

COTTAGE LAW VENDOR APPLICATIONS FOR TEMPORARY EVENTS 2023

Cottage Law Food Production Operations are NOT exempt from obtaining a City of Midlothian temporary food permit to operate at a City of Midlothian event.

In accordance with state law, the producer (baker) may sell their Cottage Food products directly to the consumer at the event, but it has to be the producer and not a representative selling the item(s).

Items that are permissible to be sold under cottage law can be found at [Texas Cottage Food Production | Texas DSHS](#)

A cottage food production may not sell to customers potentially hazardous foods (PHF). A PHF is a food that requires time and temperature control for safety (TCS) to limit pathogen growth or toxin production

The following types of canned, pickled, or fermented foods are allowed to be sold as homemade (cottage) foods beginning September 1, 2019:

- Acidified canned plant-based foods with a finished equilibrium pH value of 4.6 or less that are thermally processed before being placed in an airtight container. *(Yes, this means canned salsa if the pH is 4.6 or less. Note that fresh salsa is not allowed.)*
- Pickled fruits or vegetables, including beets and carrots, that are preserved in vinegar, brine, or a similar solution at an equilibrium pH value of 4.6 or less.
- Fermented vegetable products, including products that are refrigerated to preserve quality. Fermented vegetable products are defined as “a low-acid vegetable food product subjected to the action of certain micro-organisms that produce acid during their growth and reduce the pH value of the food to 4.6 or less.” *(Sauerkraut and kimchi **are** allowed! Kombucha and kefir are **not** allowed.)*

Recipes

If you are selling any of the above foods under the cottage food law, you must comply with the following:

- Use a recipe that is from a source approved by [Texas DSHS](#), or
- Use a recipe that has been tested by an appropriately certified laboratory that confirmed the finished fruit or vegetable, product, or good has an equilibrium pH value of 4.6 or less, or
- Use a recipe that is approved by a qualified process authority, or
- **If you do not use a recipe described above, you must test each batch of the recipe with a calibrated pH meter to confirm the finished fruit or vegetable, product, or good has an equilibrium pH value of 4.6 or less.**

Calibrated digital pH meters are widely available and inexpensive on Amazon.com.

Labeling and Record Keeping

For each batch of pickled fruit or vegetables, fermented vegetable products, or plant-based acidified canned goods, a cottage food producer must:

1. Label the batch with a unique number; and 2. For a period of at least 12 months, keep a record that includes:
 - the batch number;
 - the recipe used by the producer;
 - the source of the recipe or testing results, as applicable; and
 - the date the batch was prepared



In accordance with state law, unless the items being offered is approved by State Law (as an approved Cottage Law item) No Homemade Goods are allowed to be sold or offered. All consumable products must be prepared in a certified commercial kitchen and labeled according to regulatory requirements of the State of Texas, on the approved list for CFPO (cottage food production operation) or prepared on site.

INFORMATION TO BE PROVIDED BY COTTAGE LAW APPLICANT FOR A TEMPORARY FOOD PERMIT FOR SELLING AT A CITY EVENT:

Name of person preparing the cottage food operation product and address of where the product is prepared.

Name: _____ Address: _____

Email: _____ Phone #: _____

DL # _____ State Issued in: _____

Provided Copy of Food Protection Manager Certification:	Yes	No
Provided copy of Labels:	Yes	No
Paid \$30.00 Temporary Food Permit Fee	Yes	No
Provided copy of invitation to the event from the event organizer:	Yes	No

FOOD ITEM TO BE OFFERED	FOOD ITEM TO BE OFFERED

LIST ADDITIONAL ITEMS ON BACK IF NEEDED

- ***** NOTE:** I attest that the information provided is true and accurate. I agree to comply with the City of Midlothian and TFER rules and regulations and understand that failure to do so my result in revocation or suspension of the permit.
- The permit is valid for the dates of the specific event only. Attach copy of menu, if available.
- The permit is not transferable. Permit fee is not refundable.

This permit is limited to food operations at the event the permit is issued for. Food Operations at any other event requires a separate Temporary Food Permit and permit fee.

I have received, read the application and guidelines for safe food handling.
 I attest the information provided is true and understand that if I am not in compliance with these regulations may be closed immediately.

Applicant's signature: _____
 Date: _____