



# Washington County Health Department

1302 Pennsylvania Avenue, Hagerstown, MD 21742

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## Cottage Food Laws

MD COMAR Regulations 10.15.03.02, 10.15.03.27

Maryland's modified Cottage Food Law allows citizens to operate from a home-based kitchen or on-farm food processing kitchen to produce "cottage foods". A **"cottage food" product is a non-hazardous food sold at a farmer's market or public events.** By law, the owner of a cottage food business may sell only cottage food products stored on the premises of the business without needing a food license. If other non-cottage items or potentially-hazardous items are sold in conjunction, a food permit is then required for retail and/or storage.

### COTTAGE FOOD PRODUCTS THAT MAY BE PRODUCED INCLUDE:

- **Non-potentially hazardous baked goods** [bagels, pastries, brownies, breads, cakes, pies. No cream cheese, custards, or other potentially-hazardous fillings, glazes, fruits or cream cheeses that require refrigeration]
- **High-acid fruit jams, preserves and jellies** [Made only from Oranges, Nectarines, tangerines, blackberries, raspberries, blueberries, boysenberries, cherries, cranberries, strawberries, red currants, or another fruit mixture that produces an acid-canned product at 4.6 pH or less.]
- **Fruit butters** [Made only from apples, apricots, grapes, peaches, plums, prunes, quince, or another fruit that produces an acid-canned product at 4.6 pH or less]
- **Natural Honey** [Unflavored and without any processing or additives; flavored honey requires a processing permit from Maryland DHMH]
- **Hard candy** [made in a home kitchen that does not require further refrigeration. Chocolates, caramel, fudge, and other soft candies require a permit]

### ALL COTTAGE FOODS MUST BE PREPACKAGED WITH A LABEL THAT CONTAINS THE FOLLOWING INFORMATION:

- The name and address of the business where the food is made. Listing a PO Box address is not permissible.
- The name, ingredients, and net weight/volume of the product.
- Allergen information as specified by federal labeling requirements; "Major food allergen" includes: milk, egg, fish (bass, flounder, or cod), crustacean (crab, lobster, or shrimp), tree nuts (almonds, pecans, or walnuts), wheat, peanuts, soybeans.
- Nutritional information as specified by federal labeling requirements, if any nutritional information claim is made about product.
- A printed statement in 10 point type or larger, in a color that provides a clear contrast to the background of the label: "Made by a cottage food business that is not subject to Maryland food safety regulations."

**NOTE: Items that do not meet the criteria above, need refrigeration, or do not meet the high-acid canning regulations, will require a Farmer's Market permit from either the Washington County Environmental Health Department or the State of Maryland Department of Health.**

### ENVIRONMENTAL HEALTH

240-313-3400 Voice • 240-313-3391 TDD • 240-313-3424 Fax