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UPDATE to "Cottage Foods" Questions: May 15, 2015

I wish to thank each of you that took the time away from your busy days to discuss "Cottage Foods" questions with me during the past three (3) weeks. Barbara Samudovsky (Administrative Assistant) and I have logged 2,347 miles and hosted a series of 18+ public meetings in various communities in Idaho. The feedback that we have received has been very helpful.

Soon, a summary of the meetings will be posted at: www.foodsafety.idaho.gov. If you did not have a chance to attend, the presentations I gave at each of the meetings are also available on that web site. In the meantime, I would like to provide you with the following information.

- As stated at each meeting, keep in mind that each Public Health District is a separate and autonomous agency.
- As stated at each meeting, it is true that if one searches the term "Cottage Food" in existing rule or statute, one will not find that term. Therefore, it is true that Idaho does not have a "Cottage Food Law" or "Rule".
- As stated at each meeting, the Idaho Food Protection Program and the Idaho Public Health Districts have allowed direct-to-consumer sales of foods that are considered non-Potentially Hazardous Foods (non-PHF) or non-Time/Temperature Control for Safety (non-TCS) foods for many years. A recent opinion of a Deputy Attorney General supports this practice. Therefore, it is not correct to state or suggest that such foods are illegally sold or distributed in Idaho.
- Nothing prevents or prohibits a Farmer's Market Management team from implementing or developing its own policies and rules. If we, as Public Health Agencies, are aware of those policies and rules, we will honor and support such policies and rules.
- The majority opinion expressed at the meetings was to clarify, in the Idaho Food Code, specific language about "Cottage Foods" and where/how they can be sold and distributed but to not require a registration or add rules for producers of Cottage Foods. I will begin working on draft language and make that available to you for comment/review. I hope to have that available within the next couple of weeks and comments will be accepted until July 24. After that date, the proposed rule will be made public around the first part of September and comments will be collected during a series of public hearings that will be announced once I have dates finalized.
- The Public Health Districts and I have already been meeting to identify common elements that can be included into one document that will, ultimately, be posted at: www.foodsafety.idaho.gov. The intention of that document will be to provide initial guidance to a producer of "Cottage Foods" along with information about how to contact the appropriate Public Health District for more specific guidance should it be necessary. In addition, each Public Health District has agreed to link to that same information from their web sites. I hope to have that aspect accomplished by the end of June 2015.
- If a person desires to be added to an email distribution list for continued updates on this type of information, he or she simply needs to contact me and I will add their email address to the list.
- I sincerely appreciate your time and patience as we work through this issue. As always, please feel free to contact me with any questions.

Patrick Guzzle
Idaho Food Protection Program Manager