



**VARIANCE REQUEST – COTTAGE FOOD FACILITIES**  
**Specific Requirements and Prohibitions**  
**Updated 5.24.17**

**Cottage Foods Permitted with a Variance**

Cottage foods are non-potentially hazardous food products that do not require time/temperature control for safety (TCS) such as baked goods, relishes, sauces, candies, dried herbs and seasonings, vinegars, etc. Examples of products that are not cottage foods and thus must be made in a commercial kitchen include fresh or dried meats, dairy products, fresh vegetable juices and non-acidic canned foods (reference attached Permitted Cottage Foods List for details).

**Cottage Food Sales**

Selling cottage food products to restaurants, wholesalers, on the internet, phone or via the mail is not permitted. Products must be sold directly to the consumer. Annual vendor sales cannot exceed \$25,000.

**Permitting Requirements**

- Vendors must be permitted annually with a specific listing of food products allowed to be produced. Cottage food facilities may only produce those specific food products listed on their permit.
- Prior to permitting, permittees shall obtain a food worker's card issued by the Municipality or other food worker card program approved by the Municipality. Visit [muni.org/foodcard](http://muni.org/foodcard) to obtain a food worker card.
- A facility which has a private water supply and/or on-site sewage system must assure that the water supply is potable and the on-site sewage system has been approved.
- Provide the ingredients of the food product and how it was processed, prepared and packaged in the permit application.
- For a product that is pickled or dried, the permittee must have information available about the pH or water activity (reference attached Permitted Cottage Food List to determine which products may require pH or water activity testing).
- Label the product with name, physical address, and telephone number of the individual who prepared the food or with the Alaska business license number;
- Display conspicuously to consumers on a card, placard or sign posted at the point of sale or on the label of each food product that is packaged the statement "THESE PRODUCTS ARE NOT SUBJECT TO STATE OR MUNICIPAL INSPECTION".

- The permittee shall assure that all persons involved in the preparation and packaging of cottage food products:
  - Are not working in the home kitchen when ill;
  - Wash their hands before any food preparation and food packaging activities;
  - Avoid bare hand contact with ready-to-eat foods through the use of single-service gloves, bakery papers, tongs, or other utensils;
  - Do not allow children or pets in the home kitchen during the preparation of cottage food products.
  
- Vendors must comply with all applicable municipal laws and zoning ordinances that apply to conducting a business from one’s home residence.
  
- Permittee must grant the municipality the right to enter the domestic residence housing the cottage food facility during normal business hours, or at other reasonable times, for the purposes of inspection including the collection of food samples for laboratory analysis in the event there is a violation, consumer complaint or foodborne illness or outbreak.
  
- Safe product sampling guidelines
  - At home preparations should be done by providing single use items such as disposable single use utensils, toothpicks, etc.
  - Venue or point-of-sale sample preparation should have no bare hand contact with products. Hands must be properly washed and dried prior to preparation and all samples should be prepared using tongs, single use gloves, single use papers, or other sanitary methods to maintain food safety. Have a temporary hand wash station available and, either enough utensils to allow for switching of utensils every four hours or as often as needed if they become soiled. Alternatively, vendors may have a three basin setup available with wash, rinse and sanitize steps to properly clean reusable utensils throughout the day. An approved sanitizer should be present for use in sanitizing utensils. If chlorine is used for sanitizing utensils, a 50ppm solution is required or 200ppm solution for quat solutions.

**Cottage Food Permit/Variance Checklist for Vendors**

Always required:

- \_\_\_\_\_ DHHS Application for Health Permit (specify for Cottage Foods)
  
- \_\_\_\_\_ DHHS Cottage Food Variance Request
  
- \_\_\_\_\_ List of Food Products with ingredients and how the food is processed, prepared and packaged
  
- \_\_\_\_\_ Municipality of Anchorage Food Worker Card (go to <http://www.muni.org/foodcard>)
  
- \_\_\_\_\_ Fee (one time \$50 variance)

May be required:

- \_\_\_\_\_ PH and/or Water Activity for products that are pickled or dried  
(reference attached Permitted Cottage Food List for products that require this testing)
  
- \_\_\_\_\_ Assurance a private water supply is potable and on-site sewage system has been approved (only if not on city water)



## COTTAGE FOODS

### EXEMPT FROM PERMITTING

#### Currently exempt in MOA Food Code

- Dry herbs and dry herb mixtures
- Dried tea
- Jams and jellies in glass jars that can be stored at room temperature
- Vinegars (including flavored vinegars)
- Popcorn, popcorn balls

### PERMITTED COTTAGE FOOD EXAMPLES

#### Non-potentially hazardous foods

##### Baked Goods

- Breads (or similar baked goods)<sup>3</sup>
- Cakes (including celebration cakes)<sup>3</sup>
- Sweet breads and muffins that contain fruits or vegetables (e.g. pumpkin or zucchini bread)<sup>3</sup>
- Cooked fruit pies<sup>3</sup>
- Cookies<sup>3</sup>
- Baked goods that contain alcohol (e.g. rum cake)
- Crackers<sup>3</sup>

##### Bottled/Jarred Items

- Mustards<sup>2</sup>
- Extracts – including vanilla and lemon extract<sup>3</sup>
- Pickles<sup>2</sup>
- BBQ Sauces<sup>2</sup>
- Salsas<sup>2</sup>
- Relishes<sup>2</sup>
- Ketchup<sup>2</sup>
- Bottled carbonated beverages<sup>3</sup>
- Juices (berry and rhubarb)

##### Candies/Confections

- Fudge<sup>3</sup>
- Truffles<sup>3</sup>
- Brittles<sup>3</sup>
- Chocolate covered pretzels, marshmallows, graham crackers, or fruit<sup>3</sup>

##### Fermented Products

- Kombucha<sup>2 or 3</sup>
- Fermented fruit and vegetable products (e.g. sauerkraut and kimchee)<sup>2</sup>

##### Other Cottage Food Products

- Baked product mixes (e.g. pancake, cake, or cookie mix)<sup>3</sup>
- Dried soup or dip mixes<sup>3</sup>
- Dehydrated vegetables or fruit<sup>3</sup>
- Dried pasta made with eggs<sup>1</sup>
- Nuts: coated or uncoated<sup>3</sup>
- Roasted coffee
- Waffle cones<sup>3</sup>
- Tortillas<sup>3</sup>
- Flat Breads (including elephant ears)<sup>3</sup>
- Fruit Leathers<sup>3</sup>

### NOT PERMITTED AS A COTTAGE FOOD EXAMPLES

Potentially hazardous foods that require time and/or temperature control for safety are not allowed to be produced as a cottage food and must be made in a commercial kitchen.

- Meat and meat products including fresh and dried meats (jerky)
- Fish and fish products (e.g. smoke salmon, canned salmon, etc.)
- Raw seed sprouts
- Garlic in oil mixtures
- Baked products that require refrigeration (e.g. cheesecake, custards, lemon meringue)
- Cheeses
- Dairy products (including ice cream)
- Non-acidic canned foods (i.e. canned vegetables that are not pickled or fermented)
- Pesto
- Fresh vegetable juices
- Food products made with cooked vegetable products that are not acidified
- Bottled water

*The superscript refers to the type of product testing that must be done to demonstrate that the product is not potentially hazardous.*

1. Water activity test must be done on the product and submitted with the permit application.

2. PH test must be conducted on the product and submitted with the permit application

3. Ingredients and description of process must be submitted with the permit application.

Updated 4/24/17



**VARIANCE REQUEST – COTTAGE FOOD FACILITY**

**\$50.00 FEE**

Facility Name \_\_\_\_\_

Facility Address \_\_\_\_\_

Owner Name \_\_\_\_\_

~ This must match the business license~

Mailing Address \_\_\_\_\_

~If this changes please notify us immediately~

Phone # \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_    Owner's Phone # \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

**Code requirement for which the variance is requested:**

**AMC 16.60.140 and 3-201.11-** food prepared in a private home may not be used or offered for human consumption in a food establishment.

**AMC 16.60.170 and 6-202.111-** Use of Private Homes and Living or Sleeping quarters for food services is prohibited.

**Reason why the requirement cannot be met:** Many "cottage food" operations are not specifically exempt from AMC 16.60, even though they are similar to, or identical to, food items that are exempt. It is not practical for small businesses, preparing small quantities of foods on a regular basis for sale directly to consumers, to construct a fully-permitted kitchen facility, or, alternatively, arrange to use such facilities on a lease or rental basis. This variance would allow some non-TSC foods prepared in private homes to be sold directly to the consumer.

**Describe the alternate method proposed to meet the purpose of the requirement:** Issue permits for those facilities that would be exempt under state regulation at 18 AAC 31.012 and require that those seeking a variance of AMC 16.60.140 and AMC 16.60.170 meet the requirements of 18 AAC 31.012 until such time as the Municipal Food Code is changes or the exemption under state regulation is changed.

**See attached page for specific requirements:**

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

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**FOR OFFICE USE ONLY**

**Approve      Deny**

**Comments:**

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Environmental Health Program Manager

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Division Manager



Municipality of Anchorage  
 DEPARTMENT OF HEALTH AND HUMAN SERVICES  
**ENVIRONMENTAL SERVICES / FOOD SAFETY & SANITATION**  
 825 L Street, P.O. Box 196650, Anchorage, Alaska 99519-6650  
 Telephone: (907) 343-4200 Fax: (907) 343-4786  
 www.muni.org



### APPLICATION FOR HEALTH PERMIT

Food Establishment     Temporary Food     Pool/Hot Tub     Beauty/Barber Shop     Pest Control

Facility Name:		If Change of Owner, Previous Facility Name:	
Owner's Name(s):		Name of Person To Contact:	
Site Address:		Phone:	Fax:
		Email:	
Mailing Address:		City:	State:      Zip:
Certified Manager's Name:	Manager Certificate #	Certificate Expiration Date:	Operating Days/Hours:      Seating Capacity:

**IF TEMPORARY FOOD, PROVIDE THE FOLLOWING**

Event & Location	Date(s)	Hrs. of Operation	Approved Kitchen/ Commissary	Time of Food Prep At Kitchen

Foods To Be Served

**IF PEST CONTROL, PROVIDE THE FOLLOWING**

- Pesticide applicant will comply with insurance requirements in AMC 15.75
- Equipment to be used • Pesticides/Chemicals used & method of application • Description of area(s) where application occurs
- Copy of liability insurance policy

I Certify that I am familiar with applicable Anchorage Municipal Code of Ordinances and that the above described establishment will be operated and maintained in accordance with said Ordinances.

Applicant's Signature:	Date:
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Facility ID:	District #:	PE:	Owner ID:	Change: <input type="checkbox"/> New <input type="checkbox"/> Owner <input type="checkbox"/> Name <input type="checkbox"/> Permit Renewal <input type="checkbox"/> Mailing Address	Invoice #
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<p><b>Fees:</b></p> <p>Permit _____</p> <p>Change of Owner _____</p> <p>Late Fee _____</p> <p>Other _____</p> <p><b>Total</b> _____</p>	Department Comments:			
	Payment Type:	Check #:	Cash Register Receipt:	Date Received:
	Approved (MOA):			Date Approved: