



HIGH-ACID PRESERVE · FOOD 22 OF 42

# Can I sell / jam and jelly?

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

Jam and jelly 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.

## HIGH-ACID PRESERVE

## The verdict, in one page

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## ALLOWED

Fits under standard cottage food law without extra permits.

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## CONDITIONAL

Allowed with pH log, license, informed-consumer notice, or approved recipe.

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## NOT ALLOWED

Requires a licensed commercial kitchen or is prohibited outright.

## WHY THE FOOD SAFETY RULES MATTER

## WHY IT'S ALLOWED (OR RESTRICTED)

High-sugar or high-acid preserves (jam pH < 4.6, jelly, marmalade) prevent Clostridium botulinum spore germination. Sugar concentration also reduces water activity below the threshold for bacterial growth. Water-bath canning at 212°F destroys mold and yeast.

## SANITATION RISKS TO KNOW

Under-processing (short boil, unsealed lid) allows mold growth. Low-sugar or 'no-sugar' recipes shift into TCS territory unless commercially formulated. Some states require batch pH logs.

## WHERE YOU CAN SELL — ALL 51 JURISDICTIONS

| STATE       | VERDICT     | RULE TIER & CAP                               | NOTES  |
|-------------|-------------|---|--|
| Alaska      | CONDITIONAL | Cap: None;<br>Registration: Yes               | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (AS 17.20.332)                         |
| Alabama     | CONDITIONAL | Cap: None;<br>Registration: Yes               | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (Ala. Code §22-20-5.1)                 |
| Arkansas    | CONDITIONAL | Cap: None                                     | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (A.C.A. §20-57-201 (Act 1040 of 2021)) |
| Arizona     | CONDITIONAL | Cap: None;<br>Registration: Yes               | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (A.R.S. §36-931 / §36-932)             |
| California  | YES         | Cap: Tiered (see notes);<br>Registration: Yes | Jams and jellies explicitly approved in the California cottage food list. (Cal. Health & Safety Code §113758)                        |
| Colorado    | CONDITIONAL | Cap: Tiered (see notes);<br>Registration: Yes | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (C.R.S. §25-4-1614)                    |
| Connecticut | CONDITIONAL | Cap: 50000;<br>Registration: Yes              | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (Conn. Gen. Stat. §21a-62a)            |

| STATE                | VERDICT     | RULE TIER & CAP                         | NOTES  |
|----------------------|-------------|---|--|
| District of Columbia | CONDITIONAL | Cap: None;<br>Registration: Yes         | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (D.C. Code §7-742.02)  |
| Delaware             | CONDITIONAL | Cap: None;<br>Registration: Yes         | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (16 Del. Admin. Code 4458A)  |
| Florida              | CONDITIONAL | Cap: 250000                             | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (Fla. Stat. §500.80)   |
| Georgia              | CONDITIONAL | Cap: None                               | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (O.C.G.A. §26-2-470 et seq. (eff. July 2025); prior: GA R&R 40-7-19) |
| Hawaii               | CONDITIONAL | Cap: None                               | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (HAR §11-50-3)   |
| Iowa                 | CONDITIONAL | Cap: None                               | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (Iowa Code §137F.1 / §137F.20)                                       |
| Idaho                | CONDITIONAL | Cap: None                               | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (IDAPA 16.02.19 (Idaho Food Code, cottage food provisions))          |
| Illinois             | CONDITIONAL | Cap: None;<br>Registration: Yes         | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (410 ILCS 625/4 (Food Handling Regulation Enforcement Act, §4))      |
| Indiana              | CONDITIONAL | Cap: None                               | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (Ind. Code §16-42-5.2)   |
| Kansas               | CONDITIONAL | Cap: None                               | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (K.S.A. §65-657)   |
| Kentucky             | CONDITIONAL | Cap: 60000;<br>Registration: Yes        | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (KRS §217.137)   |
| Louisiana            | CONDITIONAL | Cap: 30000                              | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (La. R.S. §40:4.13)  |
| Massachusetts        | CONDITIONAL | Cap: None;<br>Registration: Yes         | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (105 CMR 590.009(D))   |
| Maryland             | CONDITIONAL | Cap: 50000;<br>Registration:<br>Depends | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (MD COMAR 10.15.03.27)   |
| Maine                | CONDITIONAL | Cap: None;<br>Registration: Yes         | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (7 M.R.S.A. §282 (Food Sovereignty Act))                             |
| Michigan             | CONDITIONAL | Cap: 50000                              | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (MCL §289.4102)  |
| Minnesota            | CONDITIONAL | Cap: 78000;<br>Registration: Yes        | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (Minn. Stat. §28A.152)   |

| STATE          | VERDICT     | RULE TIER & CAP                          | NOTES   |
|----------------|-------------|--|---|
| Missouri       | CONDITIONAL | Cap: None                                | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (Mo. Rev. Stat. §196.298)   |
| Mississippi    | CONDITIONAL | Cap: 35000                               | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (Miss. Code Ann. §75-29-951)  |
| Montana        | CONDITIONAL | Cap: None;<br>Registration: Yes          | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (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;<br>Registration: Yes          | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (02 NCAC 9C.0307)   |
| North Dakota   | CONDITIONAL | Cap: None                                | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (N.D. Cent. Code §23-09.5-01 through §23-09.5-02)   |
| Nebraska       | CONDITIONAL | Cap: None;<br>Registration: Yes          | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (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;<br>Registration:<br>Depends | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (RSA §143-A:12)   |
| New Jersey     | CONDITIONAL | Cap: 50000;<br>Registration: Yes         | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (N.J.A.C. 8:24-11 et seq.)  |
| New Mexico     | CONDITIONAL | Cap: None                                | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (NMSA §25-12-3 (Homemade Food Act))   |
| Nevada         | CONDITIONAL | Cap: 35000;<br>Registration: Yes         | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (NRS §446.866 (repealed 2025; superseded by AB352/chapter 420 & 512, Statutes of Nevada 2025))                |
| New York       | CONDITIONAL | Cap: None;<br>Registration: Yes          | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (N.Y. Agric. & Mkts. Law §251-z-4; 1 CRR-NY 276.4)  |
| Ohio           | CONDITIONAL | Cap: None                                | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (O.R.C. §3715.023; §3715.025; Ohio Admin. Code Ch. 901:3-20)  |
| Oklahoma       | CONDITIONAL | Cap: 75000                               | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (2 O.S. §5-4.1 through §5-4.6 (Homemade Food Freedom Act))  |
| Oregon         | CONDITIONAL | Cap: 50000;<br>Registration:<br>Depends  | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (ORS §616.723)  |

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|----------------|-------------|--|---|
| Pennsylvania   | CONDITIONAL | Cap: None;<br>Registration: Yes        | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (3 Pa.C.S. §§5721-5737)   |
| Rhode Island   | CONDITIONAL | Cap: 50000;<br>Registration: Yes       | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (R.I. Gen. Laws §21-27-6.2)   |
| South Carolina | CONDITIONAL | Cap: None                              | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (S.C. Code §44-1-145)   |
| South Dakota   | CONDITIONAL | Cap: None                              | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (SDCL §34-18-35)  |
| Tennessee      | CONDITIONAL | Cap: None                              | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (Tenn. Code §53-1-125 (Food Freedom Act))   |
| Texas          | CONDITIONAL | Cap: 150000                            | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (Tex. Health & Safety §437.001 et seq.)   |
| Utah           | CONDITIONAL | Cap: None;<br>Registration: Yes        | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (Utah Code §4-5-501)  |
| Virginia       | CONDITIONAL | Cap: Tiered                            | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (Va. Code §3.2-5130)  |
| Vermont        | CONDITIONAL | Cap: 30000;<br>Registration: Yes       | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (18 V.S.A. §4351; Act 42 (2025) cottage food operator exemption)  |
| Washington     | CONDITIONAL | Cap: None;<br>Registration: Yes        | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (RCW §69.22.010-.040)   |
| Wisconsin      | CONDITIONAL | Cap: Tiered                            | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (Wis. Stat. §97.29)   |
| West Virginia  | CONDITIONAL | Cap: None;<br>Registration:<br>Depends | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (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        | CONDITIONAL | Cap: None                              | High-acid preserves are commonly allowed but many states require a pH log or approved recipe. (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).