



## Cottage Food Operations Registration Process

In order to operate a cottage food operation, Nevada Revised Statutes (NRS) Chapter 446 requires that the cottage food operation register with the health authority. The health authority in Clark County is the Southern Nevada Health District. The health district may require any information deemed necessary and appropriate for the registration process.

An application and a questionnaire must be completed as part of this process. A one-time fee of \$100 (Exemption fee) will be charged for the review and approval of the registration application, questionnaire and the review and approval of any labels submitted with the application. Call (702) 759-1258 to set an appointment to submit an application.

Although food safety information will be provided to cottage food operation applicants, it is highly recommended that applicants educate themselves about safe food handling principles and practices. According to SB206, a cottage food operation may be held financially responsible for the cost of the complaint and/or foodborne illness investigation, if found to be valid. Visit the Food Safety Training webpage to complete the optional food safety training. A fee of \$20 applies.

The health district will evaluate the registration application package submitted for compliance with the following items as required by SB206:

- The food is to be sold on the private property of the natural person who manufactures or prepares the food item or at a location where the natural person who manufactures or prepares the food item sells the food item directly to a consumer by means of an in-person transaction that does not involve selling the food item by telephone or via the Internet:
  - This means that the food may be sold directly to the consumer from your home or from a licensed farmers' market, licensed flea market or swap meet, church bazaar, garage sale or craft fair, provided it is done in person.
  - This does not allow for selling food items via the Internet or over the phone (this does not preclude taking phone or internet orders which involve a face-to-face sale at delivery or pick-up).



## Cottage Food Operations Registration Process

- The food is to be sold to a natural person for his or her consumption and not for resale:
  - This prohibits any kind of wholesale manufacturing or secondary sale of cottage food products – for example, making cookies for retail sale at a market or grocery store is prohibited.
- The food to be sold is affixed with a label which complies with the federal labeling requirements:
  - This requires that food packaged for sale by the operator to the consumer must meet the same requirements as commercially-packaged foods. Visit the Cottage Food Operation Labeling Guide webpage for more information.
  - Labels for foods packaged by a cottage food operation for sale at a public location under inspection by the health district, such as a farmer’s market or swap meet, must have their labels reviewed and approved by the health district at registration and before sale.
- The food to be sold is labeled with “MADE IN A COTTAGE FOOD OPERATION THAT IS NOT SUBJECT TO GOVERNMENT FOOD SAFETY INSPECTION” printed prominently on the label for the food item:
  - This requires an additional consumer warning that the cottage food operation and the food prepared by the cottage food operation, is not subject to government inspection or oversight.
- The food to be sold is prepackaged in a manner that protects the food item from contamination during transport, display, sale, and acquisition by consumers:
  - This section requires the foods to be protected by some type of packaging, particularly when the food will be transported to a location other than the home for sale. The type of packaging will vary depending on the product and location of sale, for instance:



## Cottage Food Operations Registration Process

- Wedding cakes sold from the cottage food operation for home pick-up or delivery to the home of the consumer may be protected by a disposable cardboard cake box, affixed with the appropriate label.
- Packages of cookies or candy being transported for sale at a farmer's market must be durably packaged and labeled for individual sale.
- Foods once packaged for sale to the consumer may not be repackaged at the point of sale, and packages may not be opened for sampling without obtaining a health permit. However, food samples may be pre-portioned in closed disposable containers at the cottage food operation for free distribution at the sale site.
- The food to be sold is prepared and processed in the kitchen of the private home of the natural person who manufactures or prepares the food item or, if allowed by the health district, in the kitchen of a fraternal or social clubhouse, a school or a religious, charitable or other nonprofit organization:
  - This section defines where a cottage food operation may be allowed to operate – although SB206 allows for operation at a school, the Southern Nevada Health District will not allow any permitted food establishment to be used for a cottage food operation, and a permitted kitchen or warehouse will not be allowed to store or use foods produced by a cottage food operation.
- The food to be sold must be limited to:
  - Nuts and nut mixes;
  - Candies;
  - Jams, jellies, and preserves;
  - Vinegar and flavored vinegar;
  - Dry herbs and seasoning mixes;
  - Dried fruits;
  - Cereals, trail mixes, and granola;
  - Popcorn and popcorn balls; or
  - Baked goods that:



## Cottage Food Operations Registration Process

- Are not potentially hazardous foods;
  - Do not contain cream, uncooked egg, custard, meringue or cream cheese frosting or garnishes, fillings or frostings with low sugar content; and
  - Do not require time or temperature controls for food safety.
- Once approved, the registration will be finalized and entered into the database. A formal letter will be sent advising the applicant that the cottage food operation is registered. No further correspondence will be sent and no additional fees will be due unless a complaint regarding illness, injury or adulterated food is received.
    - If a complaint regarding illness, injury or adulterated food is received, an investigation will be conducted and a determination made as to the validity of the complaint. If a complaint is confirmed, a confirmed complaint fee will be charged.
    - In addition, if a full epidemiological investigation is conducted due to a foodborne illness complaint, the actual cost to the public for the investigation will be calculated and charged to the cottage food operation.