



HONEY

California Cottage Foods

California Cottage Food Laws

Date of the enactment of the California cottage food law: September 21, 2012.

Assembly Bill (AB) 1616 Chapter 415, Statutes of 2012, was signed into law by Governor Brown on September 21, 2012; effective January 1, 2013. The bill allows individuals to prepare and/or package certain non-potentially hazardous foods in private-home kitchens referred to as “cottage food operations” (CFOs).

Compliance with State and Local Authorities for Beekeepers (Registration & Permits)

A beekeeper should comply with all applicable state, county, and city regulations. State laws, regulations, and more can be found at the California Department of Food and Agriculture's (CDFA) Pollinator website:

<https://www.cdfa.ca.gov/plant/pollinators/index.html>

CDFA Laws pertaining to Bee Management & Honey Production:

<https://www.cdfa.ca.gov/plant/pollinators/docs/Laws-Bee-Management.pdf>

State Permitting

No state permit is required EXCEPT during the transportation into or within California of nonexempt pollinators requires a state permit. State permits are issued to California residents or businesses by the CDFA, Division of Plant Health and Pest Prevention services.

California Food and Agriculture Code Section 6305 makes it unlawful for any person to ship live insects, except those listed in California Code of Regulations (CCR) Section 3558, into the State without a permit. CCR Section 3558 contains a list of insects for which a permit is NOT required for shipping or transporting into the State.

Registration in California

In accordance with Section 29043 of the California Food and Agriculture Code, you are REQUIRED to register your apiary with the Agricultural Commissioner of the County in which your bees are kept. To request an inspection or to register, contact Hannah Wallis at wallisha@co.monterey.ca.us or 831-759-7325

Monterey County Apiary Registration Application:

<https://www.co.monterey.ca.us/home/showpublisheddocument/84453/637114824317030000>

BeeWhere! Registration:

<https://beewhere.calagpermits.org/>

BeeWhere! is OPTIONAL but beekeepers can use this website to fulfill their obligation to register annually in their home county, notify other counties when they first move bees into those counties, and notify the County Agricultural Commissioner when they move bees to new locations within the county.

Local Health Department Permitting

You do need to get a Cottage Food Operation (CFO) permit from the local Health Department. There are two types of CFO permits based on whether you plan to sell all your food products directly to consumers yourself or whether you plan to sell some of your products through a local store or restaurant.

Class A permit – direct to consumer sales ONLY. If you will sell ONLY directly to consumers then you need a Class A permit. This includes selling at a farmers' market, at festivals, and other events, from your home or anywhere where you or your employee are selling the food product directly to consumers.

Class B permit – both direct and indirect sales. If you will sell any amount of your foods to a store, restaurant, café or any other business that will sell or resell the product to consumers, then you need a Class B permit. That includes any wholesale sales, which also must be restricted to within your county, unless the other county specifically allows it.

Local (County) CFO Permit Requirements

Definitions

“Cottage Food Production Operation” according to Code means, a person who, in the person’s home, produces food items that are not potentially hazardous foods, including bakery products, jams, jellies, candy, fruit butter, and similar products specified in rules. These foods must be labeled properly or they will be considered misbranded or adulterated.

CFO – cottage food operator (you)



Storage & Packaging

Precautions should be taken to minimize crystallization and physical and chemical changes during storage. Ideally, store unprocessed and processed honey below 32 °F to preserve aroma, flavor, and color. Crystallization is most rapid at 52-59 °F. Bottle at 104 °F or higher (up to 130 – 140 °F) to slow crystallization. Store unpackaged honey in air-tight containers to protect from external moisture. Shelf-life is difficult to define, but 2 years is often stated. Bottling honey requires food grade packaging, including glass jars or squeezable plastic containers so that consumers can see the honey’s color.

County Labeling Requirements

Cottage Food Production Operations must label all of their food products properly, which include the following information on the label of each unit of food product offered or distributed for sale:

MADE IN HOME KITCHEN

Registration number FA#

Chocolate Chip Cookies

3826 Almond Street, Anytown, CA, 94657

Ingredients: enriched flour (wheat flour, niacin, reduced iron, thiamine, mononitrate, riboflavin, folic acid), butter (milk, salt), walnuts, sugar, eggs, honey, salt, natural vanilla extract, baking soda

Contains: wheat, eggs, milk, soy, nuts

Net Wt. 3 oz (89g)

Where can you sell your honey?

Cottage Food Products may not be sold across state lines. In other words, they can only be sold within the state. Permissible locations are:

1. From your home
2. At temporary events, bake sales or food swaps
3. At farm stands and Certified Farmers’ Markets

Federal Honey Labeling Requirements for Backyard Beekeepers

Common Name

First, the common name of the product, “honey,” should be clearly visible. If the honey is from a primary floral source, the name of the plant or blossom should be labelled too (i.e. Clover honey).

Net Weight

The net weight of your honey should be included on the label in both pounds/ounces and in grams. The weight should be typed in an easy-to-read-style, and it should be placed in the lower third of the front label.

When calculating the net weight, use the government conversion of one ounce = 28.3495 grams or 1 pound = 453.592 grams. The total should be rounded after the conversion, not before, and the net weight on the label shouldn't surpass more than three digits after the decimal point.

Ingredients

Because honey is a single-ingredient product, it doesn't have to be named on the label when it is already included in the common name. An ingredient statement should be included if the honey contains ingredients other than honey – spices, flavorings, and incidental additives, “additives that have functional role and with minimal presence in the finished product” are exceptions.

The font size for ingredient listings must be no less than 1/16 of an inch as measured by the small letter “o” or by the large letter “O” if all caps are used in the declaration. There are exemptions that allow smaller type sizes for small packages.”

Honey Grade Requirements

According to the USDA, there are four types of honey grades:

- “U.S. Grade A is the quality of extracted honey that meets the applicable requirements of Table IV or V, and has a minimum total score of 90 points.”
- “U.S. Grade B is the quality of extracted honey that meets the applicable requirements of Table IV or V, and has a minimum total score of 80 points.”
- “U.S. Grade C is the quality of extracted honey that meets the applicable requirements of Table IV or V, and has a minimum total score of 70 points.”
- “Substandard is the quality of extracted honey that fails to meet the requirements of U.S. Grade C.”

https://www.ams.usda.gov/sites/default/files/media/Extracted_Hon

Contact Information

The honey label must include who sold the honey and their contact information, which includes the manufacturer, packer, or distributor's name and address. This is known as the “signature line,” which must be placed on the front label or information panel. Full address and phone number should be included if there is space, and all information should be at least 1/16 of an inch tall.

Country of Origin

If your honey is imported, the country of origin must be labeled in English, even if the label already includes approved USDA marks or grade statements. The Federal Register includes additional labeling information for imported products.

<https://www.govinfo.gov/content/pkg/FR-2018-07-06/pdf/2018-14509.pdf>

Color Designations of Honey

The USDA specifies seven different color standard designation that must be identified in the honey label. There are seven color ranges include:

- Water White: “Honey that is Water White or lighter in color.”
- Extra White: “Honey that is darker than Water White, but not darker than Extra White in color.”
- White: “Honey that is darker than Extra White, but not darker than White in color.”
- Extra Light Amber: “Honey that is darker than White, but not darker than Extra Light Amber in color.”
- Light Amber: “Honey that is darker than Extra Light Amber, but not darker than Light Amber in color.”
- Amber: “Honey that is darker than Light Amber, but not darker than Amber in color.”
- Dark Amber: “Honey that is darker than Amber in color.”



Industry Labeling Requirements

If your food operation grows to exceed the gross annual limit of a CFO and you would like to sell expand your business, please contact CDPH for registration and facility requirements for food processors. Please view industry guidelines to the labeling of products sold on a commercial scale:

<https://www.fda.gov/files/food/published/PDF---Guidance-for-Industry--Proper-Labeling-of-Honey-and-Honey-Products.pdf>

State Honey Labeling Requirements for Backyard Beekeepers

In California, if produced at home and sold to the public, honey is also considered a cottage food. The label must include:

- Common name of product
- Contact information of producer: name and address including street, city, state, and zip code. If the business is listed in a major telephone directory with the business name and complete address, only city, state, and zip code need to be included on the label.
- A statement that says, “Made in a Home Kitchen” or “Repackaged in a Home Kitchen” printed in at least 12-point type
- Ingredient list if the product contains two or more ingredients, where the ingredients are listed in descending order of predominance by weight. Sub ingredients also need to be identified.
- Major allergens should be identified in an allergen declaration. Major allergens include milk, eggs, tree nuts (i.e. almonds, pecans, walnuts), wheat, peanuts, or soybeans.
- Net quantity of food product: weight or volume in both English units (i.e. ounces/pounds) and metric units (grams)
- Registration Number for Class A Operations or Permit Number for Class B operations
- County issuing the Cottage Food Registration or Permit