

COTTAGE FOOD LAW REPORT

Hawaii

A comprehensive guide to the cottage food statute, sales rules, and county-level zoning and health-department overlays for home bakers operating under HAR §11-50-3.

STATUTE	TIER	IJ GRADE	COUNTIES COVERED	LAST VERIFIED
HAR §11-50-3	Poor	F	5	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.

Contents

Executive summary	3
Hawaii Administrative Rules Title 11, Chapter 50 (Food Safety Code), §11-50-3 (Permits, special events, homemade food products and hand-pounded poi, and exemptions) — HAR §11-50-3	4
County-level rules (5 counties)	6
#46 Honolulu County	6
#334 Hawaii County · Hilo	7
#401 Maui County · Wailuku	9
#744 Kauai County · Lihue	11
#9999 Kalawao County	13

Executive summary

This report covers the Hawaii cottage food framework — the state statute, the regulatory body administering it, what producers can and cannot sell, and county-level rules layered on top of state law for the 5 Hawaii counties included in this dataset.

ANNUAL SALES CAP

none

FOOD HANDLER CERTIFICATION

yes (specific course)

DIRECT SALES ONLY

yes

REGISTRATION REQUIRED

no

KITCHEN INSPECTION

upon-complaint

INDIRECT SALES (RETAIL/ONLINE/WHOLESALE)

no — Hawaii prohibits online sales, mail order, consignment, wholesale, restaurant, and retail store sales; only in-person direct sales at home, farmers markets, roadside stands, and events are allowed.

RESEARCH NOTES

Hawaii's cottage food program is implemented through administrative rules (HAR Chapter 11-50) rather than a standalone statute. The enabling HRS citation (§321-30.5) in the input may not be the correct operative section; the actual cottage food provisions are in HAR §11-50-3. The HAR was updated in September 2017 to allow homemade food sales and was most recently revised in November 2024 (Ch-50-revision-11.12.2024.pdf). Before 2017, only temporary event permits were available. A food safety training course is mandatory before selling — operators may attend a free on-island Food Safety Education Workshop or complete an ANSI-accredited online course (~\$10, 2-3 hours, valid 3 years). The health department retains authority to inspect home kitchens for complaints and illness investigations. The state dept cottage URL (home-bakery-permit) returned a 404 — the correct URL appears to be health.hawaii.gov/san/ with relevant guidance PDFs. Hawaii is among the most restrictive states: direct sales only, no online/wholesale, limited allowed foods. The input notes 'baked goods only' which slightly understates the allowed range (candies, preserves also allowed) but the program is still quite restrictive.

Hawaii Administrative Rules Title 11, Chapter 50 (Food Safety Code), §11-50-3 (Permits, special events, homemade food products and hand-pounded poi, and exemptions)

CITATION

HAR §11-50-3

ENACTED

2017

LAST AMENDED

2024

CONFIDENCE

MEDIUM

Allowed foods

Hawaii allows non-potentially hazardous (non-PHF) foods only, including breads, rolls, mochi, cakes, cookies, pastries, candies, confections, jams, jellies, preserves, cereals, trail mixes, granola, and popcorn. Most shelf-stable baked goods and confections qualify.

Prohibited foods

Prohibited items include fermented foods, acidified foods, canned or bottled foods (except jams/jellies), dried meats or seafood, low-acid canned foods, garlic in oil, pickles, kimchee, beef jerky, and all items requiring refrigeration. Perishable baked goods with dairy fillings (cheesecakes, cream puffs, custard pies) are also prohibited.

Labeling requirements

Labels must include the statement 'Made in a home kitchen not routinely inspected by the Department of Health,' the common product name, an ingredient list in descending order by weight (for multi-ingredient products), and the operator's name and contact information (address, email, or phone; PO boxes are allowed).

Statutory text — verbatim excerpt

Statute excerpt — verbatim

HOMEMADE FOOD OPERATIONS Under HAR 11-50-3, Homemade Food (HMF) sales are allowed and exempt from the requirement of a food establishment permit. HMF operations can only make food that is not potentially hazardous. Operators can use their home kitchen to produce products to sell directly to consumers. HMF sales by internet, mail order, consignment or at wholesale are not allowed. FOODS NOT ALLOWED AS HOMEMADE FOOD PRODUCT: Foods not allowed include fermented foods, acidified foods, canned or bottled foods, dried meats or seafood, low acid canned foods, and garlic in oil. Examples of these foods include: kimchee, pickles, beef jerky, and the like. APPROVED HOMEMADE FOOD PRODUCTS & LABELING: As an HMF operator, you are allowed to produce food items which are considered not potentially hazardous. The following products can be made from your home kitchen: Breads, rolls, mochi; Cakes, cookies, and pastries; Candies and confections; Jams, jellies, and preserves; Cereals, trail mixes, and granola; Popcorn. All HMF products require specific labeling with the following information: 1. A statement that reads 'Made in a home kitchen not routinely inspected by the Department of Health'. 2. Common name of the product or descriptive name. 3. Ingredient list if made from 2+ ingredients, listed in descending order of predominance by weight. 4. Name and contact information of the homemade food product operator.

Source: <https://health.hawaii.gov/san/files/2019/09/HMF-HANDOUT.pdf>

Official sources

Statute https://www.capitol.hawaii.gov/hrscurrent/Vol06_Ch0321-0344/HRS0321/HRS_0321-0030_0005.htm

State dept page <https://health.hawaii.gov/san/home-bakery-permit/>

Extension service <https://www.ctahr.hawaii.edu/Site/CooperativeExtension.aspx>

Forrager.com <https://forrager.com/law/hawaii/>

State dept of agriculture / health: **Hawaii Department of Health**

County-level rules

The state statute above sets the floor. Each county may add a home-occupation permit, business license, or zoning rule on top of state law. The 5 Hawaii counties below are sorted by population (largest first).

RANK 46 · FIPS 15003 · —

Honolulu County

Population 1,010,100 · State baseline: HAR §11-50-3 · **HIGH**

Home kitchen rules

HOME KITCHEN ALLOWED	yes — Hawaii Homemade Food Operations (HMF) are exempt from a DOH food establishment permit under HAR Chapter 11-50. Honolulu County (City and County of Honolulu) has no separate county-level cottage food permit — state rules apply. Note: As of January 2026 updated rules (HAR 11-50 revised), the allowed food list has been expanded to include some acidified/fermented plant foods (pH \leq 4.2 or Aw <0.88) and wholesale to retailers — a significant change from the prior direct-to-consumer only framework.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	state baseline applies
WATER SUPPLY	state baseline applies
HANDWASHING	state baseline applies
FOOD STORAGE	state baseline applies

Inspection & permitting

INSPECTION REQUIRED	upon-complaint — DOH may conduct inspections to investigate consumer complaints and potential foodborne illness outbreaks. No routine inspection.
HOME OCCUPATION PERMIT	conditional — Hawaii/Honolulu does not have a specific home occupation permit for cottage food operations. However, some farmers markets and events may require a Special Event permit. DOH will review and sign off on Special Event permit applications for HMF operators.
LOCAL BUSINESS LICENSE	varies by city

Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Updated rules (January 2026): wholesale to retailers now allowed. Direct-to-consumer sales at events, markets, online also allowed. Prior rule (pre-2026): direct-to-consumer only, no internet/mail/wholesale.
MAX EMPLOYEES IN HOME	state baseline applies

Relevant county code

HAR §11-50-3 (Hawaii Administrative Rules, Food Safety Code)

RESEARCH NOTES

Hawaii is among the most restrictive states (state tier: Poor), but the January 2026 updated rules represent a significant expansion: pickles, kimchi, salsa (plant-based, pH ≤4.2 or Aw <0.88) are now allowed; wholesale to retailers is now permitted; and online sales appear to be allowed. The prior (pre-2026) rules were: direct-to-consumer only, no fermented/acidified foods, limited to basic baked goods/candies/jams. City and County of Honolulu encompasses most of Oahu including Honolulu city. State rules apply uniformly throughout Hawaii's counties.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.honolulu.gov>

<https://health.hawaii.gov/san/files/2019/09/hmf-foods-01.29.2026.pdf>

<https://health.hawaii.gov/san/home-bakery-permit/>

RANK 334 · FIPS 15001 · Hilo

Hawaii County

Population 202,163 · State baseline: HAR §11-50-3 · **HIGH**

Home kitchen rules

HOME KITCHEN ALLOWED	yes — Hawaii Homemade Food Operation (HMF) program (HAR §11-50-3) allows non-potentially hazardous (non-PHF) foods produced in the operator's primary home kitchen. No DOH establishment permit required. Food safety training (free on-island workshop or ANSI-accredited online course, ~\$10, valid 3 years) required. Direct sales only — no internet, mail order, consignment, or wholesale. Very restrictive list of allowed foods: breads, rolls, mochi, cakes, cookies, pastries, candies, confections, jams, jellies, preserves, cereals, trail mixes, granola, popcorn. Hawaii County (Big Island) is one of four Hawaii counties.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No explicit pet restriction in HAR §11-50-3, but DOH retains authority to inspect for complaints and foodborne illness investigations. Standard food safety practices apply.
WATER SUPPLY	No specific water testing requirement documented for Hawaii HMF operations under HAR §11-50-3.
HANDWASHING	Food safety training required; handwashing and hygiene covered in training.
FOOD STORAGE	Only non-PHF (not potentially hazardous) foods. No fermented foods, acidified foods, canned or bottled foods (except jams/jellies), dried meats/seafood, low-acid canned foods, garlic in oil. Items requiring refrigeration not permitted.

Inspection & permitting

INSPECTION REQUIRED	no — HMF operations not routinely inspected by DOH. DOH investigates consumer complaints and potential foodborne illness outbreaks. Some farmers markets or events may require a Special Event permit.
HOME OCCUPATION PERMIT	conditional — Hawaii County (Big Island) may require a home occupation permit from Hawaii County Planning Department for home-based food businesses. Contact Hawaii County Planning Department (hawaiicounty.gov/planning) to verify whether food production from a home constitutes a home occupation requiring a county permit.
LOCAL BUSINESS LICENSE	varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Hawaii HMF program allows direct-to-consumer sales only. Home pickup permitted. No internet sales, mail order, consignment, or wholesale allowed. Some events may require a Special Event Food Establishment Permit from DOH if unpackaged samples are served.
MAX EMPLOYEES IN HOME	No explicit employee cap in Hawaii HMF program. Only the primary home kitchen operator is contemplated; home occupation zoning may restrict business activities.

Relevant county code

HAR §11-50-3; Hawaii County Code (contact Planning Department for home occupation); HB520 HD1 (2023 proposed expansion bill — not yet enacted as of research date)

RESEARCH NOTES

High confidence: Hawaii DOH HMF handout (2019, still current per HAR §11-50-3 last revised November 2024) confirmed from official health.hawaii.gov source. Hawaii is among the most restrictive states: direct sales only, very limited food list, no internet/wholesale sales. Hawaii County (Big Island) is distinct from Honolulu County, Maui County, and Kauai County — each county is essentially its own government. HB520 HD1 (2023) proposed expanding cottage food law but status of enactment is uncertain as of research date. Note: the state baseline HAR is 'Poor' tier due to restrictiveness. A separate DOH 'Home Bakery Permit' pathway may exist for baked goods with additional requirements; the HMF program is the primary no-permit pathway.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.hawaiicounty.gov/planning>

<https://www.hawaiicounty.gov>

<https://health.hawaii.gov/san/files/2019/09/HMF-HANDOUT.pdf>

<https://health.hawaii.gov/san/home-bakery-permit/>

<https://nationalaglawcenter.org/wp-content/uploads/assets/cottagefood/Hawaii.pdf>

https://data.capitol.hawaii.gov/sessions/session2024/bills/HB520_HD1_.htm

RANK 401 · FIPS 15009 · Wailuku

Maui County

Population 164,765 · State baseline: HAR §11-50-3 · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED	conditional — Hawaii requires a mandatory food safety training course (free on-island workshop or ANSI-accredited online course ~\$10, valid 3 years) before selling. Only non-potentially hazardous (non-PHF) foods allowed. Direct sales only — no online, wholesale, or mail-order. Maui County enforces Hawaii state HAR Ch. 11-50 rules.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	Pets must be excluded from food preparation areas during production.
WATER SUPPLY	No specific private water testing required beyond standard food safety practices under state law.
HANDWASHING	Adequate handwashing facility required in food preparation area per Hawaii food safety rules.
FOOD STORAGE	All cottage food must be stored away from non-food items; no TCS foods permitted.

Inspection & permitting

INSPECTION REQUIRED	upon-complaint — Hawaii DOH may inspect upon complaint or suspected foodborne illness investigation.
HOME OCCUPATION PERMIT	conditional — Maui County Ordinance 4168 (2014) established home business rules. Home businesses are permitted uses in apartment, residential, and rural zoning districts subject to qualifying standards; special use permit required in some districts. Maui County Code Title 19 governs.
LOCAL BUSINESS LICENSE	yes

Customer-facing rules

ON-SITE CUSTOMER PICKUP	conditional
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct sales only. No online/mail-order delivery. Customers may pick up at home or operator may sell at markets, events. No wholesale or indirect sales.

MAX EMPLOYEES IN HOME Home businesses must be conducted by the occupant; employees are restricted under home business rules.

Relevant county code

Maui County Code Title 19 (Zoning), §19.08.020 (Ord. 4168, 2014) for home businesses

RESEARCH NOTES

State baseline applies. Hawaii HAR §11-50-3 is the governing law. Maui County Ordinance 4168 (2014) establishes home business zoning rules. No county-specific cottage food variance found. Hawaii is among the most restrictive states: direct sales only, limited allowed foods (non-PHF baked goods, candies, jams/jellies, preserves, cereals, trail mixes, granola, popcorn), food safety training required. No county override of state rules found.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.mauicounty.gov>

<https://health.hawaii.gov/san/home-bakery-permit/>

<https://www.mauicounty.gov/DocumentCenter/View/96115/Ord-4168>

RANK 744 · FIPS 15007 · Lihue

Kauai County

Population 73,511 · State baseline: HAR §11-50-3 · **HIGH**

Home kitchen rules

HOME KITCHEN ALLOWED	yes — Non-potentially hazardous (non-PHF) foods only. Permitted products include breads, rolls, mochi, cakes, cookies, pastries, candies, confections, jams, jellies, preserves, cereals, trail mixes, granola, and popcorn. Also allowed: plant-origin foods pickled/fermented/acidified with pH ≤ 4.2 or water activity < 0.88; products with cut tomatoes (e.g., salsa) held at 41°F or below. NOT allowed: dried meats, seafood, or fruits from the melon family.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	Not specified in state statute.
WATER SUPPLY	Potable water required.
HANDWASHING	Food safety training required from DOH or approved program (ANSI-accredited courses acceptable).

FOOD STORAGE Non-PHF products must be stored appropriately. Items that require refrigeration must be handled accordingly.

Inspection & permitting

INSPECTION REQUIRED upon-complaint — DOH may inspect upon complaint or illness investigation. No routine inspection under HAR §11-50.

HOME OCCUPATION PERMIT conditional — Hawaii state program exempts HMF producers from DOH food establishment permits. However, Kauai County Planning Department requires a Home Business permit for home-based businesses. Key Kauai County Home Business requirements (Planning Dept, Ordinance No. 164, Article 1, §8-1.5): business conducted entirely within dwelling; only by inhabitants; incidental to dwelling use; NO selling of commodities on the premises; business by phone or mail only (no frequent public visits); NO employees; NO exterior signs; must not rely on frequent public visits. This means on-site customer pickup and retail signage are NOT permitted under Kauai's Home Business rules.

LOCAL BUSINESS LICENSE yes

Customer-facing rules

ON-SITE CUSTOMER PICKUP no

ON-SITE SIGNAGE no

DELIVERY / PICKUP RULES State law allows sales at non-profit and for-profit events, craft fairs, farmers markets, and online. Kauai County Home Business rules restrict sales to phone/mail only from home — no on-site sales or frequent public visits to the home. Operators should use off-site venues (farmers markets, events) for direct sales.

MAX EMPLOYEES IN HOME No employees permitted under Kauai County Home Business rules.

Relevant county code

HAR §11-50-3 (state); Kauai County Ordinance No. 164, Article 1, §8-1.5 (Home Business Requirements)

RESEARCH NOTES

Kauai County has specific Home Business requirements (Ordinance No. 164) that are MORE restrictive than the state HMF framework in terms of on-site sales. County explicitly prohibits selling commodities on the premises and requires business to be conducted by phone/mail only from home. No employees permitted. No exterior signs. These local restrictions mean Kauai cottage food producers should primarily sell at off-site venues (farmers markets, events) per local rules, even though state law allows broader channels. Hawaii state program (HAR §11-50, updated Jan 2026) requires food safety training, allows wholesale to permitted food establishments. County planning URL and .gov URL confirmed. Confidence: high (both state law and county planning ordinance directly retrieved).

SOURCES VERIFIED AT RESEARCH TIME

<https://www.kauai.gov/Government/Departments-Agencies/Planning/Zoning-Land-Use-Permits>

<https://www.kauai.gov>

<https://health.hawaii.gov/san/files/2019/09/hmf-foods-01.29.2026.pdf>

https://www.kauai.gov/files/assets/public/v/1/planning-department/documents/home_business_requirements.pdf

<https://www.kauai.gov/Government/Departments-Agencies/Planning/Zoning-Land-Use-Permits>

RANK 9999 · FIPS 15005 · —

Kalawao County

Population 86 · State baseline: HAR §11-50-3 · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED	conditional — Hawaii requires a mandatory food safety training course (free on-island DOH workshop or ANSI-accredited online course ~\$10, valid 3 years) before selling. As of the November 2024 HAR Ch. 11-50 revision, non-PHF foods are allowed plus plant-based acidified/fermented foods with pH ≤4.2 or Aw <0.88 (pickles, kimchi, salsa), and juice sold direct to consumer. Wholesale to permitted food establishments is now allowed. Dried meats, seafood, and melon-family fruits remain prohibited. Kalawao County has no separate local planning or zoning department; state rules govern entirely.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	Pets must be excluded from food preparation areas during production.
WATER SUPPLY	No specific private water testing required beyond standard food safety practices under state law.
HANDWASHING	Adequate handwashing facility required in food preparation area per Hawaii food safety rules.

FOOD STORAGE All cottage food must be stored away from non-food items; no TCS foods permitted.

Inspection & permitting

INSPECTION REQUIRED upon-complaint — Hawaii DOH may inspect upon complaint or suspected foodborne illness investigation.

HOME OCCUPATION PERMIT unknown — Kalawao County is the smallest county in the US with a population under 100, administered primarily through the State of Hawaii Department of Health and Maui County by intergovernmental agreement. No county-specific home occupation ordinance was identified. Operators should contact the Hawaii DOH Food Safety Branch (Maui district office) for guidance.

LOCAL BUSINESS LICENSE unknown

Customer-facing rules

ON-SITE CUSTOMER PICKUP conditional

ON-SITE SIGNAGE unknown

DELIVERY / PICKUP RULES Direct-to-consumer sales and wholesale to permitted food establishments allowed under updated HAR §11-50. Online sales allowed. No dried meats, seafood, or melon-family fruits.

MAX EMPLOYEES IN HOME No county-specific employee limit found; state law does not specify a cap on in-home employees for cottage food operations.

Relevant county code

No county zoning code identified; state HAR Chapter 11-50 (revised November 2024) governs.

RESEARCH NOTES

Kalawao County is the smallest and most unusual county in the US — a tiny peninsula on Molokai administered largely by the state. No county-specific zoning or home occupation ordinance was found. The Hawaii DOH HMF program under HAR §11-50 (revised November 2024, updated info sheet dated 01.29.2026) applies statewide including Kalawao. Key 2024 updates: plant-based acidified/fermented foods now allowed with pH ≤ 4.2 or Aw < 0.88 ; juice allowed for direct sales; wholesale to permitted food establishments now allowed. The state baseline in this database may predate the November 2024 revision and should be updated to reflect these expansions. Kalawao's lack of a functioning county government means state rules are the only operative rules.

SOURCES VERIFIED AT RESEARCH TIME

<https://health.hawaii.gov/san/files/2019/09/hmf-foods-01.29.2026.pdf>

Generated 2026-05-06 from data/research/state_cottage_food_statutes.csv and data/research/county_cottage_food_zoning.csv. This report is for research purposes only and does not constitute legal advice. Cottage food law is in active flux — re-verify all citations and rules against state and county .gov sources before relying on them for regulatory decisions.