

## COTTAGE FOOD LAW REPORT

# Cape May County

New Jersey · Cape May Court House · FIPS 34009 ·  
Population 95,456 · Crosodo Index #2775\*

## STATE BASELINE

N.J.A.C. 8:24-11 et seq.

## STATE TIER

Poor

## ANNUAL SALES CAP (STATE)

50000

## CONFIDENCE

HIGH

## LAST VERIFIED

2026-05-05

**IMPORTANT — NOT LEGAL ADVICE**

This report compiles publicly-available statutes, regulations, and county zoning rules into a research reference. It is **not legal advice** and is provided **without warranty** as to accuracy, completeness, or current applicability.

Cottage food law changes frequently. Counties may amend zoning, health departments may issue new permits, and state legislatures may update statutes after the publication date shown above.

**Always verify rules directly with your state department of health/agriculture and your county health and planning offices before relying on them for any business or regulatory decision.** Consult a licensed attorney for advice specific to your situation.

## How to start — 60-second path

Cape May County, New Jersey — permit, pickup, and label steps before the full county rules.

HOME KITCHEN ALLOWED?

**Yes**

STATE SALES CAP

**50000**

HOME OCCUPATION PERMIT?

**Yes**

ON-SITE / PORCH PICKUP?

**Yes**

INSPECTION

**Upon-complaint**

PETS

**No specific restriction stated in N.J.A.C. 8:24-11, but kitchen must meet cleanliness standards.**

### BEFORE YOU SELL FROM THIS ADDRESS

- ☐ **1. Menu** — Confirm each product under New Jersey cottage food rules (county cannot expand a state ban).
- ☐ **2. Pickup & zoning** — Home occupation and porch pickup cells above; HOA/lease may still block customer traffic.
- ☐ **3. Local tax / license** — Business license or sales tax certificate if your city/parish requires it (common even with no state food permit).
- ☐ **4. Training** — Food handler or state registration before market day.
- ☐ **5. Labels** — Disclaimer, allergens, ingredients, net quantity, producer info.
- ☐ **6. Call if unclear** — County health and planning for your exact address.

### LABEL FIELDS TO INCLUDE

- ☐ Product name · producer name · address (or allowed alternative)
- ☐ Ingredients by weight · major allergens · net weight/quantity
- ☐ New Jersey home-kitchen disclaimer (see live label one-pager)

### CONTINUE ONLINE

[Open the live county page →](#)

[New Jersey label one-pager →](#)

[Local notes & questions →](#)

Planning path only — not legal advice. Rules change. Always verify with state and local offices before selling.

## NEW JERSEY: CAPE MAY COUNTY

CROSODO INDEX #2775\* · FIPS 34009 · Cape May Court House

## Cape May County

Population 95,456 · State baseline: N.J.A.C. 8:24-11 et seq. · **HIGH**

## QUICK VIEW FOR BAKERS IN THIS COUNTY

## HOME KITCHEN ALLOWED?

Yes (New Jersey cottage food requires a state Cottage Food Operator Permit (N.J.A.C. 8:24-11): \$100 fee, valid 2 years. Must hold a Food Protection Manager Certification (CFPM-level, not just a food handler card). Must provide proof of water potability (well water test or utility bill). Must obtain local zoning board confirmation that cottage food business is allowed in the operator's residential zone BEFORE applying for state permit. \$50,000 annual sales cap. Allowed: non-TCS foods including baked goods, candy, dried fruit, jams/jellies, granola, honey, popcorn, nuts, nut butters, pasta, vinegar, mustard, and other non-TCS foods upon written application.)

## SEPARATE KITCHEN REQUIRED?

No

## PETS ALLOWED?

No specific restriction stated in N.J.A.C. 8:24-11, but kitchen must meet cleanliness standards.

## HOME OCCUPATION PERMIT?

Yes (New Jersey law (§8:24-11.1(e)) REQUIRES operators to obtain local zoning board confirmation that cottage food operations are allowed in their residential zone BEFORE applying for state permit. If local zoning board does not allow cottage food businesses, the operator is not eligible for a state permit. Cape May County municipalities vary in their zoning; operators must contact their local (municipal) zoning board first. This is a critical gating requirement unique to New Jersey.)

## ON-SITE / PORCH PICKUP?

Yes

## INSPECTION REQUIRED?

Upon-complaint (Health authority may enter premises if there is a complaint or suspected foodborne illness; no routine inspection (§8:24-11.2).)

## Home kitchen rules

|                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| HOME KITCHEN ALLOWED       | Yes — New Jersey cottage food requires a state Cottage Food Operator Permit (N.J.A.C. 8:24-11): \$100 fee, valid 2 years. Must hold a Food Protection Manager Certification (CFPM-level, not just a food handler card). Must provide proof of water potability (well water test or utility bill). Must obtain local zoning board confirmation that cottage food business is allowed in the operator's residential zone BEFORE applying for state permit. \$50,000 annual sales cap. Allowed: non-TCS foods including baked goods, candy, dried fruit, jams/jellies, granola, honey, popcorn, nuts, nut butters, pasta, vinegar, mustard, and other non-TCS foods upon written application. |
| SEPARATE DEDICATED KITCHEN | No                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| PET RESTRICTIONS           | No specific restriction stated in N.J.A.C. 8:24-11, but kitchen must meet cleanliness standards.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| WATER SUPPLY               | Proof of water potability required at application and renewal: well water microbiological analysis (coliform test within 60 days) or most recent water utility bill.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| HANDWASHING                | Food Protection Manager Certification covers handwashing and food safety; kitchen must meet basic standards.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| FOOD STORAGE               | Non-TCS (non-temperature-control-for-safety) foods only. Wholesale to food establishments prohibited.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

## Inspection & permitting

|                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| INSPECTION REQUIRED    | Upon-complaint — Health authority may enter premises if there is a complaint or suspected foodborne illness; no routine inspection (§8:24-11.2).                                                                                                                                                                                                                                                                                                                                                                        |
| HOME OCCUPATION PERMIT | Yes — New Jersey law (§8:24-11.1(e)) <b>REQUIRES</b> operators to obtain local zoning board confirmation that cottage food operations are allowed in their residential zone <b>BEFORE</b> applying for state permit. If local zoning board does not allow cottage food businesses, the operator is not eligible for a state permit. Cape May County municipalities vary in their zoning; operators must contact their local (municipal) zoning board first. This is a critical gating requirement unique to New Jersey. |
| LOCAL BUSINESS LICENSE | Varies                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

## Customer-facing rules

|                         |                                                                                                                                                                                                                                                                                                                                                                                        |
|-------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ON-SITE CUSTOMER PICKUP | Yes                                                                                                                                                                                                                                                                                                                                                                                    |
| ON-SITE SIGNAGE         | Conditional                                                                                                                                                                                                                                                                                                                                                                            |
| DELIVERY / PICKUP RULES | Sales allowed at operator's home (no on-site consumption), consumer's NJ home, NJ farmers markets, NJ farm stands, NJ temporary retail food establishments, and other NJ delivery locations per N.J.A.C. 8:24-11.3. No US mail or common carrier delivery (except certain conditions). No out-of-state sales. Additional local health dept approvals needed for farmers market events. |
| MAX EMPLOYEES IN HOME   | Only operator in private home kitchen; no other persons may handle cottage food products per N.J.A.C. 8:24-11.2.                                                                                                                                                                                                                                                                       |

## Relevant county code

N.J.A.C. 8:24-11 et seq.; local municipal zoning ordinance (varies by municipality in Cape May County)

### RESEARCH NOTES

NJ cottage food rules retrieved directly from nj.gov official pages (rules-resources/rules and apply-renew). **CRITICAL FINDING:** NJ requires local municipal zoning board confirmation **BEFORE** the state will issue a permit. If zoning does not allow cottage food, state permit is unavailable. This is unique among states and makes the effective rules highly municipality-dependent within Cape May County. Cape May County is a major tourism destination (Jersey Shore); most municipalities are residential/tourist. Food Protection Manager Certification (CFPM-level) is required — more burdensome than a basic food handler card. Processing time 12-16 weeks noted in prior research.

### SOURCES VERIFIED AT RESEARCH TIME

<https://www.capemaycountynj.gov>

<https://www.nj.gov/health/cottagefood/rules-resources/rules>

<https://www.nj.gov/health/cottagefood/apply-renew>

<https://www.nj.gov/health/ceohs/phfpp/cottage-food-operator/>

[https://www.nj.gov/health/ceohs/documents/phfpp/njac8\\_24.pdf](https://www.nj.gov/health/ceohs/documents/phfpp/njac8_24.pdf)

**Questions about this county?** Local notes and a place to leave a question: [crosodo.com/nb/new-jersey/cape-may-county-discuss](https://crosodo.com/nb/new-jersey/cape-may-county-discuss)

## Bordering counties — cottage food law

| Regulation                 | Cape May County                                                                                                                                 | Cumberland County                                                                                                                              | Atlantic County                                                                                                                                 |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| HOME KITCHEN ALLOWED       | Yes                                                                                                                                             | Conditional                                                                                                                                    | Yes                                                                                                                                             |
| SEPARATE DEDICATED KITCHEN | No                                                                                                                                              | No                                                                                                                                             | No                                                                                                                                              |
| PETS ALLOWED               | No specific restriction stated in N.J.A.C. 8:24-11, but kitchen must meet cleanliness standards.                                                | Pets must be excluded from food preparation areas per NJ cottage food permit requirements.                                                     | Not specified in state rules, but home kitchen must be sanitary                                                                                 |
| INSPECTION REQUIRED        | Upon-complaint                                                                                                                                  | No                                                                                                                                             | Upon-complaint                                                                                                                                  |
| ON-SITE CUSTOMER PICKUP    | Yes                                                                                                                                             | Conditional                                                                                                                                    | Yes                                                                                                                                             |
| ON-SITE SIGNAGE            | Conditional                                                                                                                                     | Conditional                                                                                                                                    | Conditional                                                                                                                                     |
| DELIVERY / PICKUP          | Sales allowed at operator's home (no on-site consumption), consumer's NJ home, NJ farmers markets, NJ farm stands, NJ temporary retail food...  | Direct-to-consumer sales only. No wholesale to food establishments. No out-of-state sales. NJ residents only.                                  | Direct-to-consumer sales allowed; may sell at NJ farmers markets and events (local health dept approval also required); no wholesale to ret...  |
| HOME OCCUPATION PERMIT     | Yes                                                                                                                                             | Yes                                                                                                                                            | Yes                                                                                                                                             |
| LOCAL BUSINESS LICENSE     | Varies                                                                                                                                          | Varies                                                                                                                                         | Varies                                                                                                                                          |
| RESTRICTIONS               | New Jersey cottage food requires a state Cottage Food Operator Permit (N.J.A.C. 8:24-11): \$100 fee, valid 2 years. Must hold a Food Protect... | New Jersey cottage food program is restrictive. Requirements include: (1) local zoning board approval confirming residential use is permiss... | Must obtain NJ DOH Cottage Food Operator permit (\$100 fee, 2-year validity). Must first obtain local zoning approval confirming home-based ... |
| FOOD STORAGE               | Non-TCS (non-temperature-control-for-safety) foods only. Wholesale to food establishments prohibited.                                           | Non-TCS foods only. No wholesale sales. Annual gross sales may not exceed \$50,000.                                                            | Standard non-TCS food storage; products must remain shelf-stable                                                                                |
| POPULATION                 | 95,456                                                                                                                                          | 153,588                                                                                                                                        | 274,339                                                                                                                                         |

## State context — New Jersey cottage food law

Cape May County's rules sit on top of New Jersey's state cottage food framework. The state law sets the floor — counties can add but cannot remove protections.

### STATUTE

N.J.A.C. 8:24-11 et seq.

### ANNUAL SALES CAP

50000

### REGISTRATION REQUIRED

Yes

### FOOD HANDLER CERT

Yes

### KITCHEN INSPECTION

No

### DIRECT SALES ONLY

Yes

### INDIRECT SALES

No — Cottage food products may only be delivered or relinquished at: the operator's home (not for onsite consumption), the consumer's NJ home, a NJ farmers market or other permitted NJ location. Products cannot be sold to wholesale establishments, retail food establishments, or shipped out of state. Online and phone order-taking is allowed as an ancillary activity, but physical delivery must occur in New Jersey person-to-person or at permitted locations. Charitable bake sales remain exempt under separate provisions.

For the full state-level analysis including the verbatim statute text, see the [New Jersey cottage food law report](#) on Crosodo, or open the live guide: [crosodo.com/states/new-jersey](https://crosodo.com/states/new-jersey).

### STATE-LEVEL REFERENCES

State statute: [https://www.nj.gov/health/ceohs/documents/phfpp/njac8\\_24.pdf](https://www.nj.gov/health/ceohs/documents/phfpp/njac8_24.pdf)

State dept cottage food page: <https://www.nj.gov/health/ceohs/phfpp/cottage-food-operator/>

Forrager.com: <https://forrager.com/law/new-jersey/>

**Questions about Cape May County?** Local notes and a place to leave a question are on Crosodo. We monitor new threads — start with zoning, permits, or porch pickup.

[crosodo.com/nb/new-jersey/cape-may-county-discuss](https://crosodo.com/nb/new-jersey/cape-may-county-discuss)

## Classifieds

Resources for cottage food & home bakers · [crosodo.com/advertise](https://crosodo.com/advertise)

### NATIONAL

#### SUPPLIES

##### Advertise here — Supplies

Reach home bakers across the country. [crosodo.com/advertise](https://crosodo.com/advertise)

#### COURSES

##### Advertise here — Courses

Reach home bakers across the country. [crosodo.com/advertise](https://crosodo.com/advertise)

#### INSURANCE

##### Advertise here — Insurance

Reach home bakers across the country. [crosodo.com/advertise](https://crosodo.com/advertise)

### LOCAL

#### Advertise here

Reach home bakers in Cape May County, New Jersey. Supply stores, farmers markets, kitchen rentals, and bakery services welcome.

[crosodo.com/advertise](https://crosodo.com/advertise)

#### Your business here

Local cottage food listings, kitchen rentals, co-packer referrals, and community events — post yours on Crosodo.

[crosodo.com/nb/new-jersey/cape-may-county-discuss](https://crosodo.com/nb/new-jersey/cape-may-county-discuss)

#### Free ad space available

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