

# Cottage Foods

Patrick L. Guzzle  
Idaho Food Protection Program Manager  
Division of Public Health

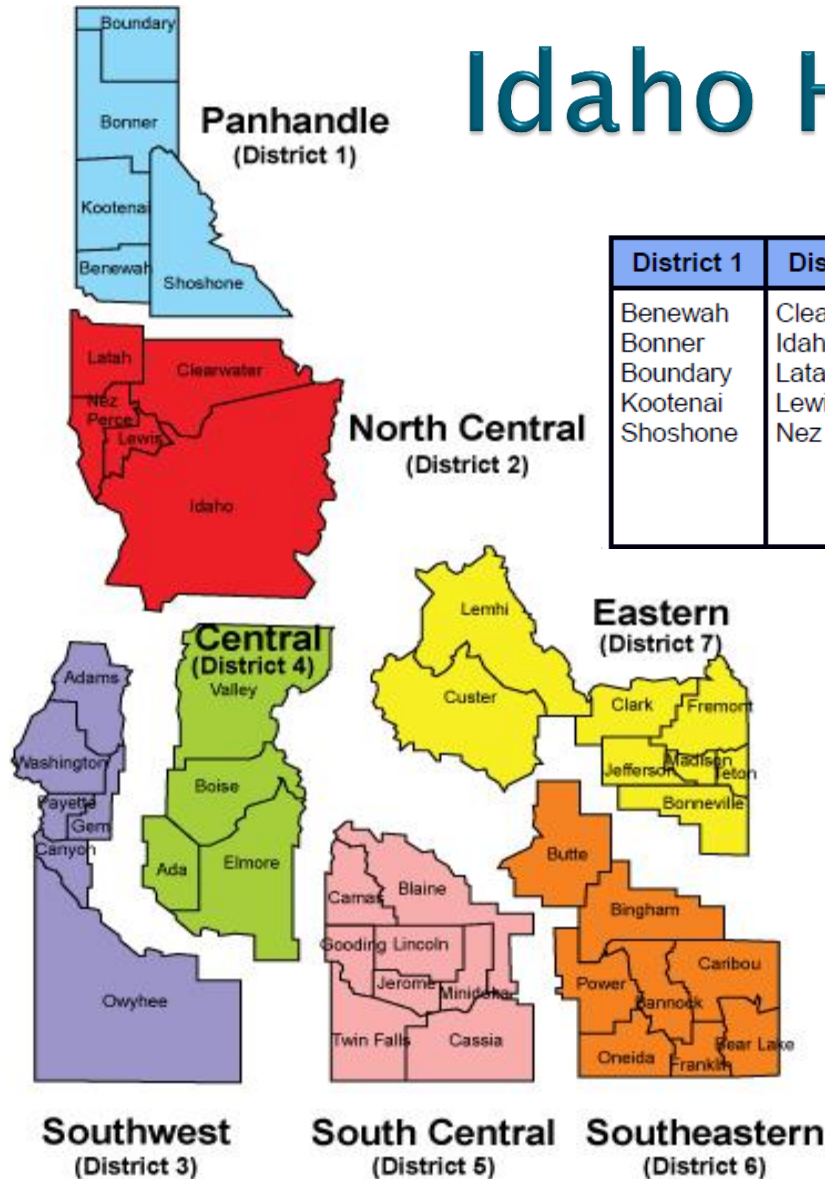


# Structure of Health Districts and Division of Public Health

- ▶ The 7 Health Districts are each a separate, autonomous agency
- ▶ Health Districts are not “regional offices” of DHW
- ▶ The Food Protection Program delegates authority to Health Districts to conduct inspections, issue licenses, investigate complaints, etc
- ▶ State Food Protection Program consists of:
  - Program Manager (Full Time)
  - Administrative Assistant (Half Time)



# Idaho Health Districts



District 1	District 2	District 3	District 4	District 5	District 6	District 7
Benewah Bonner Boundary Kootenai Shoshone	Clearwater Idaho Latah Lewis Nez Perce	Adams Canyon Gem Owyhee Payette Washington	Ada Boise Elmore Valley	Blaine Camas Cassia Gooding Jerome Lincoln Minidoka Twin Falls	Bannock Bear Lake Bingham Butte Caribou Franklin Oneida Power	Bonneville Clark Custer Fremont Jefferson Lemhi Madison Teton

- All districts are autonomous
- All counties contribute to the funding of their health district
- Districts are the “feet on the ground” for Food Safety



# Hierarchy of Statutes, Rules, etc.

Guidance documents, policies,  
guidance emails, etc.

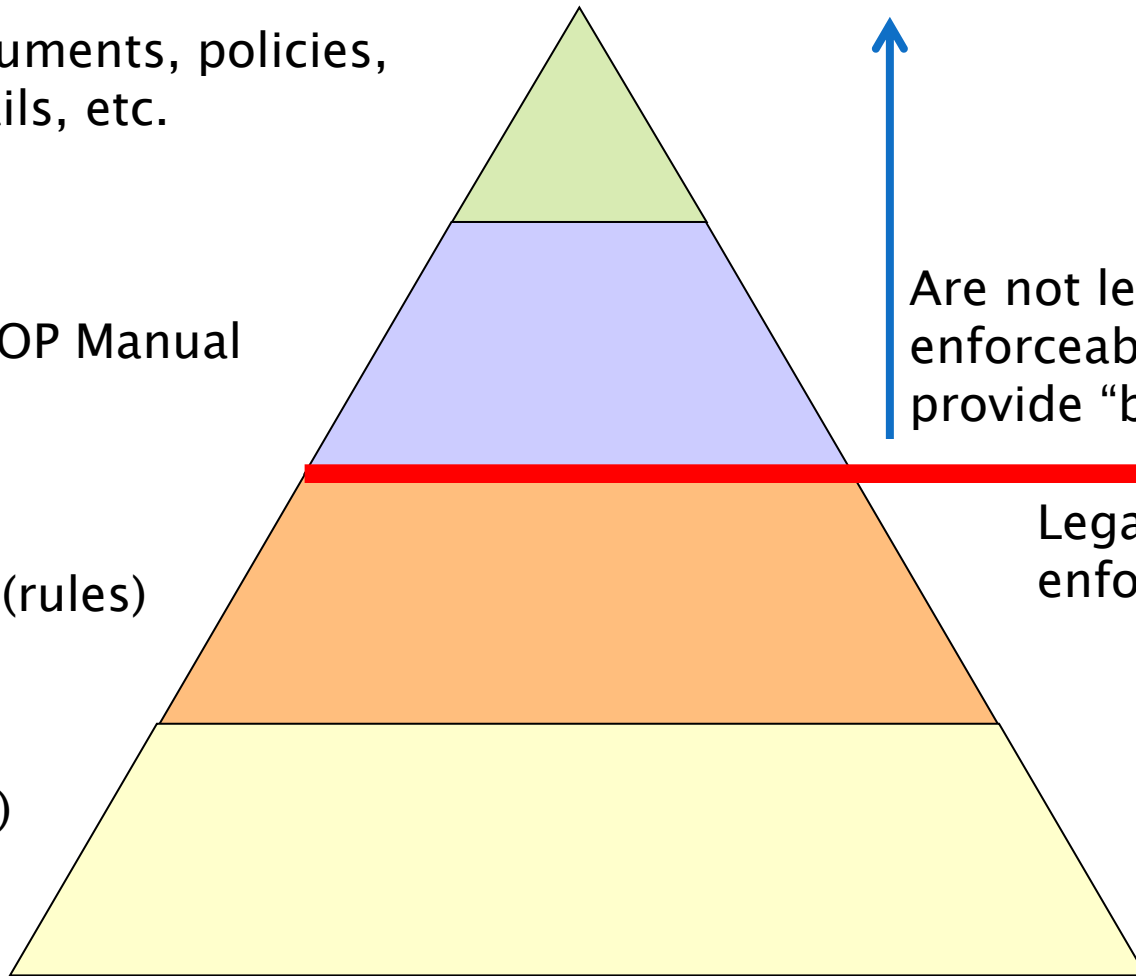
SOP Manual

Are not legally  
enforceable but serve to  
provide “best practices”

Regulation (rules)

Legally  
enforceable

Statute (law)



# Preventing Bacterial Growth in Foods

- ▶ Plan transition to more accurate terminology :  
Potentially Hazardous Foods (PHF) to  
Time/Temperature Control for Safety Foods (TCS)
- ▶ These are foods that are known to support rapid and progressive growth of harmful bacteria when certain conditions are met
- ▶ Examples:
  - Meats (raw and cooked) and items that contain meat protein
  - Cooked starches like rice and pasta
  - All cooked produce
  - Some raw produce (seed sprouts, cut melons, cut tomatoes, cut leafy greens)



# What are non-TCS foods?

- ▶ Typical examples:
  - Breads
  - Cakes and most pastries
  - Cookies
  - Fruit jams and jellies
  - Honey
  - Candy
  - Fruit pies
  - Dried fruits
  - Dry herbs, seasonings
  - Dry cereals, trail mixes, granola
  - Nuts
  - Vinegar and flavored vinegar
  - Popcorn, popcorn balls, cotton candy





# Current Practice in Idaho

- ▶ Non-TCS foods sold directly to a consumer are not regulated by Idaho Food Code
- ▶ 2015 Legislative Session – HB187
- ▶ Opinion of Deputy Attorney General
  - March 26, 2015 opinion: “Neither the Idaho Code, IDAPA, nor the Idaho Food Code define the term ‘cottage foods.’ Consequently, to determine whether the sale of such foods are prohibited, it is necessary to determine specifically which foods are considered ‘cottage foods’ and the context of their sale. Generally, if direct-to-consumer sale of a food product is not regulated by the Food Code then such sales are not prohibited.”



# Where do we go from here?

- ▶ Maintain current practice
  - Improve training available to Health Districts for consistency purposes
- ▶ Promulgate rules
  - Idaho Food Code is currently being updated – is a clear definition in the Food Code desired?
- ▶ Further define in statute
  - Will require future work in upcoming Legislative sessions





# May I comment after today?

- ▶ Yes – We can accept comments until July 24. Please submit as early as possible.
- ▶ Email: [guzzlep@dhw.idaho.gov](mailto:guzzlep@dhw.idaho.gov) OR [foodprotection@dhw.idaho.gov](mailto:foodprotection@dhw.idaho.gov)
- ▶ Phone: (208) 334–5938 OR (208) 334–5936
- ▶ Mail: Food Protection Program
  - 450 W State St – 4<sup>th</sup> Floor
  - Boise, ID 83720



# Thank you for your attendance

- ▶ If you have any questions about food safety, food protection program, etc., please feel free to contact me at:
- ▶ [guzzlep@dhw.idaho.gov](mailto:guzzlep@dhw.idaho.gov)
- ▶ (208) 334-5936
- ▶ Food Protection Program
  - 450 W State St – 4<sup>th</sup> Floor
  - Boise, ID 83720

