

# Cottage Foods Community Engagement Summary: Summer 2024

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## Context

The Washington State Department of Health (DOH) is proposing a bill in the Washington state legislature to make changes to law ([Chapter 69.22 RCW](#)), which would switch oversight of Cottage Food Operations from the Department of Agriculture (WSDA) to DOH.

A Cottage Food Permit allows people in Washington to sell “nonpotentially hazardous foods,” like tortillas, breads, baked goods, and dry spice blends, made in their homes.

To build a future Cottage Food program that best serves makers and consumers of these foods, DOH sought input from current Cottage Food Business Operators (CFOs), community members interested in starting a home-based food businesses, and food safety specialists. Between June and August of 2024, DOH released a community survey and hosted two listening sessions.

## Outreach Planning

To understand how shifting the Cottage Food program from WSDA to DOH might impact home-based food businesses, including existing Cottage Food permit holders, we sought to connect with:

- Owners-operators of home-based food businesses
- Community members interested in starting a home-based food business
- Food safety specialists
- People most susceptible to foodborne illness<sup>1</sup>

DOH developed a simple, two-page document to explain our engagement. We translated the document into Spanish and published it on the DOH website. In partnership with WSDA, DOH developed a GovDelivery email distribution list that included former and current CFOs, local government partners, academics, food safety specialists, health organizations, hunger relief organizations, industry partners, small business organizations, and food-related nonprofit organizations across the state.

As a best practice, DOH translated all Cottage Food engagement materials into Spanish, and planned for/provided Spanish interpretation at each listening session.

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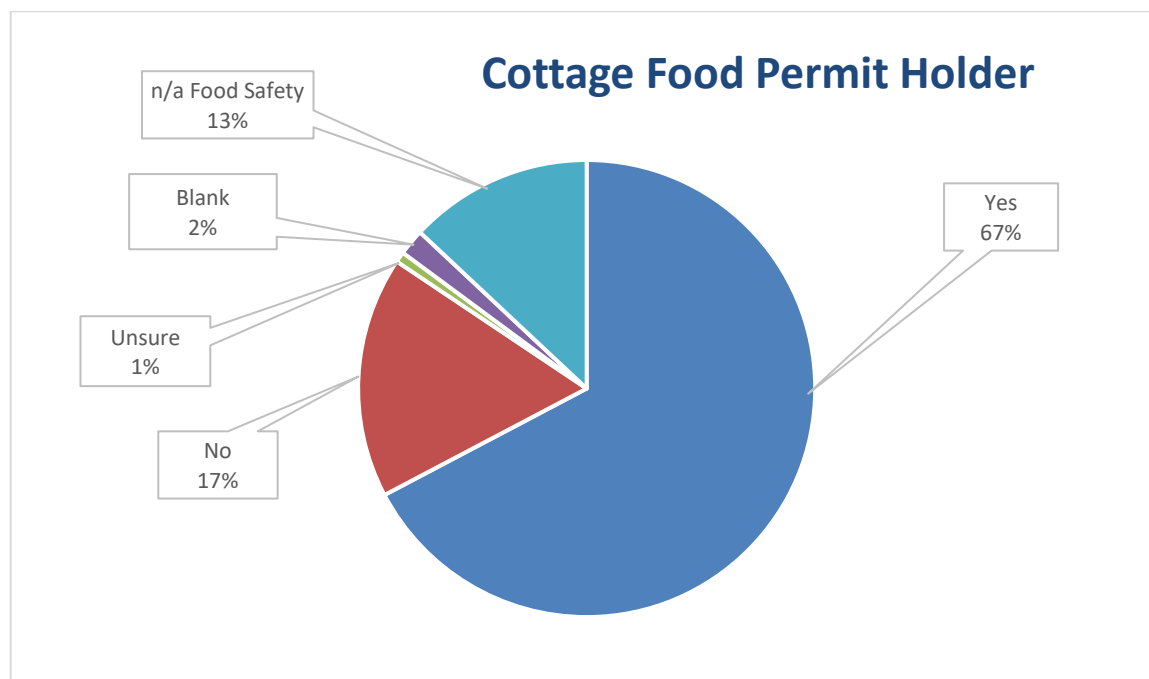
<sup>1</sup> This includes pregnant women, parents of children five or younger, the elderly, and those who are otherwise immunocompromised who purchase and consume Cottage Foods ([People at Risk of Foodborne Illness | FDA](#))

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# Engagement Summary

## Who We Reached

The GovDelivery list sent information about the proposed action and a request for input via an online survey to 1600 email addresses. Of these, 1597 emails (>99%) were delivered-received. To encourage community member participation, 20 qualifying people who opted-in to a random drawing were eligible to receive a \$50.00 gift card. In total, 269 people (~ 17%) completed the survey.



Overall, most people who participated in the survey or engaged in a listening session were current CFOs. Listening session and survey participants also included food safety professionals and government partners. DOH connected with a few people who were interested in starting a home-based food business or in the process of applying for a Cottage Food permit. Some current CFOs who are parents, caretakers, or identify as having a disability also provided feedback. Though we originally sought to connect with unpermitted vendors and immunocompromised people who purchase and consume cottage food, we did not hear from many, if any, people who identified in these categories.

## Survey

DOH used a simple branching survey to first allow participants to identify as an interested community member or food safety professional/academic. Most survey questions were common to both community members and food safety specialists. Survey questions asked about fees, permits, earnings, successes and challenges on the Cottage Food program, and preferences for future engagement. The survey was open for 1.5 months, from June 18, 2024 until August 1, 2024. DOH received feedback from 269 people covering a range of interests.

<b>Participant Self-Identification</b>	<b>Count</b>	<b>Percent</b>
Current or Former Operator	188	70%
Food Safety Professional	30	11%
Community Member	36	13%
Other—Market, NGO, Food Business, etc.	10	4%
Academic	5	2%
	<b>269</b>	<b>100%</b>

## Listening Sessions

DOH hosted two, two-hour listening sessions. We used input from those who registered and identified as a community member (i.e., non-government, non-food safety professional, non-academic) to select listening session dates and times. We planned for and provided Spanish interpretation at each listening session as a best practice; survey input was used to identify other language access needs.

Date	Time	Attendees
July 22	11am to 1pm	88
July 29	6pm to 8pm	56

We developed listening session topics to gather feedback on the concept of shifting the responsibility for Cottage Food operations from WSDA to DOH, and heard from community members about what DOH should consider if we were to propose transferring the program. We prompted attendees for input on the following questions (time for general input was also provided):

- Gross sales limit for CFOs
- Challenges and benefits of moving to a commercial kitchen for small home-based food businesses
- Cottage Food fee impacts
- The process to add new products to a Cottage Food operation
- Places where people would like to sell Cottage Foods in the future (e.g., local cafes)
- List of allowed foods and foods people would like to be allowed as Cottage Foods
- Labeling requirements
- General feedback about our proposal to move the Cottage Foods program from WSDA to DOH

## Overall Community Engagement Findings

Feedback from survey and listening session participants is summarized by theme below:

### Gross Sales Limit:

- Gross sales limit should be reflective of food business costs and cost of living
- Gross sales limit is restrictive to CFOs who desire to or do use this as their main or sole source of income

### **Permits and Inspections:**

- Permit changes, amendment fees, and ingredient changes are too costly
- Inadequate resources to support compliance/enforcement against illegally operating CFOs is frustrating
- Current application fees are satisfactory
- Existing permitting timelines and other functions need to be maintained throughout the process to ensure a smooth program transition, if it occurs
- Removing the phone or e-payment method would make it harder or impossible to pay

### **Commercial Kitchens:**

- Little interest in transitioning to a commercial kitchen
- Commercial kitchens can be inaccessible, especially for caretakers and people with disabilities
- Commercial kitchens are not necessarily cost effective for food makers
- Commercial kitchens are not food safe for items with inactive preparation time
- Curiosity about “advanced” permit/classification to allow use of commercial equipment in a home kitchen

### **Ingredients and Labeling:**

- Making new labels for minor ingredient swaps is burdensome and cost-ineffective
- Desire for a smoother process for recipe and ingredient approval
- Interest in QR code labeling to simplify labels

### **Location of Sale:**

- Desire for more options to sell to local businesses like coffee shops and bed-and-breakfasts
- Desire to be able to ship products

## **Tribal Engagement**

On April 18, 2024, in accordance with [chapter 43.376 RCW](#), the [Washington State Centennial Accord of 1989](#), and [DOH Consultation and Collaboration Procedure](#), the Department of Health issued a [Dear Tribal Leader Letter](#) to our State’s Federally Recognized Tribes, notifying Tribes of the potential Agency Request Legislation (ARL) that proposes to amend [chapter 69.22 RCW](#), which regulates cottage food operations.

In this letter we requested that Tribes provide any comments or questions regarding the potential action, and to date there have been no official submissions or requests for collaboration or consultation. Tribal engagement remains ongoing throughout the ARL process as we identify additional interested Tribal parties.

## What's Next?

Since publishing the [Notification of this EJ Assessment](#) in April 2024, the timeline has shifted. DOH will not pursue this Agency Request Legislation in the 2025 legislative session, but instead, DOH is currently planning this Agency Request Legislation for the 2026 legislative session. This will depend on impacts related to the state budget and other related legislation.

DOH is planning to update communities in 2025 on the timeline and any additional engagement opportunities.

To learn more about this Agency Request Legislation, please contact [food.safety@doh.wa.gov](mailto:food.safety@doh.wa.gov).

DOH 333-372 January 2025

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