

# Cottage Food Laws as of December 2014

State	Primary Statute	Foods Allowed	Revenue Limit	Venue Restrictions	Additional requirements: These are just highlights, please check your state law and any local regulations for what you must do
AL	Ala. Admin. Code r. 420-3-22-.01(11)(iii)	Non-potentially hazardous baked goods, canned jams, jellies, dried herbs or herb mixes, and candy.	\$20,000	DTC (internet sales specifically prohibited).	Must pass a food safety course approved by the Health Dept.
AK	Alaska Admin. Code tit. 18, § 31.012(a)	NPHFs	\$25,000	DTC (in-state only)(wholesale, mail order, and consignment specifically prohibited).	For pickled or dried products, submit information on pH or water activity, and have recipe or formula available upon request
AZ	Ariz. Rev. Stat. § 36-136(H)(4)(g)	Non-potentially hazardous baked and confectionary goods.	None	None	Must obtain a food handler's card or certificate.
AR	Ark. Code § 20-57-201(2)(B)(vi)	NPHFs	None	DTC (from the site where the products are produced or at a farmers' market, a county fair, or a special event).	
CA	Cal. Health & Safety Code § 113758	NPHFs	\$45,000 (\$50,000 in 2015 and onward)	DTC (in-state only).	"Class A" cottage food operations equivalent to standard cottage food operations and described to left; "Class B" cottage food operations equivalent to home processors and may engage in direct and indirect sales. Cal. Health & Safety Code § 113758(a)(2).
CO	Colo. Rev. Stat. § 25-4-1614	NPHFs and eggs up to 250 dozen per month.	\$5,000 per eligible food product	DTC (on the producer's premises, at the producer's roadside stand, or at a farmers' market)(sales to grocery stores or restaurants specifically prohibited).	Must take a food safety course. Food products subject to sampling and inspection if misbranded or suspected in an injury or food-borne illness outbreak or upon a consumer complaint. A voluntary registry may be created.

CT	Conn. Gen. Stat. § 21a-24a	Acidified food products, jams, jellies, and preserves (pH≤4.6). Must be produced on a farm and with fruit or vegetables grown on that farm.	None	On-farm only.	Must successfully complete a food handling exam. Water must be from public water supply or tested negative for coliform bacteria. pH test of acidified foods must be performed. OTHER REGS.
DE	3-101 Del. Admin. Code § 1.0-16.3	NPHFs	\$40,000	DTC (on the processor's farm, at a roadside food stand, or at a farmers' market).	Must register and be subject to inspections. Must complete a course on safe food handling practices. MANY OTHER REGS.
DC	Cottage Food Amendment Act of 2013, 61 D.C. Reg. 1429 (Feb. 21, 2014) (to be codified at D.C. Code § 7-749.01-	NPHFs	\$25,000	DTC (at farmers' markets or public events).	Must obtain a home occupancy permit. Must register with the Cottage Food Business Registry. Must be inspected before selling. May be inspected upon a complaint.
FL	Fla. Stat. § 500.80	NPHFs (Fla. Stat. § 500.03(1)(k))	\$15,000	DTC (internet, mail order, and wholesale sales specifically prohibited).	May be inspected upon a complaint.
GA	Ga. Comp. R. & Regs. r. 40-7-19	NPHFs (Ga. Comp. R. & Regs. r. 40-7-19-.02(4))	None	DTC (wholesale specifically prohibited)	Must register with the Dept. of Ag's Food Safety Division. Must be inspected in order to receive license. MANY OTHER REGS.
IL	410 Ill. Comp. Stat. § 625/4	NPFHs	\$25,000	DTC (at farmers' markets).	Must register with the local health department. Must obtain a Food Service Sanitation Management Certificate. OTHER REGS.
IN	Ind. Code § 16-42-5-29	NPHFs	None	DTC (at farmers' markets or roadside stands).	Must practice proper sanitation procedures. May be sampled or inspected if a product is misbranded or adulterated or a complaint is received.
IO	No citable statute or regulation (but see <a href="http://www.dia.iowa.gov/Farmer%27s_Market_Summary.pdf">http://www.dia.iowa.gov/Farmer%27s_Market_Summary.pdf</a> )	NPHFs, eggs, and honey.	None	DTC (at farmers' markets).	Home Processors Law codified at Iowa Code § 137D; related regs at Iowa Admin. Code r. 481-34. Farmers market NPHF sales guide: <a href="http://www.dia.iowa.gov/Farmer%27s_Market_Summary.pdf">http://www.dia.iowa.gov/Farmer%27s_Market_Summary.pdf</a> .
KY	Ky. Rev. Stat. § 217.136	Whole fruit and vegetables, mixed greens, jamaes, jellies, sorghum, preserves, fruit butter, bread, fruit pies, cakes, or cookies.	None	Farmers' markets, certified roadside stands, and the processor's farm.	May be inspected annually or if product misbranded or adulterated or upon complaint. KY also has a home-based microprocessor program (see Ky. Rev. Stat. § 217.015(57) and other statute).
LA	La. Rev. Stat. Ann. § 40:4.9	Low-risk foods	\$20,000	DTC (wholesale specifically prohibited)	Extensive sanitary requirements.
ME	01-001-345 Me. Code R.	No restrictions.	None	No restrictions.	Extensive sanitary requirements.

MD	Md. Code, Health-Gen. § 21-330.1	NPHFs (Md. Code, Health-Gen. § 21-301(b-2))	\$25,000	Farmers' markets or public events.	
MA	105 Mass. Code Regs. § 590.009(D)(2)	NPHFs	None	Anything except wholesale	Various sanitary requirements.
MI	Mich. Comp. Laws § 289.4102	NPHFs (Mich. Comp. Laws § 289.1105(1)(k))	\$20,000 (will increase to \$25,000 Dec. 31, 2017)	DTC (internet, mail order, and wholesale specifically prohibited)	Cottage food products shall be stored only in the primary domestic residence.
MN	Minn. Stat. § 28A.15(9-10)	NPHFs and home-canned foods.	\$5,000 (for each category?)	Farmers' markets and community events.	Cottage food producers "urged to" attend a course and have the recipe for their canned goods reviewed.
MS	Miss. Stat. § 75-29-951	NPHFs	\$20,000	DTC (internet, mail order, and wholesale sales specifically prohibited).	May inspect upon complaint.
MO	Mo. Rev. Stat. § 196.298	NPH baked goods, canned jams and jellies, and dried herbs or herb mixes.	\$50,000	DTC (internet sales specifically prohibited (see Mo. Rev. Stat. § 196.298(5)).	
MT	Mont. Code Ann. § 50-50-202(3)(b)(ii)	Baked goods or preserves.	None	Farmers' markets only.	
NE	Neb. Rev. Stat. § 81-2,245.01(6)	NPHFs	None	DTC (farmers' markets only).	
NV	Nev. Rev. Stat. § 446.866	Nuts and nut mixes; candies; jams, jellies and preserves; vinegar and flavored vinegar; dry herbs and seasoning mixes; dried fruits; cereals, trail mixes and granola; popcorn and popcorn balls; or baked goods that are not potentially hazardous.	\$35,000	DTC (internet and phone sales specifically prohibited).	Must register with the Health Authority. May be inspected if product adulteration suspected.
NH	N.H. Code Admin. R. He-P 2310	NPHFS limited to baked items; double-crust fruit pies; candy and fudge; packaged dry products; acid foods; and jams and jellies (N.H. Code Admin. R. He-P 2301.01(w), 2310(b)-(c))	\$10,000	Homestead residence, owner's farm stand, or farmers' market.	Additional requirements for selling more types of foods, above the annual limit, or at different locations

NM	N.M. Code R. § 7.6.2.16	NPHFs	None	DTC (retail store, internet, and interstate sales specifically prohibited).	Food safety training and other requirements.
NY	1 N.Y. Comp. Codes R. & Regs. § 276.4	NPHFs	None	DTC except no sales from home (internet and custom orders specifically prohibited).	Sanitary requirements.
NC	No Citable Regulations (but see <a href="http://www.ncagr.gov/fooddrug/food/homebiz.htm">http://www.ncagr.gov/fooddrug/food/homebiz.htm</a> )	Low-risk packaged foods.	None	None	Inspection required. The following products may need to be tested prior to sale: acidified foods (pH testing); dressings and sauces (pH testing); moist breads and cakes and some pies (water activity and pH); and any other
ND	No Citable Regulations				
OH	Ohio Admin. Code 901:3-20	NPHFs	None	Anywhere within the state	
OK	Okla. Stat. tit. 63 § 1-1440.1		\$20,000	Only at home.	
OR	Or. Admin. R. 603-025-0200		None	No restrictions.	Sanitary requirements specified in multiple regulations.
PA	No Citable Regulations				Extensive sanitary requirements; may allow less regulation if only producing non-potentially hazardous foods
RI	R.I. Gen. Laws § 21-27-6.1	NPHFs	None	Farmers' markets, farmstands, and other markets and stores operated by farmers.	Only available for food produced in a kitchen on the premises of a farm.
SC	S.C. Code Ann. § 44-1-143	NPHFs	None; if revenue <\$500, no regulation; if revenue <\$15,000, may apply for exemption to CF regulation).	DTC (wholesale specifically prohibited)	Must apply for the exemption.
SD	S. D. Codified Laws § 34-18-35	Non-temperature-controlled baked goods or home-processed canned goods.	None	Farmers' markets, roadside stands, or similar venues.	Registration and each home-processed product must be reviewed.

TN	Tenn. Comp. R. Regs. 0080-4-11		100 units/week	At home, community events, flea markets, or at farmers' markets located in TN.	Registration and licensing with substantive sanitation requirements.
TX	Tex. Health & Safety Code 437.0191-.01	NPHFs	\$50,000	DTC at home, a farmers' market, a farm stand, or a municipal, county, or nonprofit fair, festival, or event(internet, mail order, and wholesale sales specifically prohibited).	Food handlers license
UT	Utah Code § 4-5-9.5	NPHFs	None	No restrictions within state	Registration and subsrtantive requirements.
VT	Vt. Stat. Ann. tit. 18, §§ 4441-4451	Baked goods.	\$125 per week (\$6,517.86 per year)	Only at home.	Substantive requirements.
VA	Va. Code Ann. § 3.2-5130(3)		None (may also sell up to \$3,000 of pickles and up to 250 gallons of honey)	At home or at farmers' markets.	
WA	Wash. Rev. Code § 69.22.010	NPHFs	\$15,000 (will adjust with inflation)	DTC	Permit with substantive requirements.
WV	W. Va. Code R. § 64-17-4.3.d	NPHFs	None	Functions such as a religious or charitable organization's bake sale (interpreted to include farmers' markets?).	
WI	Wis. Stat. § 97.29(2)(b)(2)	Pickles or other processed vegetables or fruits with an equilibrium pH value of 4.6 or lower.	\$5,000	Community or social events or farmers' markets in WI.	

WY	Wyo. Stat. Ann. § 35-7-124(e)	NPHFs	None	Farmers' markets, roadside stands, private homes, or at functions including those operated by nonprofits and religious organizations.	
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