Dear Farmers Market and Temporary Food Event Organizers:

With the passage of the Colorado Cottage Foods Act (Act) into law, you may anticipate being approached by food vendors claiming to be exempt from licensure as a retail food establishment. Please be advised that cottage foods, and cottage food vendors, as defined by the above law, must meet all of the following requirements:

- Must be a resident of Colorado.
- May sell retail (direct to the consumer) only.
- Foods must be nonpotentially hazardous (do not require refrigeration or heating). The vendor bears the burden of proof for demonstration of whether a food item is nonpotentially hazardous or not (food testing by a certified laboratory for water activity of 0.85 or less).
- Food items are limited to:
  - Spices
  - Teas
  - Dehydrated produce
  - Nuts
  - Seeds
  - Honey
  - Jams
  - Jellies
  - Preserves
  - Fruit butter
  - Baked goods
  - Candy
- Food safety training: must have proof of completion on-site:
  - Food Protection Manager Certification from ServSafe®, or
  - Certified Professional Food Manager from the National Environmental Health Association.
  - Other food safety training programs currently recognized as meeting the statutory requirements can be viewed here.
- Each food product must be properly labeled as per Section 25-4-1614(3) of the Act.
- The sale of whole shell eggs requires:
  - A Retail Food Establishment License if sold at a Farmer’s Market or Temporary Food Event.
  - An Egg Producer/Dealers license from the Colorado Department of Agriculture
  - Eggs must be refrigerated at 41°F or less.
  - Eggs must be properly labeled as per Section 35-21-105(2)(b) of the Act.

Vendors serving or selling foods that do not meet the above requirements and restrictions may be cited by the health department for operating a Retail Food Establishment without a valid license, and their food items may be subject to condemnation/disposal, or embargo.