Cottage Foods

“Cottage food” laws permit individuals to produce certain non-potentially hazardous foods, such as jams and baked goods, in their home kitchen, rather than a licensed commercial kitchen, and to sell them in certain venues like farm stands or retail stores. Non-hazardous foods do not present the same food safety risks as other processed foods, like meat and poultry products that may be more likely to cause foodborne illness. Similar state laws, called “food freedom” laws, expand upon cottage food laws to include potentially hazardous products like meat and poultry. This cross-sectional dataset presents statutes and regulations that address state cottage food laws and food freedom laws in effect as of September 1, 2017. Additional maps and tables are available by visiting www.lawatlas.org.

Cottage Food Operations

In total, 49 states and the District of Columbia permit cottage food operations. Only NJ and HI prohibit the production and sale of cottage foods.

Jurisdictions: 49 (AL, AK, AZ, AR, CA, CO, CT, DE, DC, FL, GA, ID, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MN, MS, MO, MT, NE, NV, NH, NM, NY, NC, ND, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VT, VA, WA, WV, WI, WY)

Inspection Prior to Operation

Only nine states require inspection of cottage food operations prior to operating.

Jurisdictions: 9 (DE, DC, GA, ME, MA, NM, NC, PA, UT)

Sales Limits

Twenty-three states put a limit on cottage food operations. These limits are either tied to gross annual sales, sales per item, or total units.

Jurisdictions: 23 (AL, AK, CA, CO, DE, DC, FL, IL, LA, MD, MI, MN, MS, MO, NV, NH, OK, OR, SD, TN, TX, WA, WI)