

KERN COUNTY COTTAGE FOOD FAQs

1. Are baked cakes allowed?

Cakes baked with eggs are okay if the final product is shelf stable and does not require refrigeration.

2. I want to dip such things like Oreos, marshmallows, and pretzels in candy melts, would that be alright?

Non-potentially hazardous or non-perishable foods such as Oreos, marshmallows, and pretzels dipped in chocolate are allowed in a Cottage Food Operation (CFO).

3. I want to sell pies such as apple pies, cherry pies, pumpkin pies. If NO cream is used, is this allowed?

Apple and cherry pies are allowed in a CFO. Traditional pumpkin pie recipe uses custard as one of its ingredients and as such *cannot* be allowed in a CFO. *However*, if you use an alternative shelf-stable ingredient for custard/cream, you can make pumpkin pies as well.

4. What is an approved buttercream?

- An approved buttercream (frosting or icing) is one that does not contain eggs (unless the eggs are pasteurized), cream, or cream cheese. Frosting or icing must be made at a Cottage Food Operations facility with sugar and butter. Purchased frosting or icing cannot be used.
- You may also use corn or maple syrup (forms of sugar), extracts and ground spices (for flavoring), or meringue powder. Water, milk, coconut milk or almond milk may be used in a *very small amount* to thin out the frosting, but the final product must still be a shelf stable spreadable frosting, not a glaze that can be poured or drizzled.

5. For cake filling, what would I be able to use?

Following items are prohibited as fillings: cream, custard, meat filling, jam, caramel, vegetables, unbaked or low acid (pH > 4.6) fruit.

6. If I move, do I need to reapply?

Yes, if you move, you will need to submit a new CFO application with all documents matching your new address. Permits are for fixed locations, and when you move, your operation moves as well.

7. Does my business name need to be the same as the operator's name? Ex: My name is Jane Doe, and my business name is JD's Cupcakes.

If you choose to not obtain a Fictitious Business Name, then your business name **must** contain your legal name. Ex: Jane Doe's Cupcakes, Cupcakes by Jane Doe, or any other combination that has your legal name and the trade/business you are engaged in.

8. I contacted the CDTFA and was told I did not need a Seller's Permit due to the type of baked goods I would be selling and how they would be sold. What do I need?

Please submit a copy of a Business Tax Certificate if you do not need a Seller's Permit.

9. How long is the processing for a CFO?

Once you submit your application with all required supporting documents and application fees, please allow 5-10 business days for application review and approval.

10. I would like to sell my home products at an event, will I be able to do that with my CFO permit?

You must obtain a Temporary Food Facility (TFF) Permit to sell your home products at a Community Event. Please contact Kern County Environmental Health for any TFF permit related inquiries: 661-862-8740 or ehcommunityevent@kerncounty.com

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