

NATIONAL REPORT

Cottage Food Online Sales

A comprehensive 50-State + DC analysis of online ordering, electronic payments, carrier shipping, and third-party delivery rights for home bakers and cottage food producers.

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LEGAL DISCLAIMER

This report is provided for research and informational purposes only and does not constitute legal advice. Cottage food laws change frequently; always verify current requirements with your state department of agriculture, state health department, or a licensed attorney before selling food products online.

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Executive Summary

33

ALLOW

Online orders, electronic payments, and carrier shipping all permitted

15

PARTIAL

Online ordering or payment allowed; carrier shipping restricted or prohibited

3

PROHIBIT

DE, MS, and NV (NV flips July 1, 2027 via AB 352)

As of July 1, 2026, **33 U.S. states and DC** give cottage food producers the full online-sales stack — the ability to take orders on a website, collect payment electronically at checkout, and ship finished goods to a customer’s door via a common carrier. That figure has climbed sharply from roughly 20 states just five years ago, driven by a wave of food-freedom legislation that accelerated through 2024–2026.

Another **15 jurisdictions** occupy a “Partial” middle ground: they permit online orders and typically electronic payment, but restrict the last-mile step — requiring that goods be handed off in person by the producer or a household member, or limiting delivery to within a tight geographic area. States in this group (Colorado, Connecticut, DC, Kentucky, Maine, Minnesota, Missouri, Montana, New Hampshire, New Jersey, South Dakota, Texas, Utah, Washington, and Wyoming) represent an active legislative frontier where shipping-rights bills are among the most commonly introduced food-safety reform measures.

Only **three jurisdictions** still prohibit online sales entirely under the standard cottage food exemption: Delaware, Mississippi, and Nevada. Nevada is a temporary holdout — AB 352, signed in June 2025, will open online sales and raise the revenue cap to \$100,000 effective July 1, 2027. Mississippi has seen two consecutive reform bills fail (2024, 2025); Delaware’s law remains among the most restrictive in the nation, requiring a kitchen inspection and an \$175 training fee.

What counts as “online sales”? This report tracks four distinct capabilities that are often conflated but legally separate: (1) the right to accept orders via a website or app, (2) the right to collect payment electronically at time of order rather than at pickup, (3) the right to ship via common carrier (USPS, UPS, FedEx, etc.) rather than hand-delivering in person, and (4) the right to sell through third-party marketplaces such as DoorDash, Uber Eats, Etsy, or similar platforms. A state may permit the first three while being silent or even hostile on the fourth.

Interstate shipping remains rare. Only four or five states explicitly authorize cottage food products to cross state lines by carrier: North Dakota (SB 2386, 2025), Kansas, Oklahoma (non-perishables only), Pennsylvania (if the receiving state accepts), and Arkansas (technically legal per statute, though FDA enforcement is a grey area in practice).

The data in this report reflects statutes, regulations, and agency guidance in effect as of **July 1, 2026**. Virginia’s HB 402, which takes effect today, is included in the “Allow” bucket. Nevada remains in “Prohibit” because AB 352 does not take effect until July 1, 2027. Minnesota’s online order and payment rights are current law; its shipping rights are counted as “Partial” because carrier shipping is not permitted until August 1, 2027.

What's Changing in 2025–26

The 2025 and 2026 legislative sessions produced an unusually dense cluster of cottage food reforms, with multiple states moving from "Partial" into "Allow" in a span of fewer than 18 months. The following are the most significant recent expansions relevant to online sales.

EFFECTIVE TODAY — JULY 1, 2026

Virginia HB 402 — After years in which Virginia cottage food producers could only sell at farmers markets and roadside stands, HB 402 (signed April 2026) opens full online commerce: online orders, electronic payments, and in-state mail/carrier shipping are now legal. No permit or inspection is required. Sales must remain within Virginia; out-of-state orders and sales to retail stores remain prohibited. Virginia moves from the "Partial" bucket to "Allow" today.

JUNE 12, 2026

West Virginia — SB 44

West Virginia's SB 44 took effect June 12, 2026, authorizing online sales, in-state carrier/mail shipping, and third-party delivery platforms for non-TCS (non-temperature-controlled) cottage foods. Perishable/TCS foods still require a West Virginia Dept. of Agriculture permit, but the standard baked-goods producer now has a full online commerce pathway.

MARCH 24, 2026

Michigan — HB 4122 / PA 51 of 2025

Michigan's long-awaited online sales reform took effect March 24, 2026. The law allows online orders, mail order, and use of third-party delivery platforms, with the caveat that the consumer must have had an opportunity to interact with the producer. The revenue cap was raised from \$25,000 to \$50,000. In-state sales only.

MARCH 20, 2026

Idaho — SB 1283 (Direct-to-Consumer Commerce Act)

Idaho enacted a sweeping Direct-to-Consumer Commerce Act: online orders, in-state mail order, and delivery through designated agents are now legal with no license or revenue cap. Acidified canned goods remain excluded. One of the most comprehensive food-direct-to-consumer overhauls of the 2026 session.

AUGUST 2025 (DOH RULES ADOPTED)

Hawaii — Act 195 / HB 2144

Hawaii's legislature passed Act 195 in 2024, but the law required DOH rulemaking to take effect. Rules were adopted in August 2025, making online sales, in-state shipping, and wholesale to retail establishments legal for the first time. No permit or revenue cap.

JULY 1, 2025

Georgia — HB 398

Georgia's HB 398 was one of the biggest 2025 reforms: it removed the state license requirement and the \$5,000 revenue cap entirely, and opened online sales, in-state shipping, and wholesale to retailers and restaurants. ANSI food safety training is required. Georgia went from one of the South's more restrictive states to one of its most permissive.

MARCH 2025**North Dakota — SB 2386**

North Dakota became one of fewer than five states explicitly allowing interstate carrier shipping under the standard cottage food exemption. SB 2386 added phone, mail, consignment, and out-of-state online sales to an already permissive food-freedom framework. No cap, registration, or inspection required.

SIGNED JUNE 2025; EFFECTIVE JULY 1, 2027**Nevada — AB 352** **NOT YET ACTIVE**

Nevada AB 352 was signed in June 2025 and will raise the revenue cap to \$100,000 and open online/phone/mail sales and third-party delivery — but not until **July 1, 2027**. Nevada remains in the “Prohibit” bucket through June 2027.

2025 SESSION (SHIPPING RIGHTS AUG 1, 2027)**Minnesota — HF 2446**

Minnesota’s HF 2446 splits its effective dates: online ordering and electronic payment are legal now under current law, but carrier shipping does not become legal until August 1, 2027. Minnesota is classified as “Partial” for the current period (July 2026). The \$78,000 revenue cap and \$30 registration fee apply.

How to Read This Report

The four columns in the **National Matrix** (Orders, Payments, Shipping, Third-party) represent four legally distinct capabilities. A state can allow three of the four while prohibiting the fourth — and that combination has real practical significance for a home baker trying to decide whether to launch an online storefront.

Online Orders means a producer can accept orders via a website, text message, email, or app without requiring the buyer to show up first. Most states that allow any form of cottage food now permit online order-taking; the restriction is typically on what comes next. A value of "Limited" (e.g., Montana) means the state permits online advertising and order coordination but requires the actual transaction to be face-to-face.

Online Payments is distinct from online orders. Some states (notably Kentucky) allow a buyer to place an order online but require payment to occur at pickup or delivery — the producer cannot run a charge through Square, Stripe, or PayPal at time of order. This distinction matters for checkout flows and for how Etsy or Shopify accounts are structured.

Shipping refers to common-carrier shipping: mailing a box via USPS, UPS, FedEx, or a similar carrier without the producer being present at delivery. "Yes (in-state)" means the producer can ship within the state but not across state lines. "Yes (interstate)" means a handful of states that explicitly allow out-of-state carrier shipments. "No" means the producer must hand off goods in person, even if a third-party contractor makes the delivery. A value of "Limited (in-person delivery)" means same-day, producer-arranged delivery is allowed but post-office or carrier shipping is not.

Third-party delivery refers to using platforms like DoorDash, Uber Eats, GrubHub, or Instacart to fulfill orders, as well as selling through marketplaces like Etsy or Amazon Handmade. Even in states where carrier shipping is allowed, many state laws are silent on whether a third-party platform qualifies — and most agency guidance hasn't addressed it. California's Class A law is one of the few that explicitly authorizes app-based delivery. A "Limited" value indicates that one legal tier allows it but another does not, or that in-person arranged third-party delivery is permitted but app-mediated marketplace listing is not.

ETSY & ONLINE MARKETPLACE CAVEAT

Selling cottage food on Etsy, Amazon Handmade, or similar national marketplaces involves a separate layer of complexity beyond state law. Etsy's own seller policies prohibit most food items that require temperature control or have a short shelf life. Even in states that allow carrier shipping, FDA's FSMA 204 traceability rule and federal labeling requirements may apply to producers who ship across state lines. This report reflects state law only. Federal requirements are outside scope.

National Matrix — All 51 Jurisdictions

Data as of July 1, 2026. Pills: **YES** = allowed **LIMITED** = conditional **NO** = prohibited/not permitted.

STATE	ORDERS	PAYMENTS	SHIPPING	3RD-PARTY	STATUTE
AL	YES	YES	YES (IN-STATE)	NO	Ala. Code § 22-20-5.1 (as amended by SB 160, 2021)
AK	YES	YES	YES (IN-STATE)	YES	Alaska Stat. Ann. § 17.20.332–338 (HB 251, 2024)
AZ	YES	YES	YES (IN-STATE)	LIMITED	Ariz. Rev. Stat. § 36-931–933 (HB 2042, 2024)
AR	YES	YES	YES (IN-STATE)	YES	Ark. Code Ann. § 20-57-501 et seq. (Food Freedom Act / Act 1040, 2021)
CA	YES	YES	YES (IN-STATE)	LIMITED	Cal. Health & Safety Code § 114365 (Class A/B CFO; AB 1144, 2021)
CO	YES	YES	NO	LIMITED (IN-PERSON DELIVERY)	C.R.S. § 25-4-1614 (Cottage Foods Act; HB 26-1033 expanded cap 2026)
CT	YES	YES	NO	LIMITED (IN-PERSON DELIVERY)	Conn. Gen. Stat. § 21a-62b (PA 22-8, 2022)
DE	NO	NO	NO	NO	16 Del. Admin. Code 4458A
DC	YES	YES	NO	NO	D.C. Code § 7-742.01–02 (Law 26-7, 2025 amendment)
FL	YES	YES	YES (IN-STATE)	NO	Fla. Stat. § 500.80 (Home Sweet Home Act / HB 663, 2021)
GA	YES	YES	YES (IN-STATE)	YES	O.C.G.A. § 26-2-390 et seq. (HB 398, eff. July 1 2025)
HI	YES	YES	YES (IN-STATE)	YES	Hawaii Admin. Rules Title 11 Ch. 50 (Act 195 / HB 2144, 2024; rules adopted Aug 2025)
ID	YES	YES	YES (IN-STATE)	YES	Idaho Code § 37-201 et seq. (Direct-to-Consumer Commerce Act / SB 1283, eff. March 20 2026)
IL	YES	YES	YES (IN-STATE)	NO	410 ILCS 625/ (SB 2617 / PA 103-0903, 2024)
IN	YES	YES	YES (IN-STATE)	YES	Ind. Code § 16-42-5.2 (HB 1149, 2022)
IA	YES	YES	YES (IN-STATE)	NO	Iowa Code Ann. §§ 137D, 137F (HF 2431, 2022)
KS	YES	YES	YES (INTERSTATE)	NO	KSA § 65-689(d); KAR 4-28-33

STATE	ORDERS	PAYMENTS	SHIPPING	3RD-PARTY	STATUTE
KY	YES	NO	NO	NO	KRS § 217.015 (Home-Based Processor / Home-Based Microprocessor)
LA	YES	YES	YES (IN-STATE)	NO	La. Rev. Stat. § 40:4.9 (HB 828, 2022)
ME	YES	YES	NO	NO	Me. Rev. Stat. tit. 22 § 2162 (Home Food Processor License + Food Sovereignty)
MD	YES	YES	YES (IN-STATE)	NO	Md. Code Ann., Health-Gen. § 21-322 (HB 178, 2022; SB 701, eff. Oct 2025)
MA	YES	YES	YES (IN-STATE)	NO	105 CMR 500 (Retail Residential Kitchen permit; reform bills S.69/H.114 pending)
MI	YES	YES	YES (IN-STATE)	YES	MCL § 289.4102 (HB 4122 / PA 51 of 2025, eff. March 24 2026)
MN	YES	YES	NO	LIMITED (IN-PERSON DELIVERY UNTIL AUG 2027)	Minn. Stat. § 28A.152 (HF 2446, 2025 session Ch. 34)
MS	NO	NO	NO	NO	Miss. Code Ann. § 75-74-1 et seq.
MO	YES	YES	NO	LIMITED (IN-STATE DELIVERY)	RSMo § 196.298 (HB 1697, 2022)
MT	LIMITED	NO	NO	NO	Mont. Code Ann. § 50-50-116 et seq. (Local Food Choice Act / SB 199, 2021)
NE	YES	YES	YES (IN-STATE)	NO	Neb. Rev. Stat. § 54-2901 et seq. (LB 262, 2024)
NV	NO	NO	NO	NO	NRS § 446.866 (until AB 352 takes effect July 1 2027)
NH	LIMITED	LIMITED	LIMITED	NO	RSA § 143-A:13-a (HB 119, 2023; Class H license under HB 1565, 2024)
NJ	YES	YES	NO	LIMITED (IN-PERSON DELIVERY)	N.J. Admin. Code § 8:24-11 (adopted Oct 2021)
NM	YES	YES	YES (IN-STATE)	NO	N.M. Stat. Ann. § 25-8-1 et seq. (HB 177, 2021)
NY	YES	YES	YES (IN-STATE)	NO	N.Y. Agric. & Mkts. Law § 250 et seq. (2018/2020 amendments)
NC	YES	YES	YES (IN-STATE)	NO	N.C. Gen. Stat. § 106-900 (Home Processor Program)
ND	YES	YES	YES (INTERSTATE)	YES	N.D. Cent. Code § 23.1-09.2 (HB 1433, 2017; SB 2386, eff. March 2025)
OH	YES	YES	YES (IN-STATE)	NO	Ohio Rev. Code § 3715.021
OK	YES	YES	YES (INTERSTATE)	NO	Okla. Stat. tit. 63 § 1-1118 (HB 1032, 2021; HB 2975, 2024)
OR	YES	YES	YES (IN-STATE)	LIMITED	ORS § 616.695 (SB 643, eff. Jan 2024)

STATE	ORDERS	PAYMENTS	SHIPPING	3RD-PARTY	STATUTE
PA	YES	YES	YES (INTERSTATE)	NO	3 Pa. Code § 41a.1 et seq.
RI	YES	YES	YES (IN-STATE)	NO	R.I. Gen. Laws § 21-27.4-1 et seq. (2022)
SC	YES	YES	YES (IN-STATE)	NO	S.C. Code Ann. § 44-1-143 (S.506, 2022)
SD	YES	YES	NO	LIMITED (IN-PERSON DELIVERY)	SDCL § 34-18-18 et seq.
TN	YES	YES	YES (IN-STATE)	NO	Tenn. Code Ann. § 53-8-113 et seq. (Food Freedom Act; HB 813, 2022; HB 130, 2025)
TX	YES	YES	NO	LIMITED (PRODUCER/EMPLOYEE DELIVERY ONLY)	Tex. Health & Safety Code § 437.001 et seq. (SB 541, eff. Sept 2025)
UT	LIMITED	LIMITED	NO	NO	Utah Code Ann. § 4-5a-101 et seq. (Cottage Food Law; HB 181 Food Freedom Act)
VT	YES	YES	YES (IN-STATE)	NO	Vt. Stat. Ann. tit. 6 § 567 et seq. (Act 42 / HB 401, 2025)
VA	YES	YES	YES (IN-STATE)	YES	Va. Code § 3.2-5130 (HB 402, signed April 2026, eff. July 1 2026)
WA	YES	YES	NO	NO	RCW § 69.22 (HB 1500, 2023)
WV	YES	YES	YES (IN-STATE)	YES	W. Va. Code § 19-35A-1 et seq. (SB 44, eff. June 12 2026)
WI	YES	YES	YES (IN-STATE)	NO	Wis. Stat. § 97.29 et seq. (court rulings 2017/2021; Court of Appeals Nov 2024)
WY	YES	YES	NO	LIMITED	Wyo. Stat. § 11-49-101 et seq. (Wyoming Food Freedom Act, 2015; strengthened 2017/2020/2021/2023)

State Summaries by Bucket

All 51 jurisdictions grouped by online-sales access level. Each entry includes the governing statute, a policy note, and the primary source URL for current verification.

ALLOW 33 Jurisdictions — Full Online Sales + Carrier Shipping

AL ALLOW

Ala. Code § 22-20-5.1 (as amended by SB 160, 2021)
2021 reform allows online orders and in-state shipping; county health dept must approve labels before first sale; no state permit.

<https://www.alabamapublichealth.gov/foodsafety/assets/cottagefoodlawfaqs.pdf>

AK ALLOW

Alaska Stat. Ann. § 17.20.332–338 (HB 251, 2024)
2024 food freedom law; allows perishables; non-TCS can sell at retail via third-party; business license required; sales within Alaska only.

<https://nationalaglawcenter.org/cottage-food-laws-recent-trends-and-major-state-changes/>

AZ ALLOW

Ariz. Rev. Stat. § 36-931–933 (HB 2042, 2024)
2024 'Tamale Bill' expanded to food freedom; in-state delivery allowed; ANSI food safety course + free registration every 3 years required; home kitchen ≤1,000 sq ft.

<https://cottagecms.com/state-laws/arizona>

AR ALLOW

Ark. Code Ann. § 20-57-501 et seq. (Food Freedom Act / Act 1040, 2021)
Food freedom; no permit; online + interstate sales allowed with federal compliance; third-party/retail sales allowed; cannot sell to restaurants as ingredient supplier.

https://healthy.arkansas.gov/wp-content/uploads/Homemade_Food_Guide.pdf

CA ALLOW

Cal. Health & Safety Code § 114365 (Class A/B CFO; AB 1144, 2021)
Class A: direct sales online + in-state shipping + DoorDash/Uber Eats within CA; Class B adds wholesale; interstate shipping prohibited; county registration required.

<https://ij.org/issues/economic-liberty/homemade-food-seller-california/>

FL ALLOW

Fla. Stat. § 500.80 (Home Sweet Home Act / HB 663, 2021)
\$250,000 cap; no license/permit/inspection; online + in-state mail/USPS/carrier shipping allowed; DoorDash/Uber Eats not explicitly authorized; no out-of-state shipping.

<https://www.cottagefoodlicense.com/blog/florida-cottage-food-law-2026-complete-guide>

GA ALLOW

O.C.G.A. § 26-2-390 et seq. (HB 398, eff. July 1 2025)
2025 law removed state license + cap; allows online sales + in-state shipping + wholesale to retailers/restaurants; ANSI food safety training required.

<https://www.agr.georgia.gov/sites/default/files/documents/assets/Cottage-Food-Update-HB398-Frequently-Asked-Questions.pdf>

HI ALLOW

Hawaii Admin. Rules Title 11 Ch. 50 (Act 195 / HB 2144, 2024; rules adopted Aug 2025)
DOH rules adopted August 2025 per Act 195; online + in-state shipping + wholesale to retail now allowed; no permit or revenue cap; TCS foods still excluded.

<https://health.hawaii.gov/news/newsroom/doh-adopts-updates-to-food-safety-code/>

ID ALLOW

Idaho Code § 37-201 et seq. (Direct-to-Consumer Commerce Act / SB 1283, eff. March 20 2026)
 2026 overhaul; broad direct-to-consumer law; online + in-state mail order + designated agent delivery; retail consignment allowed; no license or cap; acidified canned goods excluded.
<https://www.farmtoconsumer.org/blog/2026/06/18/2026-food-freedom-legislative-update/>

IL ALLOW

410 ILCS 625/ (SB 2617 / PA 103-0903, 2024)
 Online + in-state shipping allowed for non-perishables; CFPM certification required; \$50 annual registration; mobile farmers markets recognized.
<https://cottagecms.com/state-laws/illinois>

IN ALLOW

Ind. Code § 16-42-5.2 (HB 1149, 2022)
 No license/permit/inspection/cap; online + in-state carrier delivery allowed; third-party delivery services permitted; ANSI food handler certificate required.
<https://ij.org/issues/economic-liberty/homemade-food-seller/indiana/>

IA ALLOW

Iowa Code Ann. §§ 137D, 137F (HF 2431, 2022)
 Cottage Food tier: no license/cap/inspection; online + in-state shipping; HFPE tier adds wholesale; pickled/fermented foods allowed under HFPE.
<https://cottagecms.com/state-laws/iowa>

KS ALLOW

KSA § 65-689(d); KAR 4-28-33
 No cap/license/inspection; online + in-state and interstate shipping allowed (buyer must comply with receiving state rules); some products require lab testing.
<https://ij.org/issues/economic-liberty/homemade-food-seller/kansas/>

LA ALLOW

La. Rev. Stat. § 40:4.9 (HB 828, 2022)
 Online + in-state shipping allowed; \$30K cap; direct-to-consumer only; breads/cakes/cookies/pies have no cap but must be sold direct; no interstate shipping.
<https://ij.org/issues/economic-liberty/homemade-food-seller/louisiana/>

MD ALLOW

Md. Code Ann., Health-Gen. § 21-322 (HB 178, 2022; SB 701, eff. Oct 2025)
 Online + in-state delivery/mail allowed; no interstate; SB 701 (Oct 2025) raised cap to \$100K and added refrigerated baked goods; ANAB food safety course required for retail sales.
<https://cottagecms.com/state-laws/maryland>

MA ALLOW

105 CMR 500 (Retail Residential Kitchen permit; reform bills S.69/H.114 pending)
 Existing residential kitchen permit allows internet + mail-order sales within MA; local health permit + kitchen inspection + Food Safety Manager cert required; pending reform bills would streamline.
<https://www.cottagefoodlicense.com/state/massachusetts>

MI ALLOW

MCL § 289.4102 (HB 4122 / PA 51 of 2025, eff. March 24 2026)
 March 2026 law: online + mail order + third-party delivery platform allowed (consumer must have opportunity to interact with producer first); \$50K cap; in-state only.
<https://www.farmtoconsumer.org/blog/2026/01/26/new-cottage-food-law-in-michigan/>

NE ALLOW

Neb. Rev. Stat. § 54-2901 et seq. (LB 262, 2024)
 2024 reform: online + in-state carrier shipping for non-perishables; perishables must be delivered in-person within 2 hours; free state registration + \$20-25 food safety course.
<https://cottagecms.com/state-laws/nebraska>

NM ALLOW

N.M. Stat. Ann. § 25-8-1 et seq. (HB 177, 2021)
 No permit/cap; ANAB food handler cert required; state preempts local restrictions; online + in-state shipping allowed; direct-to-consumer only.
<https://cottagecms.com/state-laws/new-mexico>

NY ALLOW

N.Y. Agric. & Mkts. Law § 250 et seq. (2018/2020 amendments)
 Free registration; online + in-state shipping allowed; wholesale to restaurants/grocery stores allowed; chocolate/chocolate-covered items prohibited.
<https://cottagecms.com/state-laws/new-york>

NC ALLOW

N.C. Gen. Stat. § 106-900 (Home Processor Program)
 No formal cottage food statute; Home Processor program; online + in-state shipping allowed; no cap; free inspection; strictest pet policy nationally (no pets in home at any time).

<https://cottagecms.com/state-laws/north-carolina>

ND ALLOW

N.D. Cent. Code § 23.1-09.2 (HB 1433, 2017; SB 2386, eff. March 2025)

Food freedom; SB 2386 (2025) explicitly allows interstate shipping; online + phone + mail + consignment + out-of-state sales allowed; no cap/registration/inspection.

<https://nationalaglawcenter.org/cottage-food-laws-recent-trends-and-major-state-changes/>

OH ALLOW

Ohio Rev. Code § 3715.021

Online + in-state shipping; wholesale to restaurants as ingredients + grocery stores allowed; kitchen limited to one oven; no cap/license/inspection; non-PHF foods only.

<https://cottagecms.com/state-laws/ohio>

OK ALLOW

Okl. Stat. tit. 63 § 1-1118 (HB 1032, 2021; HB 2975, 2024)

Food freedom; non-perishables: online + in-state + interstate shipping allowed; perishables: ServSafe required + in-person delivery only; optional \$15/yr privacy registration.

<https://cottagecms.com/state-laws/oklahoma>

OR ALLOW

ORS § 616.695 (SB 643, eff. Jan 2024)

SB 643 explicitly allows online + in-state mail/carrier shipping; \$50K cap (inflation-adjusted); retail store sales allowed with separate display; no carrier shipping out-of-state.

<https://www.oregon.gov/oda/Documents/Publications/FoodSafety/CottageFoodExemptionENG.pdf>

PA ALLOW

3 Pa. Code § 41a.1 et seq.

Online + interstate carrier shipping allowed if receiving state accepts; \$35 annual registration + business plan + home inspection + lab testing for some products.

<https://cottagecms.com/state-laws/pennsylvania>

RI ALLOW

R.I. Gen. Laws § 21-27.4-1 et seq. (2022)

Most restrictive product list nationally (nonperishable baked goods only); online + in-state shipping allowed; \$65 annual registration + ANSI training + notarized affidavit.

<https://cottagecms.com/state-laws/rhode-island>

SC ALLOW

S.C. Code Ann. § 44-1-143 (S.506, 2022)

2022 reform: online + in-state shipping + retail/restaurant wholesale allowed; no cap/permit/inspection; optional SCDA ID number for label privacy.

<https://cottagecms.com/state-laws/south-carolina>

TN ALLOW

Tenn. Code Ann. § 53-8-113 et seq. (Food Freedom Act; HB 813, 2022; HB 130, 2025)

Food freedom; no cap/license/inspection; in-state shipping for non-perishables; 2025 amendment adds poultry and pasteurized dairy; prohibits municipal interference.

<https://cottagecms.com/state-laws/tennessee>

VT ALLOW

Vt. Stat. Ann. tit. 6 § 567 et seq. (Act 42 / HB 401, 2025)

2025 law raised cap from \$125/wk to \$30K/yr; online + mail-order allowed; free training + annual registration required; annual registration effective Jan 2026.

<https://cottagecms.com/state-laws/vermont>

VA ALLOW

Va. Code § 3.2-5130 (HB 402, signed April 2026, eff. July 1 2026)

HB 402 (eff. July 1 2026): online orders + payments now allowed; in-state mail/delivery service allowed; no retail store sales; no out-of-state sales; no permit/inspection.

<https://nationalaglawcenter.org/food-law-in-the-states-2026-update/>

WV ALLOW

W. Va. Code § 19-35A-1 et seq. (SB 44, eff. June 12 2026)

SB 44 (June 2026): online + mail/carrier shipping + third-party delivery within WV allowed for non-TCS; TCS (perishable) foods require permit from WV Dept of Agriculture.

<https://www.farmtoconsumer.org/blog/2026/06/18/2026-food-freedom-legislative-update/>

WI ALLOW

Wis. Stat. § 97.29 et seq. (court rulings 2017/2021; Court of Appeals Nov 2024)

No cottage food statute—operates under court rulings; baked goods only via court ruling; high-acid canned goods ≤\$5K/yr allowed; online + in-state shipping; penalties up to \$1,000 fine.

<https://cottagecms.com/state-laws/wisconsin>

PARTIAL 15 Jurisdictions — Online Orders/Payments Allowed; Shipping Restricted**CO** PARTIAL

C.R.S. § 25-4-1614 (Cottage Foods Act; HB 26-1033 expanded cap 2026)

Online orders allowed with in-person delivery only; no carrier shipping; unique \$10K net revenue cap per product per year; food safety course required.

<https://cofarmtomarket.com/value-added-products/cottage-foods/cottage-foods-faq/>

CT PARTIAL

Conn. Gen. Stat. § 21a-62b (PA 22-8, 2022)

Online orders + electronic payment OK but no carrier shipping—producer must deliver in person; \$50 annual license + home inspection + ServSafe required.

<https://cottagecms.com/state-laws/connecticut>

DC PARTIAL

D.C. Code § 7-742.01-02 (Law 26-7, 2025 amendment)

2025 amendment allows online sales and wholesale to licensed DC establishments; all sales limited to within DC; registration (\$50/2 yr) + home occupancy permit required.

<https://dchealth.dc.gov/publication/cottage-food-businesses>

KY PARTIAL

KRS § 217.015 (Home-Based Processor / Home-Based Microprocessor)

Online orders allowed but all payment + fulfillment must be in-person or via producer-only pickup/delivery; no carrier shipping; two-tier system with \$50/yr license.

<https://cottagecms.com/state-laws/kentucky>

ME PARTIAL

Me. Rev. Stat. tit. 22 § 2162 (Home Food Processor License + Food Sovereignty)

Licensed cottage food path allows online orders with in-state delivery; no carrier shipping; Food Sovereignty path (113+ municipalities) allows unlicensed home-only sales; no interstate shipping.

<https://cottagecms.com/state-laws/maine>

MN PARTIAL

Minn. Stat. § 28A.152 (HF 2446, 2025 session Ch. 34)

Online orders + electronic payments allowed NOW; fulfillment must be in-person until Aug 1 2027 when in-state shipping becomes legal; \$78K cap; \$30 registration.

<https://myporch.app/guides/cottage-food-laws/minnesota>

MO PARTIAL

RSMo § 196.298 (HB 1697, 2022)

Home Sales tier: online orders + electronic payment allowed + in-state delivery by producer; no carrier shipping; no cap; no permit; availability varies by county food code.

<https://cottagecms.com/state-laws/missouri>

MT PARTIAL

Mont. Code Ann. § 50-50-116 et seq. (Local Food Choice Act / SB 199, 2021)

MLFCA requires face-to-face transaction in Montana; can take orders/advertise online but payment and delivery must be in-person; no carrier shipping; no license/cap.

https://liv.mt.gov/_docs/MI/SB199-MP-Guidance-Doc-rev-2025.pdf

NH PARTIAL

RSA § 143-A:13-a (HB 119, 2023; Class H license under HB 1565, 2024)

Unlicensed tier: no online sales; Licensed Class H (\$150/yr): online + shipping + wholesale allowed; unlicensed tier has no cap or registration.

<https://cottagecms.com/state-laws/new-hampshire>

NJ PARTIAL

N.J. Admin. Code § 8:24-11 (adopted Oct 2021)

Online orders + electronic payment allowed; no carrier shipping—in-person handoff required; \$100 permit (2 yrs) + Food Safety Manager cert required.

<https://cottagecms.com/state-laws/new-jersey>

SD PARTIAL

SDCL § 34-18-18 et seq.

Online orders + electronic payment allowed; no carrier shipping—in-person delivery required; home-canned goods allowed with pH ≤4.6; no cap.

<https://cottagecms.com/state-laws/south-dakota>

TX PARTIAL

Tex. Health & Safety Code § 437.001 et seq. (SB 541, eff. Sept 2025)

Online orders + electronic payment allowed; delivery must be by producer/household member/employee within TX—no carrier shipping; \$150K cap; no permit/inspection.

<https://texascottagefoodlaw.com/faq/>

UT PARTIAL

Utah Code Ann. § 4-5a-101 et seq. (Cottage Food Law; HB 181 Food Freedom Act)

Three-tier system: Cottage Food Law allows online orders + in-state shipping; Food Freedom Act = in-person only; Microenterprise Home Kitchen Act = same-day only; 'Limited' reflects multi-tier complexity.

<https://cottagecms.com/state-laws/utah>

WA PARTIAL

RCW § 69.22 (HB 1500, 2023)

Online orders + electronic payment allowed; NO carrier/mail shipping—pickup or in-person producer delivery only; \$355 two-year permit + home inspection + individual product approval required.

<https://agr.wa.gov/cottagefood>

WY PARTIAL

Wyo. Stat. § 11-49-101 et seq. (Wyoming Food Freedom Act, 2015; strengthened 2017/2020/2021/2023)

\$250K cap; online + electronic payment allowed; delivery must be personal/pickup—no mail/carrier shipping; indirect retail sales allowed via designated agents (non-perishables only).

<https://cottagecms.com/state-laws/wyoming>

PROHIBIT 3 Jurisdictions — No Online Sales**DE** PROHIBIT

16 Del. Admin. Code 4458A

One of nation's most restrictive; direct in-person sales only; online advertising OK but no e-commerce; mandatory kitchen inspection + 8-hour training (\$175).

<https://cottagecms.com/state-laws/delaware>

MS PROHIBIT

Miss. Code Ann. § 75-74-1 et seq.

Online advertising allowed but no online sales or shipping; direct in-person sales only; no permit/training required; 2024 and 2025 reform bills to allow online sales failed.

<https://cottagecms.com/state-laws/mississippi>

NV PROHIBIT

NRS § 446.866 (until AB 352 takes effect July 1 2027)

AB 352 (signed June 2025) raises cap to \$100K + allows online/phone/mail/third-party delivery BUT not effective until July 1 2027; current law: \$35K cap, in-person sales only.

<https://cottagecms.com/state-laws/nevada>

Methodology & Sources

This matrix was compiled by Crosodo research staff using a combination of primary statutory sources, state department of agriculture and health publications, and secondary legal-research databases. The research cutoff is **July 1, 2026**. Sources consulted include individual state cottage food statutes and implementing regulations, agency FAQ documents, the National Agricultural Law Center cottage food tracker, the Institute for Justice Homemade Food Seller Directory, CottageCMS state law summaries, Forrager.com state guides, and the Farm-to-Consumer Legal Defense Fund 2026 legislative tracker.

For each state, the primary statute citation is listed alongside the agency or advocacy source used for interpretation. Where a statute is ambiguous, the more conservative interpretation has been applied (i.e., a capability is only coded "Yes" if the statute or agency guidance explicitly permits it, not merely fails to prohibit it). States operating under court rulings rather than statute (notably Wisconsin) are noted.

Bucket definitions: "Allow" = online_orders Yes + online_payments Yes + shipping is any form of Yes. "Partial" = at least one of online_orders or online_payments is Yes (or Limited), but shipping is No or Limited (in-person delivery). "Prohibit" = online_orders is No. Montana (Limited orders, No payments) is classified Partial because some online coordination is permitted even though full e-commerce is not. New Hampshire (Limited/Limited/Limited) is classified Partial because its unlicensed tier does not permit online sales; the licensed Class H tier does.

RECENCY CAVEAT

Cottage food laws are among the most frequently amended statutes in state legislatures. Several provisions noted in this report carry future effective dates (Nevada AB 352: July 1, 2027; Minnesota carrier shipping: August 1, 2027). Always verify current law at your state's department of agriculture or health website before relying on this report for business decisions.

Numbered Source List

1. **AL** — Ala. Code § 22-20-5.1 (as amended by SB 160, 2021)
<https://www.alabamapublichealth.gov/foodsafety/assets/cottagefoodlawfaqs.pdf>
2. **AK** — Alaska Stat. Ann. § 17.20.332–338 (HB 251, 2024)
<https://nationalaglawcenter.org/cottage-food-laws-recent-trends-and-major-state-changes/>
3. **AZ** — Ariz. Rev. Stat. § 36-931–933 (HB 2042, 2024)
<https://cottagecms.com/state-laws/arizona>
4. **AR** — Ark. Code Ann. § 20-57-501 et seq. (Food Freedom Act / Act 1040, 2021)
https://healthy.arkansas.gov/wp-content/uploads/Homemade_Food_Guide.pdf
5. **CA** — Cal. Health & Safety Code § 114365 (Class A/B CFO; AB 1144, 2021)
<https://ij.org/issues/economic-liberty/homemade-food-seller/california/>
6. **CO** — C.R.S. § 25-4-1614 (Cottage Foods Act; HB 26-1033 expanded cap 2026)
<https://cofarmtomarket.com/value-added-products/cottage-foods/cottage-foods-faq/>
7. **CT** — Conn. Gen. Stat. § 21a-62b (PA 22-8, 2022)
<https://cottagecms.com/state-laws/connecticut>
8. **DE** — 16 Del. Admin. Code 4458A
<https://cottagecms.com/state-laws/delaware>
9. **DC** — D.C. Code § 7-742.01-02 (Law 26-7, 2025 amendment)
<https://dchealth.dc.gov/publication/cottage-food-businesses>
10. **FL** — Fla. Stat. § 500.80 (Home Sweet Home Act / HB 663, 2021)
<https://www.cottagefoodlicense.com/blog/florida-cottage-food-law-2026-complete-guide>
11. **GA** — O.C.G.A. § 26-2-390 et seq. (HB 398, eff. July 1 2025)
<https://www.agr.georgia.gov/sites/default/files/documents/assets/Cottage-Food-Update-HB398-Frequently-Asked-Questions.pdf>

12. **HI** — Hawaii Admin. Rules Title 11 Ch. 50 (Act 195 / HB 2144, 2024; rules adopted Aug 2025)
<https://health.hawaii.gov/news/newsroom/doh-adopts-updates-to-food-safety-code/>
13. **ID** — Idaho Code § 37-201 et seq. (Direct-to-Consumer Commerce Act / SB 1283, eff. March 20 2026)
<https://www.farmtoconsumer.org/blog/2026/06/18/2026-food-freedom-legislative-update/>
14. **IL** — 410 ILCS 625/ (SB 2617 / PA 103-0903, 2024)
<https://cottagecms.com/state-laws/illinois>
15. **IN** — Ind. Code § 16-42-5.2 (HB 1149, 2022)
<https://ij.org/issues/economic-liberty/homemade-food-seller/indiana/>
16. **IA** — Iowa Code Ann. §§ 137D, 137F (HF 2431, 2022)
<https://cottagecms.com/state-laws/iowa>
17. **KS** — KSA § 65-689(d); KAR 4-28-33
<https://ij.org/issues/economic-liberty/homemade-food-seller/kansas/>
18. **KY** — KRS § 217.015 (Home-Based Processor / Home-Based Microprocessor)
<https://cottagecms.com/state-laws/kentucky>
19. **LA** — La. Rev. Stat. § 40:4.9 (HB 828, 2022)
<https://ij.org/issues/economic-liberty/homemade-food-seller/louisiana/>
20. **ME** — Me. Rev. Stat. tit. 22 § 2162 (Home Food Processor License + Food Sovereignty)
<https://cottagecms.com/state-laws/maine>
21. **MD** — Md. Code Ann., Health-Gen. § 21-322 (HB 178, 2022; SB 701, eff. Oct 2025)
<https://cottagecms.com/state-laws/maryland>
22. **MA** — 105 CMR 500 (Retail Residential Kitchen permit; reform bills S.69/H.114 pending)
<https://www.cottagefoodlicense.com/state/massachusetts>
23. **MI** — MCL § 289.4102 (HB 4122 / PA 51 of 2025, eff. March 24 2026)
<https://www.farmtoconsumer.org/blog/2026/01/26/new-cottage-food-law-in-michigan/>
24. **MN** — Minn. Stat. § 28A.152 (HF 2446, 2025 session Ch. 34)
<https://myporch.app/guides/cottage-food-laws/minnesota>
25. **MS** — Miss. Code Ann. § 75-74-1 et seq.
<https://cottagecms.com/state-laws/mississippi>
26. **MO** — RSMo § 196.298 (HB 1697, 2022)
<https://cottagecms.com/state-laws/missouri>
27. **MT** — Mont. Code Ann. § 50-50-116 et seq. (Local Food Choice Act / SB 199, 2021)
https://liv.mt.gov/_docs/MI/SB199-MP-Guidance-Doc-rev-2025.pdf
28. **NE** — Neb. Rev. Stat. § 54-2901 et seq. (LB 262, 2024)
<https://cottagecms.com/state-laws/nebraska>
29. **NV** — NRS § 446.866 (until AB 352 takes effect July 1 2027)
<https://cottagecms.com/state-laws/nevada>
30. **NH** — RSA § 143-A:13-a (HB 119, 2023; Class H license under HB 1565, 2024)
<https://cottagecms.com/state-laws/new-hampshire>
31. **NJ** — N.J. Admin. Code § 8:24-11 (adopted Oct 2021)
<https://cottagecms.com/state-laws/new-jersey>
32. **NM** — N.M. Stat. Ann. § 25-8-1 et seq. (HB 177, 2021)
<https://cottagecms.com/state-laws/new-mexico>
33. **NY** — N.Y. Agric. & Mkts. Law § 250 et seq. (2018/2020 amendments)
<https://cottagecms.com/state-laws/new-york>
34. **NC** — N.C. Gen. Stat. § 106-900 (Home Processor Program)
<https://cottagecms.com/state-laws/north-carolina>
35. **ND** — N.D. Cent. Code § 23.1-09.2 (HB 1433, 2017; SB 2386, eff. March 2025)
<https://nationalaglawcenter.org/cottage-food-laws-recent-trends-and-major-state-changes/>
36. **OH** — Ohio Rev. Code § 3715.021
<https://cottagecms.com/state-laws/ohio>
37. **OK** — Okla. Stat. tit. 63 § 1-1118 (HB 1032, 2021; HB 2975, 2024)
<https://cottagecms.com/state-laws/oklahoma>
38. **OR** — ORS § 616.695 (SB 643, eff. Jan 2024)
<https://www.oregon.gov/oda/Documents/Publications/FoodSafety/CottageFoodExemptionENG.pdf>
39. **PA** — 3 Pa. Code § 41a.1 et seq.
<https://cottagecms.com/state-laws/pennsylvania>

40. **RI** — R.I. Gen. Laws § 21-27.4-1 et seq. (2022)
<https://cottagecms.com/state-laws/rhode-island>
41. **SC** — S.C. Code Ann. § 44-1-143 (S.506, 2022)
<https://cottagecms.com/state-laws/south-carolina>
42. **SD** — SDCL § 34-18-18 et seq.
<https://cottagecms.com/state-laws/south-dakota>
43. **TN** — Tenn. Code Ann. § 53-8-113 et seq. (Food Freedom Act; HB 813, 2022; HB 130, 2025)
<https://cottagecms.com/state-laws/tennessee>
44. **TX** — Tex. Health & Safety Code § 437.001 et seq. (SB 541, eff. Sept 2025)
<https://texascottagefoodlaw.com/faq/>
45. **UT** — Utah Code Ann. § 4-5a-101 et seq. (Cottage Food Law; HB 181 Food Freedom Act)
<https://cottagecms.com/state-laws/utah>
46. **VT** — Vt. Stat. Ann. tit. 6 § 567 et seq. (Act 42 / HB 401, 2025)
<https://cottagecms.com/state-laws/vermont>
47. **VA** — Va. Code § 3.2-5130 (HB 402, signed April 2026, eff. July 1 2026)
<https://nationalaglawcenter.org/food-law-in-the-states-2026-update/>
48. **WA** — RCW § 69.22 (HB 1500, 2023)
<https://agr.wa.gov/cottagefood>
49. **WV** — W. Va. Code § 19-35A-1 et seq. (SB 44, eff. June 12 2026)
<https://www.farmtoconsumer.org/blog/2026/06/18/2026-food-freedom-legislative-update/>
50. **WI** — Wis. Stat. § 97.29 et seq. (court rulings 2017/2021; Court of Appeals Nov 2024)
<https://cottagecms.com/state-laws/wisconsin>
51. **WY** — Wyo. Stat. § 11-49-101 et seq. (Wyoming Food Freedom Act, 2015; strengthened 2017/2020/2021/2023)
<https://cottagecms.com/state-laws/wyoming>

ADDITIONAL REFERENCE SOURCES

National Agricultural Law Center — Cottage Food Laws: Recent Trends

Institute for Justice — Homemade Food Seller Directory

CottageCMS.com — State Law Summaries

Farm-to-Consumer Legal Defense Fund — 2026 Food Freedom Legislative Update

Forrager.com — Cottage Food Law Guide

Questions?

Join the Crosodo Forum to discuss cottage food rules, online sales strategy, shipping logistics, and what home bakers across the country are doing to grow their businesses online.

crosodo.com/forum

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Resources for cottage food & home bakers nationwide · crosodo.com/advertise

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Product liability, home-based business, and cottage food insurance providers. crosodo.com/advertise

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