³
- Fruit leathers³

The superscript refers to the type of product testing that must be done to demonstrate that the product is not potentially hazardous. See Cottage Food Product Testing on next page for more information.

¹ Water activity test must be done on the product and kept on file.

² PH test must be conducted on the product and kept on file.

³ Recipe and description of process must be kept on file.

What Foods Are Not Exempt?

Potentially hazardous foods that require time and/or temperature control for safety are not allowed to be produced under this exemption. Examples of foods that are not allowed include:

- Meat and meat products including fresh and dried meats (jerky)
- Fish and fish products (e.g., smoke salmon, canned salmon, etc.)
- Raw seed sprouts
- Garlic in oil mixtures
- Baked products that require refrigeration (e.g., cheesecake, custards, lemon meringue)
- Cheeses
- Dairy products (including ice cream)
- Non-acidic canned foods (i.e., canned vegetables that are not pickled or fermented)
- Pesto
- Fresh vegetable juices
- Food products made with cooked vegetables that are not acidified
- Bottled water

COTTAGE FOOD PRODUCT TESTING Q & A

Food sold under the Alaska Food Code exemption 18 AAC 31.012(a).

Why are foods required to be tested?

The regulation requires that documentation of demonstrating product safety be provided upon request. You must demonstrate that either pH, water activity or both are sufficient to prevent dangerous bacteria from growing. Please see the Cottage Food Exemptions fact sheet on previous page for information regarding what type of testing is required for the type of product.

What kind of testing do I need to do?

For products like salsas, pickled vegetables and fermented foods, a pH test result of 4.6 or below is needed. For products like dehydrated foods, a water activity test result of 0.88 or below is required.

I want to sell baked goods. Do I need to get a water activity or pH test?

If your baked goods are non-potentially hazardous (i.e., no cream cheese frosting, custards, meringues, etc.), then the only documentation that you will need to provide is recipe formulation.

Where can I get my product tested?

Any number of food labs would be able to test your product. You can check around locally to see if anyone can provide that service. Otherwise, the Alaska DEC Environmental Laboratory Services or Cooperative Extension

Services can provide pH and water activity testing at a minimal cost. You can also purchase your own water activity or pH meter to test your product.

How much does it cost to get my product tested?

Testing costs may vary depending on where you get your product tested. Water activity and pH testing can be done through the Alaska DEC Environmental Laboratory Services (a pH test is \$20 and water activity is \$10 per sample) or Cooperative Extension Services (pH test is \$15 and water activity is \$15 per sample).

Do I need to provide DEC with a copy of my test results?

No, you just need to keep a copy with you so you can demonstrate that the product is safe.

I want to sell my product at this week's farmers market. There isn't time to get my product tested. Does that mean I can't sell?

You need to have proof, if asked, that the product you are selling is safe. Until you have that documentation your product is not considered safe.

COTTAGE FOOD SALES Q & A

Food sold under the Alaska Food Code exemption 18 AAC 31.012(a).

Where can I sell my finished product?

The intention of the cottage food regulation is for the producer (the person making the product) to sell his or her product directly to the ultimate consumer. This means that the person who is purchasing the food from you is using that food for personal use and does not intend to resell it (to the best of your knowledge).

Products produced under the Cottage Food Exemption may be sold at farmers markets, fairs, bazaars and other venues where the product is sold directly to the consumer.

Is there a limit to the amount I can sell?

The maximum gross sales from your exempt products cannot exceed \$25,000 in a calendar year.

Can I sell my product over the Internet?

No. You can advertise over the Internet but the sales of your product must be direct in person to the consumer.

Do I have to label my product?

There are specific labeling requirements associated with cottage foods. Foods sold under this exemption must have the statement "THESE PRODUCTS ARE NOT SUBJECT TO STATE INSPECTION." The statement must be displayed on a card, placard or sign that is conspicuously displayed on each food product that is packaged. An example of a placard can be found here (cottage food placards).

Can I sell my product in a retail food store (such as a convenience store), espresso stand or temporary food booth?

No. All food that is in a permitted food establishment (like an espresso stand or retail food facility) must come from an approved source. Because products that are produced under this exemption are not produced in a licensed and inspected facility, they are not considered an approved source and may not be sold in permitted food establishments.

I have a temporary food permit and will be selling at a local event. Can I use my cottage food in the products that I am selling in my temporary food booth?

No. All products that are sold in permitted food establishments (including temporary food booths) must use ingredients and products that come from an approved source. Because products that are produced under this exemption are not produced in a licensed and inspected facility, they are not considered an approved source. If you would like to sell items under the Cottage Food Exemptions at the same booth that has temporary food permit, the product must be clearly separated and properly labeled.



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