

Do You Need a Food License?

Eastern Idaho Public Health (EIPH) wants to help educate the public on who needs a food license. Basically, in order to run a food establishment/operation, a food license **must** be issued by the health district. A food license is issued after an application is submitted and an owner demonstrates compliance to the Idaho Food Code with requirements such as verification of an approved kitchen, potable water source, and approved septic disposal. It is important to know that having a food handler's permit or training certificate is not the same as having a food license.

There are growing concerns over individuals, without a food license, preparing and then selling their food to the public. EIPH staff are finding people on social media sites, such as Facebook, engaging in this practice. This practice violates the Idaho Food Code and may endanger the public due to the potential of people getting sick from eating improperly prepared food.

Foodborne illness such as E Coli, salmonella, and listeria are very serious and in certain populations, can be fatal. For the safety of the community, EIPH is asking individuals selling their food products on social media or other sites and locations to please call the health district (208-523-5382) and discuss if what they are selling requires a food license. Failure to have a food license can result in enforcement action against the food vendor.

So, who needs a food license and what types of food, if you are selling them to the public, require having a food license? Idaho Code states that a food license is required by any individual who plans to store, prepare, package, serve, and vend (sell) food directly to the consumer or otherwise provide food for human consumption. Following are some examples of foods that require a food license: any food (including milk and eggs) that comes from an animal that is raw or heat-treated (such as sushi, tamales, tacos, hot dogs, hamburgers, ribs, brisket, chicken soup, etc.), a plant food such as raw seed sprouts and other cut fruits and vegetables, garlic-in-oil mixtures, and dairy products. This is not a comprehensive list. Call the health district if you have inquiries or concerns about the safety of specific food items. We can be reached at 523-5382.

An exception to foods that require a food license are known as cottage foods. Cottage Foods are low-risk foods that are made in a person's home or other designated locations and sold directly to a consumer. Examples of cottage foods include: baked goods that do not require refrigeration, fruit jams and jellies, honey, fruit pies, breads, cakes that do not require refrigeration, pastries and cookies that do not require refrigeration, candies and confections that do not require refrigeration, dried fruits, dry herbs, seasonings and mixtures, cereals, trail mixes and granola, nuts, vinegar and flavored vinegars, popcorn and popcorn balls, tinctures that do not make medicinal claims.

People are allowed to sell cottage foods at any venue provided the sale is direct to the consumer. Possible venues could include farmers' markets, roadside stands, internet sales, and mail order sales.

EIPH is committed to the health and safety of the community. We are asking individuals thinking about or actually selling food products on social media sites to please call us and discuss their operation so we can help them be compliant with state rules. Our Environmental Health Division's number is 208-523-5382 or 1-855-533-3160 option #6 (toll-free).

If you have questions and live outside of EIPH's service area, please contact your local health district. You can find that contact information by following the link:

<http://healthandwelfare.idaho.gov/Health/HealthDistricts/tabid/97/Default.aspx>

Example of items included in the definition of Cottage Foods which do not require a food license: Cookies & Breads



Examples of items not included in the definition of Cottage Foods which would require a food license: Tamales & Sloppy Joes

