

# COTTAGE FOOD INDUSTRY LAWS & ALLERGY LABELING BY STATE

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STATE	REGULATORY CITATION(S)	ALLERGEN-SPECIFIC REGULATORY LANGUAGE
Ala.	<p>"The Alabama Cottage Food Law went into effect June 1, 2014."</p> <p><a href="http://www.aces.edu/pubs/docs/F/FCS-2058/FCS-2058-low.pdf">http://www.aces.edu/pubs/docs/F/FCS-2058/FCS-2058-low.pdf</a></p>	<p>"The department shall promulgate rules requiring a cottage food production operation to label all baked goods, canned jams or jellies, candies, and dried herb or herb mix that the operation sells to consumers, and requiring completion of a food safety course. The label shall include the name and address of the cottage food production operation and a statement that the food is not inspected by the department or local health department. The operator of a cottage food production operation shall maintain certification of having attended and passed a food safety course approved by the department."</p> <p><a href="http://alisondb.legislature.state.al.us/acas/searchableinstruments/2014rs/bills/sb159.htm">http://alisondb.legislature.state.al.us/acas/searchableinstruments/2014rs/bills/sb159.htm</a></p>
Alaska	<p>"On June 25, 2012 new Alaska Food Code regulations were adopted to allow the sale of non-potentially hazardous foods directly to the consumer without a permit if certain conditions are met."</p> <p><a href="http://dec.alaska.gov/eh/fss/Food/Docs/Fact_CottageFoods.pdf">http://dec.alaska.gov/eh/fss/Food/Docs/Fact_CottageFoods.pdf</a></p>	<p>"The producer and sales person must be able to answer the following questions: What ingredients were used to make the product? Do any of those ingredients contain sub-ingredients? (For example, margarine contains soy, a major food allergen.) Do any of those ingredients contain allergens? What types of foods do you prepare in your kitchen? Are any of them allergens? The Eight Major Food Allergens: eggs, peanuts, dairy tree nuts, fish, wheat, soybeans, crustacean, shellfish."</p> <p><a href="http://uaf.edu/files/ces/publications-db/catalog/hec/FNH-00600.pdf">http://uaf.edu/files/ces/publications-db/catalog/hec/FNH-00600.pdf</a></p>
Ariz.	<p>"In 2011, the Arizona State Legislature changed the law, A.R.S. 36-136 (H)(4)(g) and A.R.S. 36-136 (H)(13), to allow residents to produce non-potentially hazardous baked and Confectionery products in their homes and to offer them for commercial sale within the state."</p> <p><a href="http://azdhs.gov/phs/oeh/fses/goods/index.htm">http://azdhs.gov/phs/oeh/fses/goods/index.htm</a></p>	<p>"If your county does not offer a food handler course, you can learn about food safety from the following websites: USDA Food Safety and Inspection Service, FoodSafety.gov."</p> <p><a href="http://azdhs.gov/phs/oeh/fses/goods/index.htm">http://azdhs.gov/phs/oeh/fses/goods/index.htm</a></p>
Ark.	<p>"For many years, homemade products such as bread and jam were not allowed to be sold legally in Arkansas unless they were prepared in licensed kitchens inspected by the Arkansas Department of Health. That changed in February 2011 after Governor Mike Beebe signed into</p>	<p>"Under the law, nutritional claims are not allowed."</p> <p><a href="http://www.uaex.edu/publications/pdf/fsppc115.pdf">http://www.uaex.edu/publications/pdf/fsppc115.pdf</a></p>

	<p>law the 'Cottage Food' act that exempted certain foods from Department of Health oversight. The modification of Arkansas Code Annotated § 20-57-201 came after years of lobbying by farmers' markets that wanted to give farmers the opportunity to sell homemade goods without having to invest in commercial kitchens."</p> <p><a href="http://www.uaex.edu/publications/pdf/fsppc115.pdf">http://www.uaex.edu/publications/pdf/fsppc115.pdf</a></p>	<p><a href="http://www.healthy.arkansas.gov/programsServices/environmentalHealth/foodProtection/Documents/FarmersMarketGuidelines.pdf">http://www.healthy.arkansas.gov/programsServices/environmentalHealth/foodProtection/Documents/FarmersMarketGuidelines.pdf</a></p>
Calif.	<p>Assembly Bill (AB) 1616 authored by Assembly Member Gatto, Chapter 415, Statutes of 2012 was signed into law by Governor Brown on September 21, 2012, and becomes effective on January 1, 2013</p> <p><a href="http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_1601-1650/ab_1616_bill_20120921_chaptered.html">http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_1601-1650/ab_1616_bill_20120921_chaptered.html</a></p>	<p>"Labels on cottage food products must contain the following information: ... (7) A declaration on the label in plain language if the food contains any of the major food allergens such as milk, eggs, fish, shellfish, tree nuts, wheat, peanuts, and soybeans. There are two approved methods prescribed by federal law for declaring the food sources of allergens in packaged foods: a) in a separate summary statement immediately following or adjacent to the ingredient list, or b) within the ingredient list."</p> <p><a href="http://www.cdph.ca.gov/programs/Documents/fdbCFOLabel.pdf">http://www.cdph.ca.gov/programs/Documents/fdbCFOLabel.pdf</a></p>
Colo.	<p>"In 2012, the Colorado legislature enacted Senate Bill 12-048 allowing individuals to sell certain types of cottage food products. This bill was modified during the 2013 legislative session by House Bill 13-1158. "</p> <p><a href="https://www.colorado.gov/pacific/sites/default/files/Reg_DEHS_CottageFoodsAct_Brochure.pdf">https://www.colorado.gov/pacific/sites/default/files/Reg_DEHS_CottageFoodsAct_Brochure.pdf</a></p>	<p>It would appear the following disclaimer may have to be included on labeling: "This product was produced in a home kitchen that is not subject to state license or inspection and that may also process common food allergens such as tree nuts, peanuts, eggs, soy, wheat, milk, fish, and crustacean shellfish. " A complete ingredients must also be included.</p> <p><a href="https://www.colorado.gov/pacific/sites/default/files/Reg_DEHS_CottageFoodsAct_Brochure.pdf">https://www.colorado.gov/pacific/sites/default/files/Reg_DEHS_CottageFoodsAct_Brochure.pdf</a></p>
Conn.	<p>In 2013, H.B. No. 5815, An Act Concerning Cottage Food Production, was proposed, to encourage cottage food production in order to provide community choice, variety and local economic benefits. It would appear that on 1/24/2013, this bill was referred to the Joint Committee on Environment, with no further action taken.</p> <p><a href="http://www.cga.ct.gov/asp/cgbillstatus/cgbillstatus.asp?selBillType=Bill&amp;bill_num=HB05815&amp;which_year=2013">http://www.cga.ct.gov/asp/cgbillstatus/cgbillstatus.asp?selBillType=Bill&amp;bill_num=HB05815&amp;which_year=2013</a></p> <p>It would appear the Cottage Food Law (2012-R-0241) of 2012, passed into law on June 18, 2012, is still in effect. See notes in the box to the right - this law is unpopular with many.</p> <p><a href="http://www.cga.ct.gov/2012/rpt/2012-R-0241.htm">http://www.cga.ct.gov/2012/rpt/2012-R-0241.htm</a></p>	<p>Excerpts from 2012-R-0241: "Regulations generally require all food products to have been prepared in a commercial food processing establishment. But the director of the Department of Consumer Protection's (DCP) Division of Food and Standards may permit food production in other places that he deems satisfactory and which comply with applicable state and local laws and regulations (Conn. Agencies Reg. § 21a-101-7(h)) ... Under certain conditions, the law allows the sale of jams, jellies, preserves, and acidified food products on a residential farm. Any such food or food product must bear a label stating that it was not prepared in a government inspected kitchen ... Regulations adopted under the Food, Drug, and Cosmetic Act cannot prohibit the sale of food at a noncommercial function like an educational, religious, political, or charitable organization's bake sale or pot luck supper."</p>
Del.	<p>It would appear the Delaware Department of Agriculture allows only</p>	<p>A Google search and a search of the state's website yielded no further</p>

	<p>farmers to make some cottage foods from home. A farmer is considered someone who grows produce for commercial purposes. See 4.0, at the link below.</p> <p><a href="http://dda.delaware.gov/foodprod/food_processing_safety/food_processing_regs.pdf">http://dda.delaware.gov/foodprod/food_processing_safety/food_processing_regs.pdf</a></p>	<p>information regarding the cottage food industry in this state.</p>
Fla.	<p>During the 2011 Legislative Session, the Florida Legislature enacted House Bill 7209 allowing individuals to manufacture, sell and store certain types of "cottage food" products in an unlicensed home kitchen. The Cottage Food law became effective on July 1, 2011.</p> <p><a href="http://www.freshfromflorida.com/Business-Services/Search-by-Business/Food-Inspections/Cottage-Foods">http://www.freshfromflorida.com/Business-Services/Search-by-Business/Food-Inspections/Cottage-Foods</a></p>	<p>Excerpt from a Division of Food Safety guidance document: "All cottage food products must be labeled in accordance with the U.S. CFR Title 21, Part 101. As a cottage food operator, you must identify if any of your ingredients are made from one of the following groups: eggs, milk, wheat, peanuts, soybeans, fish, and tree nuts."</p> <p><a href="http://www.freshfromflorida.com/Business-Services/Search-by-Business/Food-Inspections/Cottage-Foods">http://www.freshfromflorida.com/Business-Services/Search-by-Business/Food-Inspections/Cottage-Foods</a></p>
Ga.	<p>Rules of the Georgia Department of Agriculture Food Safety Division, Chapter 40-7-19, Cottage Food Regulations, allow individuals using home kitchens to prepare, manufacture, and sell non-potentially hazardous foods to the public.</p> <p><a href="http://agr.georgia.gov/Data/Sites/1/media/ag_consumerprotection/cottage_food/files/cottagefoodregulations.pdf">http://agr.georgia.gov/Data/Sites/1/media/ag_consumerprotection/cottage_food/files/cottagefoodregulations.pdf</a></p>	<p>From the left-captioned rules, 40-7-19-.09: "... Labeling is required for COTTAGE FOOD PRODUCTS ... (c) The ingredients in descending order of predominance by weight for each of the COTTAGE FOOD PRODUCTS offered for sale in BULK FOOD containers; (d) Allergen labeling as specified by FDA labeling requirements; (e) If a nutritional claim is made, appropriate nutritional information as specified by FDA labeling requirements ..."</p>
Hawaii	<p>Apparently, it is possible to sell certain types of homemade food at events with a temporary food establishment permit. This is something the health department has decided to do, even though there is no cottage food law allowing it. The biggest restriction is that you can only sell at each location for up to 20 days in a 120 day period. Technically, you could sell every day of the year if you sold at 6 or more different events. (with a different permit for each) There is no fee to get a permit if you are selling homemade products, but you may be required to get a business license or follow other local requirements.</p> <p><a href="http://health.hawaii.gov/san/food-information/">http://health.hawaii.gov/san/food-information/</a></p>	<p>A Google search and a search of the state's website yielded no further information regarding the cottage food industry in this state.</p>
Idaho	<p>It appears to indicate the state may allow the sale of certain homemade foods at farmers markets. (Like bread)</p> <p><a href="http://www.healthandwelfare.idaho.gov/Portals/0/Health/FoodProtection/(4)%20IDAPA%2016.02.19.000-">http://www.healthandwelfare.idaho.gov/Portals/0/Health/FoodProtection/(4)%20IDAPA%2016.02.19.000-</a></p>	<p>A Google search and a search of the state's website yielded no further information regarding the cottage food industry in this state.</p>

	<p><a href="#">001%20through%20IDAPA%2016.02.19.005-006.pdf</a></p> <p><a href="http://www.healthandwelfare.idaho.gov/Portals/0/Health/FoodProtection/Full%20Idaho%20Food%20Code%20(568%20KB).pdf">http://www.healthandwelfare.idaho.gov/Portals/0/Health/FoodProtection/Full%20Idaho%20Food%20Code%20(568%20KB).pdf</a></p>	
Ill.	<p>The Cottage Food Operation law (P.A.097-0393) became effective in Illinois on January 1, 2012. The law does not allow homemade products to be at any location other than an Illinois farmers' market. In addition, the products must meet specific labeling requirements and the vendor must register the cottage food operation with the local health department where the business is located.</p> <p><a href="http://www.ilga.gov/legislation/ilcs/fulltext.asp?DocName=041006250K4">http://www.ilga.gov/legislation/ilcs/fulltext.asp?DocName=041006250K4</a></p>	<p>(410 ILCS 625/4) Sec. 4. Cottage food operation. (b)(4) The food packaging conforms to the labeling requirements of the Illinois Food, Drug and Cosmetic Act and includes the following information on the label of each of its products: (A) the name and address of the cottage food operation; (B) the common or usual name of the food product; (C) all ingredients of the food product, including any colors, artificial flavors, and preservatives, listed in descending order by predominance of weight shown with common or usual names; (D) the following phrase: "This product was produced in a home kitchen not subject to public health inspection that may also process common food allergens."; (E) the date the product was processed; and (F) allergen labeling as specified in federal labeling requirements.</p> <p><a href="http://www.ilga.gov/legislation/ilcs/fulltext.asp?DocName=041006250K4">http://www.ilga.gov/legislation/ilcs/fulltext.asp?DocName=041006250K4</a></p>
Ind.	<p>Food safety issues are governed by the retail food establishment requirements known as the Indiana State Department of Health Rule Title 410 IAC-7-24, Retail Food Establishment Sanitation Requirements. This document provides a primary statewide foundation for all retail food establishments, including farmers' markets; however, each local county health department may handle the regulations for farmers' markets differently.</p> <p><a href="https://www.extension.purdue.edu/extmedia/EC/EC-740.pdf">https://www.extension.purdue.edu/extmedia/EC/EC-740.pdf</a></p>	<p>"Any packaged food sold at a farmers' market that includes more than two ingredients, including both ready-to-eat and processed food, should have a label. The label should provide the following: The common name for the product; a list of ingredients if there are more than two, given in descending order of predominance by weight; quantity specifications, given in weight, volume, or pieces; the name and complete address of the business. Health claims should be avoided on packaging. Claims such as 'heart healthy,' 'light or low fat,' or 'sugar free' must be substantiated by the nutritional facts on the label. It is acceptable, however, to claim added or left out ingredients, such as including 'no sugar added' on the label."</p> <p><a href="https://www.extension.purdue.edu/extmedia/EC/EC-740.pdf">https://www.extension.purdue.edu/extmedia/EC/EC-740.pdf</a></p>
Iowa	<p>Iowa has laws in place for "Home Food Establishments" (see chapters 30, 34, and 137D) which look a lot like cottage food laws: they have a limit of \$20,000 per year in sales, they require a license (\$33.75 fee) and a yearly home inspection, they have restrictions on the workplace environment, and they have labeling requirements.</p> <p><a href="http://www.state.ia.us/government/dia/481_IAC_30.pdf">http://www.state.ia.us/government/dia/481_IAC_30.pdf</a>  <a href="http://www.dia.iowa.gov/481_IAC_34.pdf">http://www.dia.iowa.gov/481_IAC_34.pdf</a></p>	<p>"481—34.3(137D) Labeling requirement. All labels shall contain the following information in legible English: 1. Name and address of the person(s) preparing the food; 2. Common name of the food; 3. The names of all ingredients in the food, beginning with the one present in the largest proportion and continuing in descending order of predominance; and 4. The quantity of the contents in terms of weight, measure or numerical count."</p>

	<a href="http://www.dia.iowa.gov/food/Documents/CHAPTER%20137D.pdf">http://www.dia.iowa.gov/food/Documents/CHAPTER%20137D.pdf</a>	<a href="http://www.dia.iowa.gov/481_IAC_34.pdf">http://www.dia.iowa.gov/481_IAC_34.pdf</a>
Kan.	<p>The sale of non-potentially hazardous foods is allowed at farmers' markets. Non-potentially hazardous foods include baked goods, such as cookies, breads, cakes, cinnamon rolls and fruit pies. Other non-potentially hazardous foods include fresh fruits and vegetables, nuts and honey.</p> <p><a href="http://agriculture.ks.gov/docs/default-source/licensing-guides/home-kitchen-for-retail-food-sales.pdf?sfvrsn=2">http://agriculture.ks.gov/docs/default-source/licensing-guides/home-kitchen-for-retail-food-sales.pdf?sfvrsn=2</a></p>	<p>"Packaged products must be labeled with the common name of the product, and the name and address of the producer."</p> <p><a href="http://agriculture.ks.gov/divisions-programs/food-safety-lodging/food-sales-at-farmers'-markets">http://agriculture.ks.gov/divisions-programs/food-safety-lodging/food-sales-at-farmers'-markets</a></p>
Ky.	<p>Kentucky law allows farmers to grow, harvest and process limited food products in their farm kitchens for sale at farmers markets, certified roadside stands and from the farm provided they grow the predominate agronomic ingredient. for any consecutive six (6) months period in a calendar year.</p>	<p>Labeling requirements for home based processors are provided in the document at the link below. The ingredients of the food product must be listed in descending order of predominance by weight.</p> <p><a href="http://chfs.ky.gov/NR/rdonlyres/09638ED7-260F-4999-8F8A-807D24587CA1/0/Labelsforhomeprocessors.pdf">http://chfs.ky.gov/NR/rdonlyres/09638ED7-260F-4999-8F8A-807D24587CA1/0/Labelsforhomeprocessors.pdf</a></p>
La.	<p>The state has a cottage food law, R.S. 40:4.9, which was amended in 2014 to include a broader range of foods that may be sold.</p> <p><a href="http://www.legis.state.la.us/lss/lss.asp?doc=98431">http://www.legis.state.la.us/lss/lss.asp?doc=98431</a>  <a href="http://www.legis.la.gov/legis/ViewDocument.aspx?d=913658&amp;n=HB1270%20Act%20542">http://www.legis.la.gov/legis/ViewDocument.aspx?d=913658&amp;n=HB1270%20Act%20542</a></p>	<p>Excerpt from the 2014 amendment to R.S. 40:4.9: "Any individual who prepares low-risk foods in the home for sale, as authorized by this Section, shall affix to any such food offered for sale a label which 3 clearly indicates that the food was not produced in a licensed or regulated facility."</p> <p><a href="http://www.legis.la.gov/legis/ViewDocument.aspx?d=913658&amp;n=HB1270%20Act%20542">http://www.legis.la.gov/legis/ViewDocument.aspx?d=913658&amp;n=HB1270%20Act%20542</a></p>
Maine	<p>A state food license is required for everyone who sells a food product in Maine. The two common food licenses are: a home food processor or commercial food processor license. If you are interested in selling at the farmers markets, a mobile food vendor license will be required in addition to your other food license.</p> <p><a href="http://umaine.edu/publications/3101e/">http://umaine.edu/publications/3101e/</a></p>	<p>All food producers must list the following items on their food labels:</p> <p>"The statement of identity (name of food product), net weight of food product (usually measured in both ounces and grams or by count), ingredient listing (listed in descending order by weight of ingredients), potential allergens in food product, and name and address of the manufacturer, packer, or distributor. All food producers must refer to the FDA's A Food Labeling Guide online, or request a copy from the FDA at 240.402.2373. The eight food allergens that require an allergen statement (by FDA and consequently Maine) are milk, eggs, fish, wheat, crustacean shellfish such as lobster and crab, tree nuts, peanuts, and soybeans. If commercially produced foods are ingredients in a food product, the food ingredients of that product must also be included on the label. For example: Water, sugar, Worcestershire sauce [vinegar, molasses, corn syrup, anchovies ...]."</p> <p><a href="http://umaine.edu/publications/3101e/">http://umaine.edu/publications/3101e/</a></p>

Md.	<p>In 2012, Maryland passed a modified Cottage Law, allowing for citizens to operate a home based bakery or home food processing company. A "cottage food product" is a nonhazardous food that is sold at a farmer's market or public event.</p> <p><a href="https://www.extension.umd.edu/mredc/specialty-modules/cottage-food-business-law-md">https://www.extension.umd.edu/mredc/specialty-modules/cottage-food-business-law-md</a></p> <p><a href="http://mlis.state.md.us/2012rs/chapters_noln/Ch_255_sb0550T.pdf">http://mlis.state.md.us/2012rs/chapters_noln/Ch_255_sb0550T.pdf</a></p>	<p>"Allergen Statement. There are 8 foods considered a major food allergen under the Food Allergen Labeling and Consumer Protection Act that must be declared on your label if they are contained in your food product. They include: 1. Milk 2.Egg 3.Fish – For fish, the specific species must be declared – Ex: Bass 4. Crustacean Shellfish – For shellfish, the specific species must be declared – Ex: crab. 5. Tree Nuts – For tree nuts, the specific type of nut must be declared – Ex: Almond. 6.Wheat 7.Peanuts 8. Soybeans. If any of these major allergens are contained in your food product, then you may declare them in either of two different ways. First, you can list the allergens in a "Contains" statement. The 'Contains' statement would follow the ingredients list and look like this: ;Contains: Wheat, Egg.' The second way to declare an allergen is in your ingredients list. An example would be: 'Enriched flour (wheat flour, malted barley, niacin, reduced iron, thiamin montrate, riboflavin, folic acid), Egg.' In this example, wheat and egg are specifically stated within the ingredients so you would not need to put an additional 'Contains' statement."</p> <p><a href="https://www.extension.umd.edu/mredc/specialty-modules/cottage-food-labeling-and-packaging">https://www.extension.umd.edu/mredc/specialty-modules/cottage-food-labeling-and-packaging</a></p>
Mass.	<p>Residential Kitchens Questions and Answers guidance document published by the Massachusetts Department of Public Health</p> <p><a href="http://www.mass.gov/eohhs/docs/dph/environmental/foodsafety/residential-kitchens-faq-sheet.pdf">http://www.mass.gov/eohhs/docs/dph/environmental/foodsafety/residential-kitchens-faq-sheet.pdf</a></p>	<p>"Must a residential kitchen operator use a standard recipe for each batch of product? Yes. Persons preparing food products must maintain a standardized recipe of the products used in the preparation of the food: listing all ingredients in order of weight. Any change in the recipe constitutes a recipe deviation, and new analysis may be required."</p> <p><a href="http://www.mass.gov/eohhs/docs/dph/environmental/foodsafety/residential-kitchens-faq-sheet.pdf">http://www.mass.gov/eohhs/docs/dph/environmental/foodsafety/residential-kitchens-faq-sheet.pdf</a></p>
Mich.	<p>" Michigan's Cottage Food Law, PA 113 of 2010, which took effect in July 2010, exempts a 'cottage food operation' from the licensing and inspection provisions of the Michigan Food Law. A cottage food operation still has to comply with the labeling, adulteration, and other provisions found in the Michigan Food Law, as well as other applicable state or federal laws, or local ordinances."</p> <p><a href="http://www.michigan.gov/mdard/0,4610,7-125-50772_45851-240577--,00.html">http://www.michigan.gov/mdard/0,4610,7-125-50772_45851-240577--,00.html</a></p>	<p>The basic information that must be on the label is as follows: Name and physical address of the Cottage Food operation. (You must use the physical address of your home kitchen; Post Office Box addresses are not adequate); name of the Cottage Food product (All capital letters or upper/lower case are both acceptable); the ingredients of the Cottage Food product, in descending order of predominance by weight. If you use a prepared item in your recipe, you must list the sub ingredients as well. For example: soy sauce is not acceptable, soy sauce (wheat, soybeans, salt) would be acceptable, please see the label below for further examples; the net weight or net volume of the Cottage Food product (must also include the metric equivalent - conversion charts are available online); allergen labeling as specified in federal labeling requirements; the following statement: "Made in a home kitchen that has not been inspected by the Michigan Department of Agriculture &amp; Rural Development" in at least the equivalent of 11-point font (about 1/8" tall) and</p>

		<p>in a color that provides a clear contrast to the background (All capital letters or upper/lower case are both acceptable).</p> <p><a href="http://www.michigan.gov/mdard/0,4610,7-125-50772_45851-240577--_00.html#SampleLabels">http://www.michigan.gov/mdard/0,4610,7-125-50772_45851-240577--_00.html#SampleLabels</a></p>
Minn.	<p>" There are several statutory exceptions to the retail food handler license requirements. Some of the principal exceptions, enumerated in MN Stat. 28A.15, include: ... Community event or farmer's market ... with gross receipts of \$5,000 or less in a calendar year ..."</p> <p><a href="http://www.mda.state.mn.us/~media/Files/food/business/startingfoodbiz.ashx">http://www.mda.state.mn.us/~media/Files/food/business/startingfoodbiz.ashx</a></p>	<p>Excluded foods must be labeled to "accurately reflect the name and address of the person preparing and selling the foods.." Canned goods must also include the date on which the canned goods were processed and canned.</p> <p><a href="http://www.mda.state.mn.us/~media/Files/food/business/startingfoodbiz.ashx">http://www.mda.state.mn.us/~media/Files/food/business/startingfoodbiz.ashx</a></p>
Miss.	<p>" Cottage Food Operation: Frequently Asked Questions," issued by the Mississippi State Department of Health.</p> <p><a href="http://msdh.ms.gov/msdhsite/_static/resources/5375.pdf">http://msdh.ms.gov/msdhsite/_static/resources/5375.pdf</a></p>	<p>"Do I have to put a label on my Cottage Foods? Yes. The label must include all of the following: The name and address of the cottage food operation; the name of the cottage food product; the ingredients of the cottage food product, in descending order of predominance of weight; the net weight or volume of the cottage food product; allergen information as specified by federal labeling requirements; if any nutritional claim is made, appropriate nutritional information as specified by federal labeling requirements; and the following statement printed in at least ten-point type in a color that provides a clear contrast to the background of the label: "Made in a cottage food operation that is not subject to Mississippi's food safety regulations."</p> <p><a href="http://msdh.ms.gov/msdhsite/_static/resources/5375.pdf">http://msdh.ms.gov/msdhsite/_static/resources/5375.pdf</a></p>
Mo.	<p>It appears Missouri's cottage food laws are governed on a county-by-county basis, as mandated by the state.</p> <p><a href="http://www.businessweek.com/articles/2014-04-25/selling-food-out-of-your-home-here-s-how-to-pass-an-inspection">http://www.businessweek.com/articles/2014-04-25/selling-food-out-of-your-home-here-s-how-to-pass-an-inspection</a></p>	<p>"The department shall promulgate rules requiring a cottage food production operation to label all of the foods described in this section which the operation intends to sell to consumers. The label shall include the name and address of the cottage food production operation and a statement that the food is not inspected by the department or local health department."</p> <p><a href="http://www.moga.mo.gov/mostatutes/stathtml/19600002981.html">http://www.moga.mo.gov/mostatutes/stathtml/19600002981.html</a></p>
Mont.	<p>Montana has a very simple exemption that allows for the sale of baked goods and preserves at farmers markets only.</p> <p><a href="http://www.dphhs.mt.gov/publichealth/fcs/documents/2014FARMERMARKET.pdf">http://www.dphhs.mt.gov/publichealth/fcs/documents/2014FARMERMARKET.pdf</a></p>	<p>"50-50-202. Establishments exempt from license requirement -- farmers' market records ... (4)(a) A farmers' market that is an organized market authorized by a municipal or county authority shall keep registration records of all individuals and organizations that sell baked goods or preserves at the market. (b) The registration records must include but are not limited to the name of the seller, the seller's address and telephone number, the products sold by the seller, and the date the products were sold. (c) The</p>

		<p>registration records must be made available to the local health officer or the officer's agent."</p> <p><a href="http://www.dphhs.mt.gov/publichealth/fcs/documents/2014FARMERSMARKET.pdf">http://www.dphhs.mt.gov/publichealth/fcs/documents/2014FARMERSMARKET.pdf</a></p>
Neb.	<p>"What can be sold without a permit? Fresh produce, some baked items, canned pop, and snack items." Temporary Food Stand Permit required.</p> <p><a href="http://www.nda.nebraska.gov/publications/foods/market.html">http://www.nda.nebraska.gov/publications/foods/market.html</a></p>	<p>A Google search and a search of the state's website yielded no further information regarding the cottage food industry in this state.</p>
Nev.	<p>In May, 2013, the Nevada Legislature passed, and the Governor signed, the Cottage Food bill (SB206), allowing certain foods to be prepared and sold from a person's home. The law language will be filed under Nevada Revised Statutes (NRS) Chapter 446 and is effective July 1, 2013.</p> <p><a href="https://southernnevadahealthdistrict.org/cottage-food-operations/index.php">https://southernnevadahealthdistrict.org/cottage-food-operations/index.php</a></p>	<p>Nevada Revised Statutes (NRS) Chapter 446 includes labeling requirements of food prepared by cottage food operations. Food packaging must be affixed with labeling that: Complies with the federal labeling requirements set forth in 21 U.S.C. 343(w), 9 C.F.R. Part 317 and 21 C.F.R. Part 101 (General label content outlined below); and, labeled with "MADE IN A COTTAGE FOOD OPERATION THAT IS NOT SUBJECT TO GOVERNMENT FOOD SAFETY INSPECTION" printed prominently on the food item label ... Declaration of any food allergen contained in the food, unless the food source is already part of the common or usual name of the product or clearly identified in the ingredient list. Major food allergens include milk, eggs, fish, crustacean shellfish, tree nuts, wheat, peanuts and soybeans and any ingredient that contains protein derived from one of these It must be included in one of two ways: In parentheses following the name of the ingredient. Examples: lecithin (soy), flour (wheat), and whey (milk); or, immediately after or next to the list of ingredients in a "contains" statement. Example: Contains wheat, milk and soy.</p> <p><a href="https://southernnevadahealthdistrict.org/cottage-food-operations/labeling-guide.php">https://southernnevadahealthdistrict.org/cottage-food-operations/labeling-guide.php</a></p>
N.H.	<p>" A Homestead Food License is not required if: You only sell your non-potentially hazardous food from your own residence, from your own farm stand or at a farmer's market."</p> <p><a href="http://www.dhhs.nh.gov/dphs/fp/sanitation/documents/homesteadfaq.pdf">http://www.dhhs.nh.gov/dphs/fp/sanitation/documents/homesteadfaq.pdf</a></p>	<p>"Do I have to put a label on my Homestead food products? Yes, both exempt and non-exempt Homestead food operations are required to label Homestead food products. The basic information that must be on the label is as follows ... The ingredients of the homestead product, in descending order of predominance by weight, the name of each major food allergen contained in the food unless it is already part of the common or usual name of the respective ingredient already disclosed in the ingredient statement ... What does allergen labeling, as specified in federal labeling requirements, mean?"</p>

		<p>It means you must identify if any of your ingredients are made from one of the following food groups: milk, eggs, wheat, peanuts, soybeans, fish (including shellfish, crab, lobster or shrimp) and tree nuts (such as almonds, pecans or walnuts). So, if you have an ingredient made with a wheat-based product, you have two options: 1. Include the allergen in the ingredient list. For example, a white bread with the following ingredient listing: whole wheat flour, water, salt and yeast. In this example, the statement 'whole wheat flour', meets the requirements of federal law. 2. Include an allergen statement ("Contains:") after the ingredient list. For example a white bread, with the following ingredients: whole wheat flour, water, sodium caseinate, salt and yeast. Contains wheat and milk. The "Contains" statement must reflect all the allergens found in the product. In this example, the sodium caseinate comes from milk. Are there any special requirements for tree nuts labeling for allergens? Yes, if your Homestead food product has tree nuts as an ingredient you must identify which tree nut you are using. For example, if you made Nut Bread, an acceptable ingredient list would be: Ingredients: wheat flour, water, almonds, salt, yeast. The following would not be acceptable: Ingredients: flour, water, nuts, salt, yeast."</p> <p><a href="http://www.dhhs.nh.gov/dphs/fp/sanitation/documents/homesteadfaq.pdf">http://www.dhhs.nh.gov/dphs/fp/sanitation/documents/homesteadfaq.pdf</a></p>
NJ.	<p>In May 2014, the lower house of New Jersey's legislature unanimously passed a "cottage food" bill, which would let people sell baked goods like breads, pies, cakes and cookies prepared in their home kitchens. To sell legally, one would need only a "clearly visible placard" saying the food was prepared at a private home.</p> <p><a href="http://www.njleg.state.nj.us/bills/BillView.asp?BillNumber=S136">http://www.njleg.state.nj.us/bills/BillView.asp?BillNumber=S136</a>  <a href="http://www.njleg.state.nj.us/bills/BillView.asp?BillNumber=A1244">http://www.njleg.state.nj.us/bills/BillView.asp?BillNumber=A1244</a></p>	<p>A Google search and a search of the state's website yielded no further information regarding the cottage food industry in this state.</p>
N.M.	<p>The New Mexico Food Service and Food Processing Regulations, 7.6.2.16 NMAC, allows for the preparation in residential kitchens of "non-potentially hazardous" foods intended for public consumption. Individuals wanting to operate a home-based food processing operation must first obtain a permit from NMED before offering their non-potentially hazardous food products to the public.</p> <p><a href="http://www.nmenv.state.nm.us/fod/Food_Program/HomeBasedProcessing.htm">http://www.nmenv.state.nm.us/fod/Food_Program/HomeBasedProcessing.htm</a></p>	<p>New Mexico promotes "Regulatory Guidance for Best Practices," issued by AFDO. Excerpt: "This specifies that allergen information is provided, as specified by federal labeling requirements.</p> <p><a href="http://www.nmenv.state.nm.us/fod/Food_Program/documents/AFDOCottageFoodsGuidance-April2012.pdf">http://www.nmenv.state.nm.us/fod/Food_Program/documents/AFDOCottageFoodsGuidance-April2012.pdf</a></p>
N.Y.	<p>New York permits the sale of home processed food.</p>	<p>" The ingredients shall be listed by their common or usual name in descending order of predominance by weight, on a single panel of the label."</p>

	<a href="http://www.agriculture.ny.gov/FS/consumer/processor.html">http://www.agriculture.ny.gov/FS/consumer/processor.html</a>	<a href="http://www.agriculture.ny.gov/FS/pdfs/FSI514.pdf">http://www.agriculture.ny.gov/FS/pdfs/FSI514.pdf</a>
N.C.	<p>Low-risk packaged foods are the only products allowed to be produced at home and sold. An Application for Home Processing Inspection is required.</p> <p><a href="http://www.ncagr.gov/fooddrug/food/homebiz.htm">http://www.ncagr.gov/fooddrug/food/homebiz.htm</a></p>	<p>"Any products to be sold to consumers must be packaged to protect them from contamination. A label must be affixed to the package with ... . Complete list of ingredients in order of predominance by weight."</p> <p><a href="http://www.ncagr.gov/fooddrug/food/homebiz.htm">http://www.ncagr.gov/fooddrug/food/homebiz.htm</a></p>
N.D.	<p>North Dakota allows the sale of certain home-processed, home-canned, and home-baked foods.</p> <p><a href="https://www.ndhealth.gov/FoodLodging/PDF/PROOF_farmers_market_ruling.pdf">https://www.ndhealth.gov/FoodLodging/PDF/PROOF_farmers_market_ruling.pdf</a></p>	<p>"Each food container and/or food item sold must include the following statement using a font size that is prominent, conspicuous, and easy to read. "These food products were produced in an uninspected home kitchen where major food allergens may also have been handled and prepared, such as tree nuts, peanuts, eggs, soy, wheat, milk, fish, and crustacean shellfish."</p> <p><a href="https://www.ndhealth.gov/FoodLodging/PDF/PROOF_farmers_market_ruling.pdf">https://www.ndhealth.gov/FoodLodging/PDF/PROOF_farmers_market_ruling.pdf</a></p>
Ohio	<p>Ohio allows the sale of non-potentially hazardous home-baked products.</p> <p><a href="http://www.agri.ohio.gov/foodsafety/docs/cottage_Food_Rules_final6-09.pdf">http://www.agri.ohio.gov/foodsafety/docs/cottage_Food_Rules_final6-09.pdf</a></p>	<p>" A cottage food production operation shall label each food product and include on the label the information mandated by section 3715.023 of the Revised Code, in addition to the requirements of 21 CFR Part 101 Food Labeling."</p> <p><a href="http://www.agri.ohio.gov/foodsafety/docs/cottage_Food_Rules_final6-09.pdf">http://www.agri.ohio.gov/foodsafety/docs/cottage_Food_Rules_final6-09.pdf</a></p>
Okla.	<p>In 2013, Oklahoma revised its cottage food law. Cottage food sold at farmers markets, roadside stands, church and community bazaars and festivals must no longer be produced in a commercial kitchen.</p> <p><a href="http://www.oksenate.gov/news/press_releases/press_releases_2013/pr20130219c.htm">http://www.oksenate.gov/news/press_releases/press_releases_2013/pr20130219c.htm</a></p> <p><a href="http://webserver1.lsb.state.ok.us/cf_pdf/2013-14%20FLR/HFLR/SB920%20HFLR.PDF">http://webserver1.lsb.state.ok.us/cf_pdf/2013-14%20FLR/HFLR/SB920%20HFLR.PDF</a></p>	<p>Must be "packaged with a label that clearly states the address and contact information of the maker, lists all of the ingredients in the product, and discloses that the product was prepared in a home."</p> <p><a href="http://webserver1.lsb.state.ok.us/cf_pdf/2013-14%20FLR/HFLR/SB920%20HFLR.PDF">http://webserver1.lsb.state.ok.us/cf_pdf/2013-14%20FLR/HFLR/SB920%20HFLR.PDF</a></p>
Ore.	<p>" Anyone who would like to sell food that is made in his or her home kitchen, must meet special requirements and must obtain a domestic kitchen license."</p> <p><a href="http://www.oregon.gov/oda/programs/FoodSafety/FSlicensing/Pages/DomesticKitchen.aspx">http://www.oregon.gov/oda/programs/FoodSafety/FSlicensing/Pages/DomesticKitchen.aspx</a></p>	<p>" Ingredient Statement - This statement is generally located below the nutrition facts and above the manufacturer or distributor information. The ingredients including food colorings and chemical preservatives must be listed in descending order of predominance by weight or volume. If less than 2% by weight, the ingredient can be listed at the end with a statement "contains 2% or less of ____". Without exemption, allergens must always be declared regardless of weight, volume or percentage. The ingredient shall be the common or usual name of the ingredient except that certain spices and flavorings need to be declared according to regulation (21CFR 101.22). Spices,</p>

		<p>such as paprika, turmeric, saffron and others that are also colorings must be declared either by the term 'spice and coloring' or by the actual (common or usual) names, such as 'paprika' (21 CFR 101.22(a)(2)). An ingredient which itself contains two or more ingredients and which has an established common or usual name must be followed by a parenthetical listing of all ingredients contained therein in descending order of predominance."</p> <p><a href="http://www.oregon.gov/ODA/shared/Documents/Publications/FoodSafety/FoodLabelingRequirementsENG.pdf">http://www.oregon.gov/ODA/shared/Documents/Publications/FoodSafety/FoodLabelingRequirementsENG.pdf</a></p>
Pa.	<p>The Department will allow some 'limited' types of food processing to occur in a "residential style kitchen," that may not meet the full regulatory code requirements, with the intent of the producer to offer these products for sale to the public. These processors are regulated under The Food Safety Act (3 Pa.C.S.A. §§5721 – 5737).</p> <p><a href="http://www.agriculture.state.pa.us/portal/server.pt/gateway/PTARGS_0_2_24476_10297_0_43/AgWebsite/ProgramDetail.aspx?name=Home-Food-Processing&amp;navid=12&amp;parentnavid=0&amp;palid=134&amp;">http://www.agriculture.state.pa.us/portal/server.pt/gateway/PTARGS_0_2_24476_10297_0_43/AgWebsite/ProgramDetail.aspx?name=Home-Food-Processing&amp;navid=12&amp;parentnavid=0&amp;palid=134&amp;</a></p>	<p>"Products must be properly labeled as follows (with some labeling exemptions for baked goods): Name of product; name and address of manufacturer; ingredients listed in decreasing order by weight; allergen declaration if needed; and net weight or unit count ... Nutritional labeling must be included on food products being shipped / sold in interstate commerce. Most Limited Food Establishments will qualify for a small business exemption from nutritional labeling requirements but must apply with FDA. <a href="http://www.gpo.gov/fdsys/pkg/CFR-2008-title21-vol2/xml/CFR-2008-title21-vol2-part101.xml">http://www.gpo.gov/fdsys/pkg/CFR-2008-title21-vol2/xml/CFR-2008-title21-vol2-part101.xml</a>. Any labeling for health claims such as Low Fat, Sugar Free, Gluten Free, Dairy Free, and similar, must be accurate and be supported by manufacturer's labeling of sub ingredients or through product testing. By adding a claim to your label, you may be required to comply with Nutritional Labeling requirements. Contact FDA as noted in #11 above."</p> <p><a href="http://www.agriculture.state.pa.us/portal/server.pt/gateway/PTARGS_0_2_24476_10297_0_43/AgWebsite/Files/Forms/APPLICATION%20PACKET%20-%20LIMITED%20FOOD%20ESTABLISHMENT%2006-2014.pdf">http://www.agriculture.state.pa.us/portal/server.pt/gateway/PTARGS_0_2_24476_10297_0_43/AgWebsite/Files/Forms/APPLICATION%20PACKET%20-%20LIMITED%20FOOD%20ESTABLISHMENT%2006-2014.pdf</a></p>
R.I.	<p>It would appear as though only farmers seeling over \$2,500 of agricultural products throughout the year can sell this way. This excludes most of the small producers that cottage food laws are usually tailored to.</p> <p><a href="http://webserver.rilin.state.ri.us/Statutes/title21/21-27/21-27-6.1.htm">http://webserver.rilin.state.ri.us/Statutes/title21/21-27/21-27-6.1.htm</a></p>	<p>" ... (vi) List ingredients on product; (vii) Label with farm name, address and telephone number ... "</p> <p><a href="http://www.dem.ri.gov/programs/bnatres/agricult/pdf/farmhome.pdf">http://www.dem.ri.gov/programs/bnatres/agricult/pdf/farmhome.pdf</a></p>
S.C.	<p>" What is covered under the Cottage Bill (SC 44-1-143 H)? Non-potentially hazardous baked goods and candy that are sold directly to the end consumer are covered under this bill. These foods cannot be sold for re-sale/wholesale. Examples of these type products are: baked cookies, baked cakes, baked breads*, baked high-acid fruit pies (apple, apricot,grape, peach, plum, quince, orange, nectarine, blackberry, raspberry, boysenberry, cherry, cranberry,</p>	<p>Does my product have to be labeled? Yes,all food items packaged at the operation for sale must be properly labeled in compliance with federal laws and regulations. Labels must include: Name and address of the home-based food operation; name of the product being sold; complete ingredient list (including all allergens); a net wt. in customary and metric measurements; a conspicuous statement printed in all capital letters and in a color that provides a clear contrast to the background that reads "Not for</p>

	<p>strawberry, red currants) and candy. "</p> <p><a href="https://agriculture.sc.gov/userfiles/file/Food%20Safety%20and%20Compliance/Cottage%20Food%20FAQ%20rev%201.pdf">https://agriculture.sc.gov/userfiles/file/Food%20Safety%20and%20Compliance/Cottage%20Food%20FAQ%20rev%201.pdf</a></p>	<p>Resale – Processed and prepared by a home-based food production operation that is not subject to South Carolina’s Food Safety Regulations.”</p> <p>For more help with labeling, please go to <a href="http://www.fda.gov/Food/GuidanceComplianceRegulatoryInformation/GuidanceDocuments/FoodLabelingNutrition/FoodLabelingGuide/default.htm">http://www.fda.gov/Food/GuidanceComplianceRegulatoryInformation/GuidanceDocuments/FoodLabelingNutrition/FoodLabelingGuide/default.htm</a>”</p> <p><a href="https://agriculture.sc.gov/userfiles/file/Food%20Safety%20and%20Compliance/Cottage%20Food%20FAQ%20rev%201.pdf">https://agriculture.sc.gov/userfiles/file/Food%20Safety%20and%20Compliance/Cottage%20Food%20FAQ%20rev%201.pdf</a></p>
S.D.	<p>" During the 2010 South Dakota state legislative session South Dakota Codified Law 34-18 thru 37 was passed. This law, which is commonly referred to as the “Home-Processed Foods Law”, makes it possible for South Dakota food producers to process some types of canned and baked goods in their home kitchens and sell them at farmers markets, road side stands, and similar venues. Prior to this law, selling any kind of home-processed foods in South Dakota was illegal.”</p> <p><a href="http://dakotarural.org/eat-local-foods/home-processed-foods-law/">http://dakotarural.org/eat-local-foods/home-processed-foods-law/</a></p>	<p>"Each food container sold must have a label that contains the following: ... ingredients (list ingredients in the product from the largest to the smallest in net weight or volume ... a disclaimer that states the following: "This product was not produced in a commercial kitchen. It has been home-processed in a kitchen that may also process common food allergens such as tree nuts, peanuts, egg, soy, wheat, milk, fish, and crustacean shellfish.”</p> <p><a href="https://docs.google.com/viewer?url=http://pubstorage.sdstate.edu/AgBio_Publications/articles/FS956.pdf">https://docs.google.com/viewer?url=http://pubstorage.sdstate.edu/AgBio_Publications/articles/FS956.pdf</a></p>
Tenn.	<p>"Notwithstanding any law, rule or regulation to the contrary, nonpotentially hazardous food prepared in a home based kitchen may be sold at that person's personal residence, a community or social event, including church bazaars and festivals, flea markets, or at farmer's markets located in this state. An individual who processes nonpotentially hazardous foods in a home based kitchen is encouraged but shall not be required to complete a food safety course and to have their recipes and processes reviewed by a person who is knowledgeable about food processing and who is recognized by the department or a state college or university with a curriculum in food safety as an authority on preparing processed food. This shall not prohibit a person from obtaining a regulatory services permit for a domestic kitchen when appropriately applied for and the relative requirements are met.”</p> <p><a href="http://www.tn.gov/sos/acts/107/pub/pc1105.pdf">http://www.tn.gov/sos/acts/107/pub/pc1105.pdf</a></p>	<p>Each food product that is sold shall be labeled with the name and address of the person who prepared the food product, the common or usual name of the food product, the date on which the food product was packaged, the net quantity of the food product, the statement "This product was made in a private home not licensed or inspected," and a list of ingredients in descending order of prominence of weight. If any ingredient contains milk, eggs, fish, crustaceans, shellfish, tree nuts, wheat, peanuts, or soybeans, the list of ingredients shall include the common name of the ingredient.</p> <p>(e) Whenever the commissioner finds that a non potentially hazardous food prepared in a home based kitchen is, by reason of microbiological, physical, chemical or allergenic contamination, injurious to the public health, the commissioner may prohibit the sale of such food until the facility in which it was prepared is inspected and found to be in substantial compliance with the regulations for establishments SB 3547 utilizing domestic kitchen facilities for bakery and other nonpotentially hazardous food, and the contamination is eliminated. Any food product prepared in a home based kitchen failing to meet the definition of a "nonpotentially hazardous food" shall immediately be removed from sale.”</p> <p><a href="http://www.tn.gov/sos/acts/107/pub/pc1105.pdf">http://www.tn.gov/sos/acts/107/pub/pc1105.pdf</a></p>
Texas	<p>"A Cottage Food Production Operation (CFPO) may sell products at the individual's home; a farmers' market; a farm stand; a municipal fair, festival or event; a county fair, festival, or event; and a nonprofit</p>	<p>"Foods sold by a cottage food production operation must be packaged and labeled. The food must be packaged in a manner that prevents product contamination, except for foods that are too large and or bulky for</p>

	<p>fair, festival, or event ... You do not need a permit or license from the Texas Department of State Health Services to operate a cottage food production operation. "</p> <p><a href="http://www.dshs.state.tx.us/foodestablishments/cottagefood/">http://www.dshs.state.tx.us/foodestablishments/cottagefood/</a></p>	<p>conventional packaging. The labeling information for foods that are not packaged must be provided to the consumer on an invoice or receipt. The label must include the following information ... The common or usual name of the product, if a food is made with a major food allergen, such as eggs, nuts, soy, peanuts, milk or wheat that ingredient must be listed on the label ..."</p> <p><a href="http://www.dshs.state.tx.us/foodestablishments/cottagefood/">http://www.dshs.state.tx.us/foodestablishments/cottagefood/</a></p>
Utah	<p>"A recent statute passed by the Utah state legislature will now allow Utah residents to produce non-potentially hazardous food products in their homes and offer them for sale within the state."</p> <p><a href="http://www.ususbdc.org/library/_commercial_kitchen/Utah%20Cottage%20Food%20Program%20overview.pdf">http://www.ususbdc.org/library/_commercial_kitchen/Utah%20Cottage%20Food%20Program%20overview.pdf</a></p> <p><a href="http://www.rules.utah.gov/publicat/code/r070/r070-560.htm">http://www.rules.utah.gov/publicat/code/r070/r070-560.htm</a></p> <p><a href="http://extension.usu.edu/foodbiz/files/uploads/cottage_food_handout.pdf">http://extension.usu.edu/foodbiz/files/uploads/cottage_food_handout.pdf</a></p>	<p>" Products with any of the eight major allergens (peanuts, tree nuts, milk, egg, soy, wheat, fish, and shellfish) must be prepared in a way that will not contaminate products which do not contain those allergens. Be prepared to explain how you will accomplish this ... For any product containing an ingredient which is or is derived from one of the eight major food allergens (milk, egg, wheat, soy, fish, shellfish, tree nuts, or peanuts), the presence of the allergen must be indicated in the ingredients. If the common or usual name of the ingredient contains the name of the allergen (i.e. soybean oil), then no further notation is required. If the name does not clearly indicate the allergen (i.e. casein, whey protein, enriched flour) then the allergen must be stated either in parenthesis following the ingredient, or in a "Contains" statement immediately below or next to the ingredients, in a type size no less than that used for the ingredients. If the "Contains" statement is used, it must list all of the allergens present in the product, whether listed by name in the ingredients or not."</p> <p><a href="http://www.ususbdc.org/library/_commercial_kitchen/Utah%20Cottage%20Food%20Program%20overview.pdf">http://www.ususbdc.org/library/_commercial_kitchen/Utah%20Cottage%20Food%20Program%20overview.pdf</a></p>
Vt.	<p>Vermont was the first state to create laws specifically for home bakers, and they still lead the way as one of the only states to allow almost any food item to be produced and sold from the home. Like most states, Vermont has a specific Home Bakery license for those that only want to sell low-risk baked goods out of their standard kitchen. They even allow those that sell less than \$125 of goods per week to skip the licensing and inspection process altogether.</p> <p><a href="http://healthvermont.gov/enviro/food_lodge/Bakeries.aspx">http://healthvermont.gov/enviro/food_lodge/Bakeries.aspx</a></p> <p>Temporary foods stands may also obtain a license to operate.</p> <p><a href="http://healthvermont.gov/enviro/food_lodge/documents/food_stand_requirements.pdf">http://healthvermont.gov/enviro/food_lodge/documents/food_stand_requirements.pdf</a></p>	<p>A Google search and a search of the state's website yielded no further information regarding the cottage food industry in this state.</p>

Va.	<p>"Current law recently crafted in Virginia permits unlicensed home kitchens operating without inspections to produce a long list of cottage foods that can be sold in homes or at farmer's markets. And, for most products, there is no sales limit. Take an extra step and obtain a license as a home food processor, and a home kitchen in Virginia can produce almost any type of food."</p> <p><a href="http://www.foodsafetynews.com/2014/01/virginia-bill-would-exempt-small-employers-from-food-safety-laws/#.VELE7_nF9JI">http://www.foodsafetynews.com/2014/01/virginia-bill-would-exempt-small-employers-from-food-safety-laws/#.VELE7_nF9JI</a></p> <p><a href="http://vdacs.virginia.gov/fdsafety/pdf/foodlaws.pdf">http://vdacs.virginia.gov/fdsafety/pdf/foodlaws.pdf</a></p>	<p>Food must be "affixed with a label displaying the name, physical address, and telephone number of the person preparing the food product, the date the food product was processed, and the statement "NOT FOR RESALE - PROCESSED AND PREPARED WITHOUT STATE INSPECTION" shall be placed on the principal display panel. Nothing in this subdivision shall create or diminish the authority of the Commissioner under § 3.2-5102."</p> <p><a href="http://vdacs.virginia.gov/fdsafety/pdf/foodlaws.pdf">http://vdacs.virginia.gov/fdsafety/pdf/foodlaws.pdf</a></p>
Wash.	<p>The Washington Cottage Food Operations Law allows people to make low-risk food in their home kitchens and sell directly to consumers.</p> <p><a href="http://agr.wa.gov/foodanimal/cottagefoodoperation/">http://agr.wa.gov/foodanimal/cottagefoodoperation/</a></p>	<p>"Your label must contain the following: ... Allergen information. A major food allergen is an ingredient that contains protein derived from one of the following: Milk; egg; fish; crustacean shellfish; tree nuts: (almonds, walnuts, pecans, hazelnuts, etc.); wheat; peanuts; soybeans. For more information on Allergens click the links below: Get the Facts: New Food Allergen Labeling Laws: [External Link] Guidance for Industry: Q &amp; A Regarding Food Allergens [External Link]."</p> <p><a href="http://agr.wa.gov/foodanimal/cottagefoodoperation/ApplicationInfo.aspx#label">http://agr.wa.gov/foodanimal/cottagefoodoperation/ApplicationInfo.aspx#label</a></p>
W.Va.	<p>It would appear that West Virginia only allows the sale of cottage foods at farmers markets and some types of events, and only certain food items may be allowed.</p> <p><a href="https://www.wvdhhr.org/phs/food/Farmers%20Market%20Brochure.pdf">https://www.wvdhhr.org/phs/food/Farmers%20Market%20Brochure.pdf</a></p>	<p>"Labels for baked goods may be considered provided if a placard is placed on the sales table ... However if the product contains one of the eight (8) major food allergens ... then a label must be provided ..."</p> <p><a href="https://www.wvdhhr.org/phs/food/Farmers%20Market%20Brochure.pdf">https://www.wvdhhr.org/phs/food/Farmers%20Market%20Brochure.pdf</a></p>
Wis.	<p>" Food Processing License. If you cut, blanch, freeze, mix, or package vegetables or other fresh produce, then you need to apply for a food processing license. If you process any of the following foods you also need a food processing license: any fish or seafood product, bakery or confectionary items, eggs (if sold wholesale), juice, or apple cider (sold wholesale). Individuals wishing to process meat and meat items must apply for a meat processor license."</p> <p><a href="http://www.uwex.edu/ces/agmarkets/aic/documents/small_business_FactSheet.pdf">http://www.uwex.edu/ces/agmarkets/aic/documents/small_business_FactSheet.pdf</a></p>	<p>" Any packaged products that you sell must be properly labeled. Accurate information on food labels assists the consumer in making wise food choices. Labels provide weight and content information to help consumers choose the best value for their food dollars. The ingredient list identifies products that consumers may need to avoid due to potential allergic reactions or other health concerns"</p> <p><a href="http://www.uwex.edu/ces/agmarkets/aic/documents/small_business_FactSheet.pdf">http://www.uwex.edu/ces/agmarkets/aic/documents/small_business_FactSheet.pdf</a></p>
Wyo.	<p>" 'Cottage food business' means a business which produces not potentially hazardous food for sale at farmers' markets, roadside stands, private homes, or functions utilizing the home style equipment</p>	<p>" Food Must Be Properly Labeled: The food name specified by regulation or, in the absence thereof, the name commonly used for that food or an adequately descriptive name. A list of ingredients in descending order of</p>

	<p>in the kitchen of a private home." <a href="http://wyagric.state.wy.us/images/stories/pdf/chs/foodrule/chapt12012.pdf">http://wyagric.state.wy.us/images/stories/pdf/chs/foodrule/chapt12012.pdf</a>  <a href="http://wyagric.state.wy.us/divisions/chs/food-safety">http://wyagric.state.wy.us/divisions/chs/food-safety</a>  There is a slide show at this link entitled Cottage Food Business Training</p>	<p>predominance by weight, when the food is made from two or more ingredients. The name of each major food allergen contained in the food unless it is already part of the common or usual name of the product. "  <a href="http://wyagric.state.wy.us/divisions/chs/food-safety">http://wyagric.state.wy.us/divisions/chs/food-safety</a>  There is a slide show at this link entitled Cottage Food Business Training</p>
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