

## **OVERVIEW OF ON-FARM PROCESSING OF JAMS, JELLIES AND ACIDIFIED FOODS IN CONNECTICUT**

Connecticut regulations permit the processing of jams, jellies, and acidified foods in on-farm kitchens when the key ingredient is fruit or vegetables grown on that (commercial) farm.

If you are not a commercial farmer and/or the key ingredients are not produced on your farm, you are not allowed to process foods of any kind in your home kitchen. You must then process food products in a commercial kitchen licensed by your local health department and inspected by the Connecticut Department of Consumer Protection (regulatory authority responsible for processed foods).

The Department of Consumer Protection is the agency that has jurisdiction over processed foods (except for meat and poultry) in Connecticut.

CT Department of Consumer Protection

### **Food and Standards Division**

[www.ct.gov/dcp/cwp/view.asp?a=1621&q=434780](http://www.ct.gov/dcp/cwp/view.asp?a=1621&q=434780)

**Phone: 860-713-6160**

**Email: [food.standards@ct.gov](mailto:food.standards@ct.gov)**

### **Regulations that apply to on-farm processing**

#### **Connecticut regulations**

#### **Pure Food and Drugs, Chapter 417**

<http://www.cga.ct.gov/2011/pub/chap417.htm>

[Sec. 21a-24a. Sale of acidified food products, jams, jellies and preserves.](#)

### **Scope and Training Guidance for Exempt Retail Processors of Acidified Foods Pursuant to Public Act 10-103**

<http://www.ct.gov/dcp/cwp/view.asp?a=1621&q=469922>

It is the understanding of the Department of Consumer Protection that the exemption specified under the act is limited to direct retail sales at the point of production for fruits and vegetables produced on a residential farm. Wholesale operations, e.g., through third party sales including country stores or production in residences not on a residential farm are not subject to this exemption.

### **Naturally acid foods and acidified foods**

There can be significant risks associated with canned foods, with naturally acid foods being considerably safer than acidified foods. Naturally acid foods are those foods that have a pH less than 4.6 and usually considerably lower, berries for example have a pH in the 3 to 3.4 range.

It is recommended that standardized recipes be utilized for naturally acid foods; more information can be obtained at the USDA's [The National Center for Home Food Preservation](#).

Acidified canned foods can present significantly more dangers. Canners are cautioned to know and understand the risks related to such processes. More information on acidified food processes and risks can be obtained from the US Food and Drug Administration (FDA) document – “Draft Guidance for Industry: Acidified Foods.”

<http://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/AcidifiedLACF/ucm222618.htm>

**The act requires:**

- That the acidified food products, jams, jellies or preserves are prepared with fruit or vegetables **grown on** a residential farm
- That the **water supply** of such residential farm comes from a public water supply system or, if from a private well, is tested and tests negative for coliform bacteria
- That a **pH test** of the acidified foods is performed by a laboratory after completion of the recipe for such product
- That the use of the kitchen where such foods are prepared **is restricted from non-processing individuals, pets, children or any other potential contaminants during such preparation**
- That the processor have documentation of successful compliance with the **training requirement** that includes completion of an examination concerning safe food handling techniques administered by an organization approved by the Department of Public Health for qualified food operators, or possesses documentation indicating successful completion of an approved course concerning safe food processing techniques administered by an organization approved by the Department of Consumer Protection, and that the documentation is made available to the local health department or the Department of Consumer Protection upon request.

Acceptable **training** according to the Public Act must either be as a qualified food operator or an acceptable alternative by DCP. The DCP acceptable alternative based in part on the limited availability of suitable in-state courses for processors, training should be from a recognized Better Process Control School (BPCS). A list of BPCSs courses recognized by the Grocery Manufacturers Association is located at its website. [http://www.gmaonline.org/file-manager/Events/Bro\\_BPCS-011411.pdf](http://www.gmaonline.org/file-manager/Events/Bro_BPCS-011411.pdf)

Information on Qualified Food Operator Training in Connecticut may be found on the website at the Department of Public Health.

<http://www.ct.gov/dph/cwp/view.asp?a=3140&q=387490> )

Each container of acidified food products, jam, jelly or preserves offered for sale on such farm shall have on its label, in ten-point type: "**Not prepared in a government inspected kitchen**"

**Connecticut Regulations regarding sanitary standard for food processors  
Regulation on Sanitary Standards for Food Establishments, 21A-101-1**

[http://www.ct.gov/dcp/lib/dcp/dcp\\_regulations/21a-101\\_sanitary\\_standards\\_for\\_food\\_establishments.pdf](http://www.ct.gov/dcp/lib/dcp/dcp_regulations/21a-101_sanitary_standards_for_food_establishments.pdf)

### **Federal regulations**

Some federal regulations, promulgated by the US Food and Drug Administration will also apply to products produced on farms.

FDA defines **farms** as: facilities in one general location devoted to growing and harvesting crops (washing, trimming outer leaves, and cooling produce are part of harvesting) and/or raising animals (including seafood). The term “farm” includes facilities that pack or hold food, provided that all food used in those activities is grown, raised, or consumed on that farm or another farm under the same ownership, as well as facilities that manufacture/process food, provided that all food used in such activities is *consumed on that farm* or another farm under the same ownership.

So, federally, if foods that are processed in the on-farm kitchen are sold to others and consumed off-farm, they do not fit the definition of “farm.” Now they are a “food facility” that must comply with regulations regarding **Registration of Food Facilities**. Your operation must register with FDA as indicated in **Guidance for Industry: What You Need to Know About Registration of Food Facilities; Small Entity Compliance Guide**

<http://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/FoodDefense/ucm331957.htm>

### **FDA regulations regarding Acidified Foods**

Connecticut regulations exempt on-farm processors from state inspection. Generally, the FDA regulations address INTERstate commerce, not INTRAsate commerce. However, it may be determined that if some of the ingredients or packaging materials used in the operation are obtained from out of state, then FDA regulations may apply. Therefore, the fact that the Connecticut regulation exempts on-farm processors from inspection does not necessarily mean that FDA is precluded from oversight via registration, inspection and other regulatory activities. On-farm processors should take this into account and consider the following federal regulations and guidance regarding acidified foods.

### **Federal acidified foods regulations**

#### **CFR 21, Part 114, Acidified Foods**

<http://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfcr/CFRSearch.cfm?CFRPart=114>

### **Establishment Registration & Process Filing for Acidified Canned Foods**

FDA requires commercial processors, when first engaging in the manufacture, processing, or packing of acidified foods (AF) to register and file with FDA information including the name of the establishment, principal place of business, the location of each establishment in which that processing is carried on, the processing method, and a list of foods so processed in each establishment (21 CFR 108.25(c)(1) and 21 CFR 108.35(c)(1)).

A commercial processor engaged in the processing of AF shall provide FDA with information, using Form FDA 2541a, on the scheduled processes for each acidified food in each container size (21 CFR 108.25(c)(2)).

- [Forms and Instructions for Paper Submission of Establishment Registration and Process Filing](#)
- [Instructions for Electronic Submission of Establishment Registration and Process Filing](#)

For more information, you may want to review **Daft Guidance for Industry: Acidified Foods**.  
<http://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/AcidifiedLACF/ucm222618.htm>

### **Federal Regulations regarding Good Manufacturing Practices (sanitary standards) for food processors**

CFR 21, Part 110, Current Good Manufacturing Practice in Manufacturing, Packaging, or Holding Human Food

<http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr;sid=03c0f0ea8b688b533744ae63a89f6aa4;rgn=div5;view=text;node=21%3A2.0.1.1.1.0;idno=21;cc=ecfr>

