

Cottage Food Laws by State

re: Limits on Where Cottage Food Products Can Be Sold

Be sure to check with your State for the most current updates.

- **ALABAMA:** Food may be sold directly to consumers only and cannot be sold over the internet. Home Processed Products: Food can be sold only at state sanctioned farmers markets.
- **ALASKA:** Producers may sell directly to consumers only.
- **ARIZONA:** None (No Limitations)
- **ARKANSAS:** Cottage foods may be sold direct to consumers only and may be sold only from the site where the products are produced, a physical or online farmers market, a county fair, or a special event.
- **CALIFORNIA:** Class A Cottage Food Operations: Foods may be sold directly to consumers only. Cottage foods can be sold only from the producer's home, at a holiday bazaar or temporary event, at a bake sale or food swap, at a farm stand or farmers market, or through a community-supported agriculture subscription. Internet sales are allowed, but the products must be delivered in person. Additionally, operations can only sell cottage foods outside their county of residence only when the local environmental health agency of the outside county allows it. Class B Cottage Food Operations: Direct or indirect sales are allowed. Direct sales to consumers allowed in the same venues as are allowed for a Class A Cottage Food Operation. Indirect sales to consumers are allowed within the county in which the operation is permitted for offsite events and from any third-party retailer that holds a valid business permit, including retail shops and retail food facilities where food is consumed on the premises. In counties where the operation is not permitted, the operation must seek approval from that county before engaging in indirect sales.
- **COLORADO:** Food may be sold directly to consumers only. Products may be sold only in the state. Internet sales are allowed.
- **CONNECTICUT:** Cottage Foods Sales may be direct to consumer only, and may occur only at the point of production, farmers markets, local fairs and festivals, and charitable functions. Advertising and sales by internet, mail, and phone is allowed so long as the product is delivered in person to the buyer within the state of Connecticut.
- **DELAWARE:** Cottage Foods: Sales may be made directly to consumers only. Sales may occur at a farmers market, craft fair, charitable organization function, and any other venue approved by the Division of Public Health in the cottage food establishment's registration. No online sales are allowed.

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- **Washington,D.C.:** Foods may be offered for sale only at a farmers market or a public event .
- **FLORIDA:** Cottage food must be sold directly to the consumer and may be sold at the operation's premises, farmers markets, roadside stands, or online. Internet sales are allowed, but the product must be delivered in person directly to the consumer or to a specific event venue. Mail order and wholesale sales are prohibited.

- **GEORGIA:** Sales may be made direct to consumers only. Internet sales allowed if the sale is direct from the producer to an end consumer in Georgia. Distribution and wholesale are prohibited.
- **HAWAII:** Food may be sold directly to consumers only. Food may be sold at any venue.
- **IDAHO:** Food may be sold directly to consumers only. Food may be sold at any venue. Possible venues include internet and mail order.
- **ILLINOIS: Cottage Food:** Most cottage food products may be sold only at a farmers market. Cottage food products that have a locally grown agricultural product as the main ingredient may also be sold on the farm where the agricultural product is grown or delivered directly to the consumer.
- **INDIANA:** Sales are restricted to farmers market, farms, or roadside stands. Cottage food products must be sold directly to the end consumer and cannot be resold.
- **IOWA: Cottage Food Sales** may be made only at the producer's home or at farmers markets. Home Bakery: Baked goods can be sold directly to the consumer or sold for resale to other businesses including restaurants, grocery stores, and other retailers. Online sales are also acceptable.

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- **KANSAS:** Foods may be sold directly to the end consumer only. Internet sales are permitted if the foods are shipped to the customer's home or delivered by the producer directly to the end consumer
- **KENTUCKY:** Sales may only be made directly to the consumer within the state. Online direct sales are allowed
- **LOUISIANA:** Baked goods cannot be sold to retail businesses and cannot be resold by individuals. There are no limits on where other products may be sold.
- **MAINE:** Home Food Manufacturing: None (No Limitations)
- **MARYLAND:** Sales may be made only at a farmers market, bake sale, or public event. Internet sales are prohibited.
- **MASSACHUSETTS:** Anyone producing food for sale "direct to the consumer" is considered a **Retail Residential Kitchen** and is required to have a permit under 105 CMR 590. "Direct to the consumer" includes events like farmers markets, craft fairs, and sales by internet or mail. Anyone that makes food in a Residential Kitchen in Massachusetts that wants to sell in another state should confirm that they are in compliance with both Federal law and the state laws where they are doing business. [UPDATED Sept. 12, 2019, at State of Mass.gov](#)
- **MICHIGAN:** Products may be sold by direct to customers only. The products cannot be sold to retail stores, restaurants, over the Internet, by mail order, by consignment, or to wholesalers, brokers or other food distributors who resell foods
- **MINNESOTA:** Cottage food products may be sold only directly to the ultimate consumer at the producer's home, farmers markets, community events, or through donation to a community event with the purpose of fund-raising for an individual, or an educational, charitable, or religious organization. Cottage food products may be sold over the Internet as long as the producer directly delivers the products to the ultimate consumer.

- MISSISSIPPI: Sales may be made direct to consumer only. Internet sales, sales by mail order, and sales at wholesale or to a retail establishment are not permitted.
- MISSOURI: Sales may be made direct to consumers only. Internet sales are prohibited.
- MONTANA: Sales may be made directly to consumers only. The direct sale must be a face-to-face purchase or exchange between the cottage food producer and a consumer. The direct sale may not be by consignment or involve shipping or internet sales
- NEBRASKA: Food may be sold only directly to the consumer and only at a farmers market.
- NEVADA: Sales may be made only directly to the consumer at the producer's home, farmers market, garage sale, flea market, swap meet, church bazaar, or craft fair. Telephone and internet sales are prohibited.
- NEW HAMPSHIRE: Exempt: Homestead food operations with annual sales under \$20,000 can sell cottage food products only at the producer's residence, producer's farm stand, farmers markets or retail food stores. Licensed homestead food operations can sell cottage food products to restaurants or other retail food establishments, over the Internet, by mail order, and to wholesalers, brokers, or other food distributors.
- NEW JERSEY: - CURRENT STATUS - Proposed: Only baked goods. New Jersey's lower house of the 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; **but it still needs to be passed by the State Senate.**
- NEW MEXICO: Sales may be made directly to the consumer only. Products cannot be sold in retail food establishments, such as restaurants, grocery stores and convenience stores, by internet sales, or sold in interstate commerce.

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- NEW YORK: None. Products may be sold wholesale and/or retail, including agricultural venues such as farms, farm stands, farmers markets, green markets, craft fairs and flea markets and community supported agriculture subscriptions in person, via home delivery or via the internet. Shipping is allowed within New York State.
- NORTH CAROLINA: None (No Limitations)
- NORTH DAKOTA: Sales must be directly between the cottage food operator and an informed end consumer. Direct sales may occur at a farm, ranch, farmers market, farm stand, home-based kitchen, or any other venue not otherwise prohibited by law or through delivery. Sales may not involve interstate commerce or be conducted over the internet or phone, through the mail, or by consignment. Additionally, cottage foods cannot be sold or used in any food establishment, food-processing plant, or food store, with the exception of whole, unprocessed fruits and vegetables. Cottage foods may be sold for home consumption only.
- OHIO: Cottage Food products may be sold directly to the consumer from the home where the products are produced. They may also be sold through grocery stores, farm markets, farmers markets, and sold and/or used in preparing food in a restaurant. The products may only be sold within Ohio. Home Bakery: Products may be sold from the home baker's residence, grocery stores, convenience stores, farm

markets, farmers markets, and other retail outlets.

- OKLAHOMA: Sales may be made at the producer's home, at farmers markets, cooperatives, membership-based buying clubs, and by phone or internet with delivery occurring within Oklahoma .
- OREGON: Cottage Food: Sales must be direct to the end consumer. Sales over the internet, commercial entity, or an institution including but not limited to a restaurant, grocery store, caterer, school, day care center, hospital, nursing home or correctional facility are prohibited. Domestic Kitchen: None
- PENNSYLVANIA: None (No Limitations)
- RHODE ISLAND: Products can be sold only at farmers markets, farm stands, and other markets and stores operated by farmers for the purpose of the retail sale of products of Rhode Island farms.
- SOUTH CAROLINA: Products may be sold only from the producer's home directly to the consumer; however, producers may apply for an exemption from inspection and label review by the South Carolina Department of Agriculture in order to sell products at locations other than where the products were made. A home-based food operation may not sell or offer to sell food items at wholesale or resale.
- SOUTH DAKOTA: Products may only be sold directly to consumers. Sales for most items may occur only at a farmers market, roadside stand, or similar venue. For baked goods only, items may be sold out of the producer's primary residence

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- TENNESSEE: Products may only be sold directly to end consumers in the state.
- TEXAS: Products may only be sold directly to consumers at the producer's home, a farm stand, or a municipal, county, or nonprofit fair, festival or event. Sales may not be made over the internet, by mail order, or at wholesale.
- UTAH: Products may be sold at farmers markets, roadside stands, and other places at which the operator sells food from a fixed structure that is permanent or temporary and which is owned, rented or leased by the operator of the cottage food production operation.
- VERMONT: Home Bakery: Sales may be made directly to consumers only. Home Caterer: Sales may be made directly to consumers or to commercial establishments for resale. Exempt Food Processor: None (No Limitations)
- VIRGINIA: Products may only be sold directly to consumers from the producer's home or a farmers market. Cottage food products cannot be resold. Products cannot be sold over the internet, in interstate commerce, or in retail food establishments
- WASHINGTON: Products may be sold direct to consumer only.
- WEST VIRGINIA: Cottage foods may be sold only at farmers markets, including traditional farmers markets, on-farm farm stands, consignment farmers markets, and online farmers markets. Online farmers market sales must be delivered in person and may not be shipped.
- WISCONSIN: Products may be sold only at community events, social events, or farmers markets within the state.

- WYOMING: Food Freedom: Sales must be made directly to an informed end consumer at farmers markets, farms, ranches, the producer's home or office, or any location in Wyoming the producer and the informed end consumer agree to. Internet sales are allowed so long as the food is delivered within Wyoming. All foods sold under the Food Freedom law must be for home consumption only. Cottage Food: Sales must be made direct to the consumer and are allowed only at farmers markets, roadside stands, private homes, or functions.