



SHELF-STABLE PANTRY • FOOD 21 OF 42

# Can I sell / freeze-dried candy?

A 51-jurisdiction guide for cottage food producers, with the sanitation reasoning behind every yes, no, and conditional.

Freeze-dried candy sits in the middle band of cottage food law — allowed in 1 jurisdictions, conditional in 50, and prohibited in 0. This report explains each verdict and the food-safety reasoning behind it.

JURISDICTIONS	ALLOWED	CONDITIONAL	NOT ALLOWED
51	1	50	0

This report summarizes cottage food statutes as of publication. State laws change; always confirm with your state agriculture or health department before selling. Not legal advice.

SHELF-STABLE PANTRY

# The verdict, in one page

<p style="font-size: 2em; font-weight: bold; color: #2e7d32;">1</p> <p><b>ALLOWED</b></p> <p>Fits under standard cottage food law without extra permits.</p>	<p style="font-size: 2em; font-weight: bold; color: #8e7c3e;">50</p> <p><b>CONDITIONAL</b></p> <p>Allowed with pH log, license, informed-consumer notice, or approved recipe.</p>	<p style="font-size: 2em; font-weight: bold; color: #c0392b;">0</p> <p><b>NOT ALLOWED</b></p> <p>Requires a licensed commercial kitchen or is prohibited outright.</p>
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## WHY THE FOOD SAFETY RULES MATTER

<p><b>WHY IT'S ALLOWED (OR RESTRICTED)</b></p> <p>Low water activity (<math>aw &lt; 0.85</math>) or high sugar concentration (<math>&gt; 65\%</math> by weight) prevents microbial growth. Honey, chocolate, roasted nuts, and dry mixes are inherently self-preserving. No refrigeration or pH control needed.</p>	<p><b>SANITATION RISKS TO KNOW</b></p> <p>Moisture ingress if poorly packaged (mold on granola, staleness). Cross-contamination in a home kitchen shared with fresh produce. Allergen labeling for tree nuts / peanuts / soy.</p>
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## WHERE YOU CAN SELL — ALL 51 JURISDICTIONS

STATE	VERDICT	RULE TIER & CAP	NOTES
Alaska	CONDITIONAL	Cap: None; Registration: Yes	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (AS 17.20.332)
Alabama	CONDITIONAL	Cap: None; Registration: Yes	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (Ala. Code §22-20-5.1)
Arkansas	CONDITIONAL	Cap: None	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (A.C.A. §20-57-201 (Act 1040 of 2021))
Arizona	CONDITIONAL	Cap: None; Registration: Yes	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage

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			food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (A.R.S. §36-931 / §36-932)
California	CONDITIONAL	Cap: Tiered (see notes); Registration: Yes	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (Cal. Health & Safety Code §113758)
Colorado	CONDITIONAL	Cap: Tiered (see notes); Registration: Yes	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (C.R.S. §25-4-1614)
Connecticut	CONDITIONAL	Cap: 50000; Registration: Yes	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (Conn. Gen. Stat. §21a-62a)
District of Columbia	CONDITIONAL	Cap: None; Registration: Yes	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (D.C. Code §7-742.02)
Delaware	CONDITIONAL	Cap: None; Registration: Yes	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (16 Del. Admin. Code 4458A)
Florida	CONDITIONAL	Cap: 250000	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (Fla. Stat. §500.80)
Georgia	CONDITIONAL	Cap: None	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (O.C.G.A. §26-2-470 et seq. (eff. July 2025); prior: GA R&R 40-7-19)

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Hawaii	CONDITIONAL	Cap: None	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (HAR §11-50-3)
Iowa	CONDITIONAL	Cap: None	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (Iowa Code §137F.1 / §137F.20)
Idaho	CONDITIONAL	Cap: None	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (IDAPA 16.02.19 (Idaho Food Code, cottage food provisions))
Illinois	CONDITIONAL	Cap: None; Registration: Yes	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (410 ILCS 625/4 (Food Handling Regulation Enforcement Act, §4))
Indiana	CONDITIONAL	Cap: None	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (Ind. Code §16-42-5.2)
Kansas	CONDITIONAL	Cap: None	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (K.S.A. §65-657)
Kentucky	CONDITIONAL	Cap: 60000; Registration: Yes	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (KRS §217.137)
Louisiana	CONDITIONAL	Cap: 30000	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food

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			(requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (La. R.S. §40:4.13)
<b>Massachusetts</b>	<b>CONDITIONAL</b>	Cap: None; Registration: Yes	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (105 CMR 590.009(D))
<b>Maryland</b>	<b>CONDITIONAL</b>	Cap: 50000; Registration: Depends	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (MD COMAR 10.15.03.27)
<b>Maine</b>	<b>CONDITIONAL</b>	Cap: None; Registration: Yes	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (7 M.R.S.A. §282 (Food Sovereignty Act))
<b>Michigan</b>	<b>CONDITIONAL</b>	Cap: 50000	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (MCL §289.4102)
<b>Minnesota</b>	<b>CONDITIONAL</b>	Cap: 78000; Registration: Yes	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (Minn. Stat. §28A.152)
<b>Missouri</b>	<b>CONDITIONAL</b>	Cap: None	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (Mo. Rev. Stat. §196.298)
<b>Mississippi</b>	<b>CONDITIONAL</b>	Cap: 35000	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (Miss. Code Ann. §75-29-951)

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Montana	CONDITIONAL	Cap: None; Registration: Yes	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (Mont. Code §50-50-116 and §50-50-117 (cottage food); Mont. Code §§50-49-201 et seq. (Local Food Choice Act))
North Carolina	CONDITIONAL	Cap: None; Registration: Yes	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (02 NCAC 9C.0307)
North Dakota	CONDITIONAL	Cap: None	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (N.D. Cent. Code §23-09.5-01 through §23-09.5-02)
Nebraska	CONDITIONAL	Cap: None; Registration: Yes	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (Neb. Rev. Stat. §81-2,280 (producer of food at private home); §81-2,239 et seq. (Nebraska Pure Food Act))
New Hampshire	CONDITIONAL	Cap: Tiered; Registration: Depends	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (RSA §143-A:12)
New Jersey	CONDITIONAL	Cap: 50000; Registration: Yes	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (N.J.A.C. 8:24-11 et seq.)
New Mexico	CONDITIONAL	Cap: None	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (NMSA §25-12-3 (Homemade Food Act))
Nevada	CONDITIONAL	Cap: 35000; Registration: Yes	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food

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			(requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (NRS §446.866 (repealed 2025; superseded by AB352/chapter 420 & 512, Statutes of Nevada 2025))
<b>New York</b>	<b>CONDITIONAL</b>	Cap: None; Registration: Yes	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (N.Y. Agric. & Mkts. Law §251-z-4; 1 CRR-NY 276.4)
<b>Ohio</b>	<b>CONDITIONAL</b>	Cap: None	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (O.R.C. §3715.023; §3715.025; Ohio Admin. Code Ch. 901:3-20)
<b>Oklahoma</b>	<b>CONDITIONAL</b>	Cap: 75000	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (2 O.S. §5-4.1 through §5-4.6 (Homemade Food Freedom Act))
<b>Oregon</b>	<b>CONDITIONAL</b>	Cap: 50000; Registration: Depends	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (ORS §616.723)
<b>Pennsylvania</b>	<b>CONDITIONAL</b>	Cap: None; Registration: Yes	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (3 Pa.C.S. §§5721–5737)
<b>Rhode Island</b>	<b>CONDITIONAL</b>	Cap: 50000; Registration: Yes	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (R.I. Gen. Laws §21-27-6.2)
<b>South Carolina</b>	<b>CONDITIONAL</b>	Cap: None	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the

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			process doesn't add moisture. Confirm with your state health department. (S.C. Code §44-1-145)
South Dakota	CONDITIONAL	Cap: None	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (SDCL §34-18-35)
Tennessee	CONDITIONAL	Cap: None	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (Tenn. Code §53-1-125 (Food Freedom Act))
Texas	CONDITIONAL	Cap: 150000	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (Tex. Health & Safety §437.001 et seq.)
Utah	CONDITIONAL	Cap: None; Registration: Yes	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (Utah Code §4-5-501)
Virginia	CONDITIONAL	Cap: Tiered	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (Va. Code §3.2-5130)
Vermont	CONDITIONAL	Cap: 30000; Registration: Yes	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (18 V.S.A. §4351; Act 42 (2025) cottage food operator exemption)
Washington	CONDITIONAL	Cap: None; Registration: Yes	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (RCW §69.22.010-.040)
Wisconsin		Cap: Tiered	

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	CONDITIONAL		Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (Wis. Stat. §97.29)
West Virginia	CONDITIONAL	Cap: None; Registration: Depends	Freeze-drying pre-made candy is treated inconsistently across states — some regulate it as a repackaged commercial food (requires manufacturing license), others allow it under cottage food if the source candy was commercially made and the process doesn't add moisture. Confirm with your state health department. (W. Va. Code §19-40-1 through §19-40-6 (Article 40, Cottage Foods, enacted 2026); §19-35-6 (Nonpotentially hazardous foods at farmers markets))
Wyoming	YES	Cap: None	Food Freedom Act allows freeze-dried candy DTC. (Wyo. Stat. §11-49-101 through §11-49-104 (Wyoming Food Freedom Act))

Full statute citations, effective dates, and links to each state's cottage food agency are in the master **Can I Sell This? Cottage Food Rulebook** — 42 foods × 51 jurisdictions in one document. Read it at [crosodo.com/reports/can-i-sell-rulebook.pdf](https://crosodo.com/reports/can-i-sell-rulebook.pdf).