



CROSODO

FOR THE COTTAGE BAKER

The Cottage Baker's Field Guide

A 50-state survey of cottage food laws — tier classifications, sales caps, registration, and statute citations. Compiled for the people who proof at 3am.

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The five tiers

Every US state plus DC has some form of cottage food law. They range from Freedom — sell almost anything direct to consumer with no cap — to Poor — significant restrictions on products, channels, and sales.

Tier	States	Description
Freedom	8	Sell almost anything direct to consumer, no sales cap.
Great	12	No or high sales cap, broad product list, multiple channels.
Good	19	Solid law with moderate restrictions.
Okay	9	Sales caps and/or limited channels.
Poor	3	Heavy restrictions on products, channels, or permits.

Freedom states

Arkansas **FREEDOM**

A.C.A. §20-57-201 (Act 1040 of 2021)

SALES CAP	No annual cap
REGISTRATION	No
INSPECTION	No
DIRECT ONLY	No
INDIRECT SALES	Yes — Retail and wholesale sales are allowed so long as the product is sold to an informed end consumer who can see the product label; sales to businesses for ingredient use or gift resale are not permitted.
ALLOWED	Producers may sell almost any nonperishable, non-potentially hazardous food directly to consumers, including baked goods, candies, condiments, dry goods, preserves, fermented foods, carbonated drinks, and snacks. Interstate sales are permitted and retail/wholesale channels are allowed as long as an informed end consumer is the final buyer.
IJ GRADE	B+
VERIFIED	2026-05-05

Maine **FREEDOM**

7 M.R.S.A. §282 (Food Sovereignty Act)

SALES CAP	No annual cap
REGISTRATION	Yes
INSPECTION	Yes
DIRECT ONLY	No
INDIRECT SALES	Yes — Under the statewide Home Food Processor License, producers may sell at any venue including restaurants, retail stores, farmers markets, and online, with no sales limit; indirect wholesale and retail channels are allowed once licensed and kitchen-inspected.
ALLOWED	Under the Food Sovereignty Act, in municipalities with local food sovereignty ordinances, almost any food produced and sold in a direct producer-to-consumer transaction is allowed, including vegetables, fruits, eggs, dairy, meat, poultry, fish, seafood, cider, juice, acidified foods, canned fruits/vegetables, honey, nuts, maple products, baked goods, sandwiches, and other meals. Under the statewide home food processor license (separate from the Food Sovereignty Act), most shelf-stable non-TCS foods are allowed after kitchen inspection.
IJ GRADE	B+
VERIFIED	2026-05-05

Montana **FREEDOM**

Mont. Code §50-50-116 and §50-50-117 (cottage food); Mont. Code §§50-49-201 et seq. (Local Food Choice Act)

SALES CAP	No annual cap
REGISTRATION	Yes
INSPECTION	Upon-complaint
DIRECT ONLY	Yes
INDIRECT SALES	No — Consignment sales at retail food establishments or through wholesale establishments are explicitly prohibited under §50-50-116(3). The Montana Local Food Choice Act also requires direct producer-to-informed-end-consumer transactions only; retail locations require a wholesale food license.
ALLOWED	Non-potentially-hazardous cottage food products prepared in the domestic residence are allowed and can be sold directly to consumers at farmers markets, events, from home, and at other locations. The Montana Local Food Choice Act (enacted 2021) additionally allows direct-to-consumer sales of virtually any homemade food — including potentially hazardous items like raw milk, meat, and eggs — between producer and informed end consumer without licensing, inspection, or labeling requirements.
IJ GRADE	A-
VERIFIED	2026-05-05

North Dakota

FREEDOM

N.D. Cent. Code §23-09.5-01 through §23-09.5-02

SALES CAP	No annual cap
REGISTRATION	No
INSPECTION	No
DIRECT ONLY	Yes
INDIRECT SALES	No — Transactions must be directly between the cottage food operator and the 'informed end consumer' and solely for home consumption. Products may not be sold or used in any food establishment, food processing plant, or food store. No wholesale channel is permitted.
ALLOWED	Baked goods, jams, jellies, and 'other food and drink products' are broadly allowed — the definition of cottage food product is intentionally open-ended. Sales may occur at farms, ranches, farmers markets, farm stands, home-based kitchens, any other non-prohibited venue, or through delivery.
IJ GRADE	A-
VERIFIED	2026-05-05

Oklahoma

FREEDOM

2 O.S. §5-4.1 through §5-4.6 (Homemade Food Freedom Act)

SALES CAP	75000
REGISTRATION	No
INSPECTION	No
DIRECT ONLY	No
INDIRECT SALES	Limited (see notes) — Sales are permitted on site, by delivery, at farmers markets, through cooperatives, and through membership-based buying clubs. The Oklahoma Department of Agriculture, Food, and Forestry may promulgate rules to allow sales at other locations or by other means. County ordinances may regulate but may not conflict with or impede the Act. For TCS foods, the producer must complete an approved food safety training (e.g., ServSafe Food Handler Training, max 8 hours, available online) before selling.
ALLOWED	The Homemade Food Freedom Act covers a broad range of homemade food products including beverages, baked goods, and any food produced and packaged at a residence, provided it is not an alcoholic beverage, unpasteurized milk, or cannabis product. Non-time-or-temperature-controlled-for-safety (non-TCS) foods with pH 4.6 or below or water activity 0.85 or below are fully exempt from licensing. Time-or-temperature-controlled-for-safety (TCS) foods are also allowed but require food safety training.
IJ GRADE	A-
VERIFIED	2026-05-05

Utah **FREEDOM**

Utah Code §4-5-501

SALES CAP	No annual cap
REGISTRATION	Yes
INSPECTION	No
DIRECT ONLY	No
INDIRECT SALES	Yes — Registered cottage food operations may sell through various channels. The Utah Department of Agriculture and Food (UDAF) issues registration; local health departments do not have jurisdiction to regulate compliant cottage food operations except to investigate foodborne illness outbreaks. The state also has a separate Home Consumption and Homemade Food Act (Utah Code Title 4, Chapter 5A) that allows unregistered sales of certain homemade foods with a business license, but only at direct-to-sale farmers markets or direct-to-sale locations with appropriate signage. Food service establishments may not use cottage food products as ingredients in food served to the public.
ALLOWED	All non-potentially hazardous foods (non-TCS) produced in a home kitchen are allowed under the cottage food registration. This includes baked goods, jams, jellies, candy, granola, dried herbs, non-TCS beverages, and other shelf-stable foods. A separate Home Consumption and Homemade Food Act (Title 4, Chapter 5A) provides an alternative pathway with fewer registration requirements but more sales restrictions.
IJ GRADE	A-
VERIFIED	2026-05-05

Wisconsin **FREEDOM**

Wis. Stat. §97.29

SALES CAP	Tiered
REGISTRATION	No
INSPECTION	No
DIRECT ONLY	Yes
INDIRECT SALES	No — Home-canned goods must be sold at community or social events or farmers' markets in Wisconsin (§97.29(2)(b)2.b). The Kivirist court order applies to direct-to-consumer sales by home bakers. Products cannot be sold to retail food establishments or distributed through wholesale channels without a license.
ALLOWED	Two distinct pathways: (1) Statute §97.29(2)(b)2 allows unlicensed home-canned pickles and acidified vegetables/fruits (pH 4.6 or lower) sold at community events or farmers' markets, capped at \$5,000/year; (2) The Kivirist court order (2017) allows home bakers of good character to sell nonhazardous, shelf-stable baked goods direct to consumer at low volume without a license, with no stated dollar cap. DATCP may not enforce licensure against such bakers.
IJ GRADE	B
VERIFIED	2026-05-05

Wyoming **FREEDOM**

Wyo. Stat. §11-49-101 through §11-49-104 (Wyoming Food Freedom Act)

SALES CAP	No annual cap
REGISTRATION	No
INSPECTION	No
DIRECT ONLY	No
INDIRECT SALES	Yes — Wyoming’s Food Freedom Act allows considerably broader indirect sales than most states. Non-potentially hazardous foods, eggs, and dairy products may be sold through third-party vendors (retail shops, grocery stores) as long as the sale complies with the Act. The third-party seller must inform consumers that the food is not certified, licensed, or inspected, and non-potentially hazardous foods must be displayed separately from licensed products with a label stating ‘this food was made in a home kitchen, is not regulated or inspected and may contain allergens.’ Potentially hazardous homemade foods (except eggs/dairy) must be sold by the producer or designated agent only. A ‘designated agent’ may also facilitate transactions including marketing, transport, storage, and delivery without taking ownership of the product.
ALLOWED	Extraordinarily broad: all homemade foods including TCS (potentially hazardous) foods such as dairy, eggs, quiches, pizzas, cooked vegetables, and baked goods with dairy/meat fillings — as long as transactions comply with the Act. Non-potentially hazardous foods (jams, pickled vegetables, baked goods without hazardous fillings, candies, granola, etc.) may even be sold through third-party vendors and retail shops. Potentially hazardous homemade foods (except eggs and dairy) must be sold by the producer or designated agent directly to the informed end consumer.
IJ GRADE	A
VERIFIED	2026-05-05

Great states

Arizona GREAT

A.R.S. §36-931 / §36-932

SALES CAP	No annual cap
REGISTRATION	Yes
INSPECTION	No
DIRECT ONLY	No
INDIRECT SALES	Yes — Retail and wholesale sales are allowed for non-dairy/non-meat products; stores must display homemade products separately from commercially produced items; dairy and meat products must be sold directly in person (online orders allowed but must be delivered in person, not via third-party platforms).
ALLOWED	Producers can sell almost any type of food, including products containing meat (from approved federal-exemption sources) and perishable foods. Non-dairy, non-meat products can be sold anywhere including online, in stores, and via third-party delivery. The program has approximately 10,000 registered businesses as of 2024.
IJ GRADE	B+
VERIFIED	2026-05-05

Colorado GREAT

C.R.S. §25-4-1614

SALES CAP	Tiered (see notes)
REGISTRATION	Yes
INSPECTION	Upon-complaint
DIRECT ONLY	Yes
INDIRECT SALES	No — Products cannot be resold; producers must sell directly to consumers but may designate a representative to sell on their behalf. Sales through restaurants or retail stores are not permitted, though the health department may allow direct sales at those locations on a case-by-case basis.
ALLOWED	Allowed non-refrigerated nonpotentially hazardous foods include baked goods (including candies, tortillas, empanadas), pickled fruits and vegetables (pH 4.6 or below), jams, jellies, preserves, fruit butter, spices, teas, dehydrated produce, nuts, seeds, honey, flour, and fermented foods. Whole eggs may be sold under a 250-dozen-per-month limit.
IJ GRADE	B-
VERIFIED	2026-05-05

Florida GREAT

Fla. Stat. §500.80

SALES CAP	250000
REGISTRATION	No
INSPECTION	Upon-complaint
DIRECT ONLY	No
INDIRECT SALES	Limited (see notes) — Florida prohibits wholesale sales but allows online, mail-order, and in-person sales including delivery to consumers; state law preempts local restrictions on cottage food operations.
ALLOWED	Florida uses a broad non-TCS standard — any food that does not require time/temperature control for safety is allowed. Common examples include baked goods, candies, jams, jellies, dried goods, roasted nuts, and similar shelf-stable items.
IJ GRADE	B-
VERIFIED	2026-05-05

Idaho GREAT

IDAPA 16.02.19 (Idaho Food Code, cottage food provisions)

SALES CAP	No annual cap
REGISTRATION	No
INSPECTION	No
DIRECT ONLY	Yes
INDIRECT SALES	No — Idaho prohibits wholesale, restaurant, and retail store sales; only direct-to-consumer in-person sales at home, farmers markets, events, online (pickup/delivery), and roadside stands are allowed.
ALLOWED	Idaho allows all non-potentially hazardous foods except acidified foods. This broad category includes baked goods, candies, condiments (honey, mustards, nut butters, oils, syrups, vinegars), dry goods, pastries, most preserves (including jams and jellies), and snacks. Some borderline items like fruit butters may require health district approval.
IJ GRADE	A-
VERIFIED	2026-05-05

Illinois GREAT

410 ILCS 625/4 (Food Handling Regulation Enforcement Act, §4)

SALES CAP	No annual cap
REGISTRATION	Yes
INSPECTION	Upon-complaint
DIRECT ONLY	Yes
INDIRECT SALES	No — Illinois prohibits sales to restaurants, retail stores, and wholesale; direct in-state sales are allowed anywhere including home, online, farmers markets, events, and roadside stands; non-perishable items may be shipped within Illinois only.
ALLOWED	Illinois uses a 'prohibited list' approach — everything not prohibited is allowed, including baked goods, candies, condiments (honey, ketchup, mustards, nut butters, oils, pickles, salsas, sauces, syrups, vinegars), dry goods, pastries, preserves (including acidified foods and fermented foods with extra requirements), snacks, carbonated drinks, extracts, frozen produce, hardboiled eggs, and juices. Many perishable foods are allowed for direct in-state sales but may not be shipped.
IJ GRADE	B-
VERIFIED	2026-05-05

Indiana GREAT

Ind. Code §16-42-5.2

SALES CAP	No annual cap
REGISTRATION	No
INSPECTION	Upon-complaint
DIRECT ONLY	Yes
INDIRECT SALES	No — Sales to restaurants, retail stores, and wholesale are prohibited; producers may sell at events, farmers markets, home, online, and roadside stands only.
ALLOWED	Home-based vendors may sell most nonperishable (non-potentially hazardous) foods, including baked goods, candies, jams and jellies, fermented products (not oxygen-sealed), nut butters, syrups, dried goods, coffee, tea, snacks, and similar shelf-stable items. Whole eggs, traditional pickles not stored in oxygen-sealed containers, and whole chickens or rabbits raised by the vendor (with restrictions) are also allowed.
IJ GRADE	B
VERIFIED	2026-05-05

Kansas GREAT

K.S.A. §65-657

SALES CAP	No annual cap
REGISTRATION	No
INSPECTION	Upon-complaint
DIRECT ONLY	Yes
INDIRECT SALES	No — Indirect sales to restaurants, retail stores, or wholesale are not allowed under the exemption; producers needing wholesale or retail channels must obtain a KDA food processing license.
ALLOWED	Almost all nonperishable (non-TCS) foods can be sold directly to consumers anywhere, including out-of-state sales (with additional requirements). Allowed products include most baked goods, candies, dried goods, condiments, jams and jellies, nuts, snacks, and certain other shelf-stable items. Some perishable foods are allowed with restrictions (ready-to-eat items at events up to 6 times/year; certain TCS products up to 6 days/year without a license).
IJ GRADE	B+
VERIFIED	2026-05-05

Michigan GREAT

MCL §289.4102

SALES CAP	50000
REGISTRATION	No
INSPECTION	No
DIRECT ONLY	Yes
INDIRECT SALES	No — Sales through retail stores, restaurants, or wholesale are prohibited. Online sales, mail order, and third-party delivery platform sales (e.g., DoorDash) are allowed in-state only, but require the producer to offer the customer an opportunity to directly interact (face-to-face or virtually) before purchase. A separate \$75,000 cap applies if all products are priced at \$250 or more per item. Honey and maple syrup have a separate exemption permitting indirect retail sales up to \$15,000/year.
ALLOWED	Non-potentially hazardous foods produced in a home kitchen, including baked goods (breads, cookies, cakes, cupcakes, pies, donuts, macarons), candies (chocolate, fudge, brittles, truffles), condiments (honey, nut butters, syrups, vinegars), dry goods (cereals, coffee, dried fruit/vegetables, herbs, pasta, spices, tea), pastries, preserves (jams, jellies, marmalades), and snacks (granola, popcorn, chocolate-covered items, fruit leathers, vegetable chips).
IJ GRADE	B-
VERIFIED	2026-05-05

Minnesota GREAT

Minn. Stat. §28A.152

SALES CAP	78000
REGISTRATION	Yes
INSPECTION	No
DIRECT ONLY	No
INDIRECT SALES	No — Sales are limited to direct-to-consumer channels: community events, farmers markets, from the producer's home, online (in-state delivery by the producer personally or by mail/commercial delivery), and fundraising donations. Restaurants, retail stores, roadside stands, mail order wholesale, and catering are prohibited. All deliveries must be made by the producer personally unless shipped by mail or commercial delivery upon a prior online sale. Home-canned products in the pH/water-activity exemption category (Subd. 1(a)(2)) may not be sold outside of Minnesota.
ALLOWED	Non-potentially hazardous foods (those not requiring refrigeration) including baked goods, candies, condiments (honey, pickles, mustards, nut butters, salsas, sauces), dry goods (coffee, cereals, dried fruit/vegetables, herbs, pasta, spices, tea), pastries, preserves (jams, jellies, fruit butters, applesauce), snacks (granola, popcorn, chocolate-covered items), fermented foods, and juices. Home-processed and home-canned products with pH 4.6 or lower or water activity 0.85 or less (the original 'Pickle Bill' category) are also permitted.
IJ GRADE	B+
VERIFIED	2026-05-05

Missouri GREAT

Mo. Rev. Stat. §196.298

SALES CAP	No annual cap
REGISTRATION	No
INSPECTION	No
DIRECT ONLY	Yes
INDIRECT SALES	No — Under §196.298, sales must be directly to consumers from the producer's home. Events, farmers markets, restaurants, retail stores, and roadside stands are not permitted under this law. Internet/online sales are allowed but only if both the producer and buyer are located in Missouri. Local health departments are explicitly prohibited from regulating the production of food at cottage food operations. A separate Missouri statute (individual stands law) allows sales at events and roadside stands in counties that have adopted it, permitting most other nonperishable foods.
ALLOWED	Under the primary statute (§196.298), only nonperishable baked goods (cookies, cakes, breads, danish, donuts, pastries, pies), canned jams and jellies, and dried herbs and herb mixes are allowed. A separate Missouri cottage food law (applicable in certain counties) allows most other nonperishable foods at events, farmers markets, and roadside stands with very few restrictions.
IJ GRADE	B+
VERIFIED	2026-05-05

New Mexico

GREAT

NMSA §25-12-3 (Homemade Food Act)

SALES CAP	No annual cap
REGISTRATION	No
INSPECTION	No
DIRECT ONLY	Yes
INDIRECT SALES	No — Sales must be direct to consumers within New Mexico. Products may not be sold to restaurants, wholesalers, distributors, or outside New Mexico. Internet, mail, and phone sales directly to consumers are permitted. The NMED Food Safety Program does not have jurisdiction in Bernalillo County and Albuquerque (which have their own programs); those areas may operate mandatory or voluntary permit systems.
ALLOWED	Non-time-and-temperature-control-for-safety (non-TCS) homemade foods produced in a private farm, ranch, or residence may be sold directly to consumers within New Mexico through any channel including farmers markets, festivals, internet, roadside stands, home pickup/delivery, and mail delivery with no sales cap. A voluntary permit is available from the New Mexico Environment Department.
IJ GRADE	B
VERIFIED	2026-05-05

Texas

GREAT

Tex. Health & Safety §437.001 et seq.

SALES CAP	150000
REGISTRATION	No
INSPECTION	No
DIRECT ONLY	No
INDIRECT SALES	Limited (see notes) — Sales must be made directly to consumers or to a 'cottage food vendor' (a new category created by SB 541 in 2025 – a person with a contractual relationship who sells on behalf of the cottage food operation to consumers in-state). Cottage food products may not be sold as ingredients to a food service establishment. No retail grocery store or wholesale sales permitted under the pre-2025 framework; SB 541 (2025) adds the cottage food vendor intermediary option. Products must be delivered to consumer or vendor at point of sale or consumer-designated location.
ALLOWED	Almost all non-TCS (non-temperature-controlled) foods are allowed, including baked goods, candy, jams and jellies, pickles, dried herbs and spices, roasted coffee, granola, vinegar, acidified foods, fermented vegetable products, dried meats, and any food that is not a time-and-temperature control for safety food. Nonprofits may also operate under the cottage food framework as of SB 541 (2025).
IJ GRADE	B
VERIFIED	2026-05-05

Good states

Alabama GOOD

Ala. Code §22-20-5.1

SALES CAP	No annual cap
REGISTRATION	Yes
INSPECTION	No
DIRECT ONLY	Yes
INDIRECT SALES	No — Indirect sales to grocery stores, restaurants, or wholesale are not permitted; producers may use an agent for delivery but cannot sell through retailers.
ALLOWED	Allowed foods include non-potentially hazardous foods such as baked goods (cakes, breads, pastries, pies), jams and jellies, candy, dried herbs and vegetables, roasted coffee, dried baking mixes, and fermented/preserved vegetables or fruit with an approved acidity level. Online and in-state shipping are permitted as of the 2021 amendment.
IJ GRADE	B
VERIFIED	2026-05-05

California GOOD

Cal. Health & Safety Code §113758

SALES CAP	Tiered (see notes)
REGISTRATION	Yes
INSPECTION	No
DIRECT ONLY	No
INDIRECT SALES	Limited (see notes) — Class B permit holders may sell indirectly through retail stores and restaurants statewide; Class A registrants are limited to direct sales only and may not sell through any retail or wholesale venue.
ALLOWED	Only foods on the official state-approved foods list may be sold; this includes most non-perishable foods such as baked goods, jams and preserves, candies, chocolates, dried goods, and spices. Class A operations are limited to direct sales (including online and shipping within California); Class B operations may additionally sell through retail stores and restaurants.
IJ GRADE	C
VERIFIED	2026-05-05

Delaware GOOD

16 Del. Admin. Code 4458A

SALES CAP	No annual cap
REGISTRATION	Yes
INSPECTION	Yes
DIRECT ONLY	Yes
INDIRECT SALES	No — Delaware prohibits sales at restaurants, retail stores, and online; only direct in-person sales at home, farmers markets, and events are permitted.
ALLOWED	Delaware allows certain non-potentially hazardous foods including specific baked goods (breads, cakes, cookies, pies, pastries), candy, jams, jellies, and other fruit preserves. Other non-PHF foods may be allowed after confirmation from the health department.
IJ GRADE	F
VERIFIED	2026-05-05

Iowa GOOD

Iowa Code §137F.1 / §137F.20

SALES CAP	No annual cap
REGISTRATION	No
INSPECTION	No
DIRECT ONLY	Yes
INDIRECT SALES	Limited (see notes) — Cottage food direct-to-consumer sales only; however, a separate Home Food Processing Establishment (HFPE) license allows indirect retail and wholesale sales of almost any food including perishables.
ALLOWED	Producers may sell virtually all non-TCS (non-time/temperature control for safety) foods, including baked goods, candies, condiments, dried goods, pastries, preserves, snacks, and many beverages. Acidified foods (pickles, salsas) are allowed if each batch is tested with a pH meter (pH ≤4.6) or water activity meter (aw ≤0.85) and the production date is on the label.
IJ GRADE	B
VERIFIED	2026-05-05

Maryland GOOD

MD COMAR 10.15.03.27

SALES CAP	50000
REGISTRATION	Depends
INSPECTION	Upon-complaint
DIRECT ONLY	No
INDIRECT SALES	Limited (see notes) — Sales at retail food stores (indirect) are allowed but require prior submission of labels and documentation of ANSI-accredited food safety course completion to the Maryland Department of Health before any retail sales can commence. The Department must notify the producer in writing that requirements are met before retail sales begin.
ALLOWED	Non-potentially hazardous foods prepared in a residential kitchen, including non-PHF baked goods (breads, cookies, cakes, pies without perishable fillings), non-PHF candy (hard candies, brittles), acid-fruit jellies, jams, preserves and butters from enumerated fruits, and all other non-PHF foods produced by a licensed entity. Dry goods (spice blends, coffee, teas) and certain snacks (kettle corn, granola) are also permitted.
IJ GRADE	C-
VERIFIED	2026-05-05

Mississippi GOOD

Miss. Code Ann. §75-29-951

SALES CAP	35000
REGISTRATION	No
INSPECTION	Upon-complaint
DIRECT ONLY	Yes
INDIRECT SALES	No — Mississippi prohibits Internet sales, mail order, wholesale, and retail establishment sales. Cottage food products may only be sold through in-person direct-to-consumer channels including events, farmers markets, home sales, and roadside stands. Advertising on the Internet including social media is permitted even though sales through those channels are not.
ALLOWED	Nonpotentially hazardous food products as defined by the Mississippi State Department of Health, including baked goods (breads, cakes, cookies, pies, donuts), candies, condiments (mustards, nut butters, pickles, vinegars), dry goods (cereals, dried fruit, mixes, pasta, spices), fermented foods, pastries, preserves (jams, jellies), and snacks (caramel corn, chocolate-covered items, crackers, granola, kettle corn, marshmallows, nuts, popcorn). Certain items may require lab testing to confirm non-PHF status.
IJ GRADE	C+
VERIFIED	2026-05-05

Nebraska GOOD

Neb. Rev. Stat. §81-2,280 (producer of food at private home); §81-2,239 et seq. (Nebraska Pure Food Act)

SALES CAP	No annual cap
REGISTRATION	Yes
INSPECTION	No
DIRECT ONLY	Yes
INDIRECT SALES	No — Sales must be direct-to-consumer. Wholesale to restaurants, grocery stores, or distributors is not permitted under the cottage food framework. Non-TCS foods may be mailed; TCS foods must be delivered in person by the producer within 2 hours.
ALLOWED	Non-time/temperature-control-for-safety (non-TCS) foods prepared in a private home may be sold directly to consumers at farmers markets, fairs, festivals, craft shows, and other public events, or via home pickup and delivery. As of LB262 (effective July 19, 2024), some TCS foods are also permitted with additional handling requirements. There is no annual sales cap.
IJ GRADE	B-
VERIFIED	2026-05-05

New Hampshire GOOD

RSA §143-A:12

SALES CAP	Tiered
REGISTRATION	Depends
INSPECTION	Upon-complaint
DIRECT ONLY	No
INDIRECT SALES	Limited (see notes) — Exempt operations (below sales cap) may sell at retail food stores without a license. Sales to restaurants, over the internet, by mail order, or to wholesalers/distributors require a Class H Homestead License under RSA 143-A:4. The department may inspect upon suspicion of imminent health hazard but does not conduct routine inspections of exempt operations.
ALLOWED	Non-potentially-hazardous homestead food products prepared in the operator's primary home kitchen may be sold from the homestead residence, at the owner's farm stand, at farmers markets, and at retail food stores without a license (below the sales threshold). Above the sales threshold, or for sales to restaurants, via internet/mail order, or to wholesalers, a Class H Homestead License (\$150 fee) is required.
IJ GRADE	C
VERIFIED	2026-05-05

New York GOOD

N.Y. Agric. & Mkts. Law §251-z-4; 1 CRR-NY 276.4

SALES CAP	No annual cap
REGISTRATION	Yes
INSPECTION	No
DIRECT ONLY	No
INDIRECT SALES	Yes — Wholesale to restaurants, cafes, and grocery stores within New York State is explicitly permitted. Products may also be sold online (NY residents only) and via delivery. Shipping out of state is not permitted. Registration is free, location-specific, and has no expiration date.
ALLOWED	Non-potentially hazardous, shelf-stable baked goods (all must be baked), certain jams, jellies, preserves, snack mixes, and similar low-risk foods are approved under the Home Processor Exemption. All products must be pre-packaged in the home and labeled. Sales are permitted at farms, farm stands, farmers markets, green markets, craft fairs, flea markets, via home delivery, and online, but only within New York State.
IJ GRADE	C
VERIFIED	2026-05-05

North Carolina

GOOD

02 NCAC 9C.0307

SALES CAP	No annual cap
REGISTRATION	Yes
INSPECTION	Yes
DIRECT ONLY	No
INDIRECT SALES	Yes — Home processors may sell to retail stores, restaurants, and directly to consumers. Sales at farmers markets are permitted. Labels are required for wholesale and packaged self-service retail; direct hand-to-consumer sales (e.g., from home or at events) may be exempt from affixed labels if ingredient info is available on request. NC requires annual home kitchen inspection, which is unusual among no-cap states.
ALLOWED	Shelf-stable, low-risk foods including non-refrigerated baked goods, jams, jellies, preserves, candies, dried mixes, spices, some beverages, some sauces, acidified foods (pickles, BBQ sauce), and freeze-dried fruits/vegetables are permitted. Sauces and dehydrated foods may require pH or water activity testing to confirm shelf stability.
IJ GRADE	B-
VERIFIED	2026-05-05

Ohio

GOOD

O.R.C. §3715.023; §3715.025; Ohio Admin. Code Ch. 901:3-20

SALES CAP	No annual cap
REGISTRATION	No
INSPECTION	No
DIRECT ONLY	No
INDIRECT SALES	Yes — Labeled cottage food products may be sold to or used by retail food establishments and food service operations licensed under Ohio Revised Code Chapter 3717. This enables indirect/wholesale sales within Ohio. Products may not be sold outside the state of Ohio.
ALLOWED	Approved cottage food products (per Ohio Admin. Code 901:3-20-04) include non-potentially hazardous bakery products, candy (not dipped fresh fruit), flavored honey, fruit butters, granola/granola bars, maple sugar, popcorn and related products, unfilled baked donuts, waffle cones, pizzelles, dry cereal and nut snack mixes, roasted coffee beans, dry baking mixes in a jar, dry herbs, and spice mixes with commercially dried ingredients.
IJ GRADE	B
VERIFIED	2026-05-05

Oregon GOOD

ORS §616.723

SALES CAP	50000
REGISTRATION	Depends
INSPECTION	No
DIRECT ONLY	No
INDIRECT SALES	Limited (see notes) — Direct sales to end users are permitted in any manner including online, mail, and at events. Sales to retailers (including coffee shops but not restaurants) are permitted if the retailer agrees to store/display the foods separately and clearly indicate they are homemade and not prepared in an inspected food establishment. Sales to institutions (restaurants, schools, hospitals, caterers, day care centers, nursing homes, correctional facilities) are prohibited. A Domestic Kitchen Bakery License (~\$50/year) is required for establishments wishing to sell to retailers under licensed status rather than using the residential-dwelling exemption. The department may provide a unique identification number for use on labels. Annual records must be maintained for 3 years.
ALLOWED	Packaged, non-potentially-hazardous foods made in a residential dwelling are permitted, including baked goods, confectionery items, coffee beans, teas, popcorn, jams, jellies, honey, syrups, fruit butters, nut mixes, repackaged freeze-dried foods, repackaged dried and dehydrated foods, and powdered drink mixes. Cannabis-containing foods are excluded. Direct sales to end users are permitted in any manner — from home, online, through the mail, and at events.
IJ GRADE	D+
VERIFIED	2026-05-05

Pennsylvania GOOD

3 Pa.C.S. §§5721–5737

SALES CAP	No annual cap
REGISTRATION	Yes
INSPECTION	Yes
DIRECT ONLY	No
INDIRECT SALES	Limited (see notes) — Registration includes sales direct from the production site including internet sales. However, a separate Retail Food Facility License may be required for sales at events or Farmers Markets. Businesses aiming to sell across state lines might also need FDA registration. The registration covers home-based operations in residential kitchens as well as residential-style kitchens in alternate locations such as churches, fire halls, or remodeled garages. Not available in Philadelphia County.
ALLOWED	Non-potentially hazardous (non-TCS) foods that do not require refrigeration of the finished product are allowed, including baked goods, jams and jellies, beverages and drinks, acid/acidified/fermented foods (with specific testing requirements), candy, and other shelf-stable foods. Each food category has specific requirements detailed in the application packet.
IJ GRADE	B
VERIFIED	2026-05-05

South Carolina

GOOD

S.C. Code §44-1-145

SALES CAP	No annual cap
REGISTRATION	No
INSPECTION	No
DIRECT ONLY	No
INDIRECT SALES	Yes — Since the 2022 amendment, home-based food operations may sell to retail stores and grocery stores in addition to direct-to-consumer sales including online and mail order. Retail stores that sell home-based food products must post clearly visible signage indicating the products are not subject to commercial food regulations.
ALLOWED	Non-potentially hazardous foods produced in the kitchen of a primary domestic residence are allowed, including baked goods, candy, jams, jellies, and other shelf-stable foods not requiring refrigeration. The 2022 amendment expanded allowed distribution to retail stores and grocery stores.
IJ GRADE	B-
VERIFIED	2026-05-05

South Dakota

GOOD

SDCL §34-18-35

SALES CAP	No annual cap
REGISTRATION	No
INSPECTION	No
DIRECT ONLY	No
INDIRECT SALES	Yes — The statute does not restrict sales to direct-to-consumer channels only. Items are subject to sales tax. Local governments (counties, townships, municipalities) may not pass ordinances restricting, prohibiting, or imposing licensure on homemade food item sales under SDCL §34-18-1 definitions.
ALLOWED	Non-temperature-controlled foods prepared at a residence, home-processed canned goods, and baked goods prepared at a residence are all exempt from licensure. The 2022 amendment expanded allowed products beyond the prior baked-goods-only scope. Each individual involved in production of certain home-canned goods must complete a state-certified online training once every five years.
IJ GRADE	B
VERIFIED	2026-05-05

Tennessee

GOOD

Tenn. Code §53-1-125 (Food Freedom Act)

SALES CAP	No annual cap
REGISTRATION	No
INSPECTION	No
DIRECT ONLY	No
INDIRECT SALES	Yes — The Tennessee Food Freedom Act (Public Chapter 862, effective July 1, 2022) broadly exempts production and sale of non-TCS homemade food items from all licensing, permitting, inspecting, packaging, and labeling laws. Sales may be direct to consumer in person or remotely. Local government ordinances restricting homemade food sales are preempted. Note: Prior to the 2022 Food Freedom Act, the older domestic kitchen regulations (TDA Chapter 0080-4-11) required a permit, inspection, and food safety certification, and limited sales to 100 units/week; the Food Freedom Act supersedes these requirements for qualifying non-TCS homemade foods.
ALLOWED	Any non-time/temperature control for safety (non-TCS) homemade food item produced at the producer's private residence is allowed, including baked goods, jams, jellies, candy, dried herbs, non-TCS beverages, and more. No prescribed list of allowed foods – the broad exemption covers all non-TCS homemade foods.
IJ GRADE	B-
VERIFIED	2026-05-05

Virginia GOOD

Va. Code §3.2-5130

SALES CAP	Tiered
REGISTRATION	No
INSPECTION	No
DIRECT ONLY	Yes
INDIRECT SALES	No — Products must be sold in person in the Commonwealth to an individual for his own consumption and not for resale or consignment. They cannot be offered for sale to be used in or offered for consumption in retail food establishments. Sales venues are limited to: private home, temporary event (no more than 14 consecutive days), or farmers market. Internet advertising is explicitly permitted but sales must remain in-person and in-state.
ALLOWED	Non-TCS shelf-stable foods from private homes including candies, jams, jellies (not low-acid/acidified), dried fruits, dry herbs, dry seasonings, dry mixtures, nuts, vinegars, popcorn, cotton candy, dried pasta, dry baking mixes, roasted coffee, dried tea, cereals, trail mixes, granola, and baked goods that do not require temperature control. Pickles and acidified vegetables with equilibrium pH 4.6 or lower are allowed with a \$9,000 annual gross sales cap. Honey from own hives under 250 gallons per year is also allowed under a separate provision.
IJ GRADE	C
VERIFIED	2026-05-05

Washington GOOD

RCW §69.22.010-.040

SALES CAP	No annual cap
REGISTRATION	Yes
INSPECTION	Yes
DIRECT ONLY	Yes
INDIRECT SALES	No — Cottage food products may only be sold directly to the consumer. Internet sales, mail order, and retail sale outside Washington state are explicitly prohibited. Products may not be repackaged, sold, or used as an ingredient by a food processing plant, or sold by a food service establishment.
ALLOWED	Nonpotentially-hazardous baked goods; baked candies and stovetop candies; jams, jellies, preserves, and fruit butters (as defined in 21 C.F.R. §150); and other nonpotentially hazardous foods identified by the director by rule. No THC ingredients (0.3% or greater) permitted. No dollar sales cap is specified in the statute.
IJ GRADE	D
VERIFIED	2026-05-05

West Virginia

GOOD

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)

SALES CAP	No annual cap
REGISTRATION	Depends
INSPECTION	Upon-complaint
DIRECT ONLY	Yes
INDIRECT SALES	No — Cottage food must be sold directly to consumers. The new Article 40 (effective June 12, 2026) establishes that potentially hazardous cottage food vendors need a statewide permit but nonpotentially hazardous food sellers are fully exempt from permit and inspection. Local health departments may invoke cessation of production only if an imminent health hazard exists, in consultation with the Department of Agriculture. The input batch cited §16-7-1 (a general adulteration statute), but the operative cottage food framework is now Article 40 (§19-40-1 through §19-40-6), signed March 27, 2026.
ALLOWED	Nonpotentially hazardous cottage foods are fully exempt from licensing, permitting, and inspection (§19-40-6 and §19-35-6). Potentially hazardous cottage foods (those requiring temperature control for safety) require a permit from the WV Department of Agriculture but do not require a separate food establishment permit for home sales. All sales must occur within West Virginia.
IJ GRADE	B
VERIFIED	2026-05-05

Okay states

Alaska OKAY

AS 17.20.332

SALES CAP	No annual cap
REGISTRATION	Yes
INSPECTION	No
DIRECT ONLY	No
INDIRECT SALES	Yes — Retail store sales are permitted; the store must display a sign indicating the food is homemade, may contain allergens, and is not regulated or inspected, and homemade products must be on a separate shelf from inspected foods.
ALLOWED	Producers can sell almost any type of homemade food, including perishable foods (e.g., baked goods, eggs, kombucha, fermented foods) and certain meat products under federal exemptions. Sales are allowed in-person, online (direct to consumer), and through retail stores with no annual sales cap.
IJ GRADE	C
VERIFIED	2026-05-05

Connecticut OKAY

Conn. Gen. Stat. §21a-62a

SALES CAP	50000
REGISTRATION	Yes
INSPECTION	Yes
DIRECT ONLY	Yes
INDIRECT SALES	No — Indirect sales through retail stores, restaurants, or wholesale are not permitted; mail order and third-party delivery services are prohibited; only the producer or their designee may deliver within Connecticut.
ALLOWED	Allowed foods include non-perishable baked goods, candies, jams and jellies (not fruit butters), dried goods, pasta, spices, and other non-potentially hazardous shelf-stable foods from the official approved foods list. Products must be sold directly to consumers at events, farmers markets, roadside stands, at-home sales, or online (local delivery only).
IJ GRADE	D
VERIFIED	2026-05-05

District of Columbia OKAY

D.C. Code §7-742.02

SALES CAP	No annual cap
REGISTRATION	Yes
INSPECTION	Yes
DIRECT ONLY	No
INDIRECT SALES	Yes — As of 2020 amendments, DC allows direct, online, retail (excluding restaurants and grocery stores), and wholesale sales to food establishments (expanded further in 2025 by B26-0025); sales must remain within the District.
ALLOWED	DC allows most non-potentially hazardous foods including baked goods, candies, condiments (honey, syrups, vinegars), dry goods, pastries, preserves, and snacks. The approved food list is specified in 25-K DCMR 103.5. Products not on the approved list may be submitted for department review with lab testing.
IJ GRADE	D
VERIFIED	2026-05-05

Georgia OKAY

O.C.G.A. §26-2-470 et seq. (eff. July 2025); prior: GA R&R 40-7-19

SALES CAP	No annual cap
REGISTRATION	No
INSPECTION	Upon-complaint
DIRECT ONLY	No
INDIRECT SALES	Yes — As of July 1, 2025 (HB 398), Georgia allows wholesale, online, retail store, restaurant, and mail-order sales; third-party sellers must display cottage food products separately and label the section as products from residential kitchens exempt from state inspection.
ALLOWED	Since July 2025 (HB 398), Georgia allows almost any non-potentially hazardous food, including baked goods, candies, condiments (mustards, nut butters, oils, pickles, syrups, vinegars), dry goods, pastries, preserves, snacks, and carbonated drinks. Georgia also allows interstate sales of cottage food products, which is rare among states.
IJ GRADE	D+
VERIFIED	2026-05-05

Kentucky OKAY

KRS §217.137

SALES CAP	60000
REGISTRATION	Yes
INSPECTION	Upon-complaint
DIRECT ONLY	Yes
INDIRECT SALES	No — Sales limited to direct-to-consumer only within Kentucky — from home (pickup or delivery), markets, roadside stands, community events, and online; shipping outside Kentucky is prohibited, and sales to restaurants or retail stores for resale are not allowed.
ALLOWED	Home-based processors may sell non-TCS baked goods (breads, cakes, cookies, pies, pastries), candies, jams and jellies, fruit butters, dried goods, syrups (maple and sorghum only), granola, snacks, and similar shelf-stable items. Whole eggs (separate exemption, up to 60 dozen/week) and honey (up to 150 gallons/year) are also allowed under separate provisions.
IJ GRADE	D
VERIFIED	2026-05-05

Louisiana OKAY

La. R.S. §40:4.13

SALES CAP	30000
REGISTRATION	No
INSPECTION	No
DIRECT ONLY	No
INDIRECT SALES	Limited (see notes) — Most low-risk foods may be sold indirectly (to restaurants, retail stores), but breads, cakes, cookies, and pies specifically may NOT be sold to any retail business or individual for resale — they are direct-to-consumer only.
ALLOWED	Low-risk foods allowed include: baked goods (breads, cakes, cookies, pies), candies, cane syrup, dried mixes, honey and honeycomb products, jams/jellies/preserves, pickles and acidified foods, sauces and syrups, and spices. None may contain animal muscle protein or fish protein. Custard/cream-filled bakery products are allowed only if made with pasteurized dairy products and following specified temperature requirements.
IJ GRADE	C
VERIFIED	2026-05-05

Massachusetts OKAY

105 CMR 590.009(D)

SALES CAP	No annual cap
REGISTRATION	Yes
INSPECTION	Yes
DIRECT ONLY	No
INDIRECT SALES	Yes — Massachusetts residential kitchens are treated as food establishments, so permitted operators may sell at any venue within the state including restaurants and retail stores, without the wholesale restriction that most cottage food laws impose. Mail order and catering are prohibited. Local boards of health administer permits and may impose additional restrictions.
ALLOWED	Non-potentially hazardous foods that do not require refrigeration, including baked goods (breads, cookies, cakes, cupcakes, macarons, donuts, muffins, pies), candies and confections (including chocolate, fudge, buttercream frosting), jams and jellies, dry goods (cereals, coffee, herbs, spices, tea), snacks (granola, caramel corn, popcorn, nuts), and pastries. Ingredients that are potentially hazardous may be used if the final product is non-PHF.
IJ GRADE	C
VERIFIED	2026-05-05

Nevada OKAY

NRS 446.866 (repealed 2025; superseded by AB352/chapter 420 & 512, Statutes of Nevada 2025)

SALES CAP	35000
REGISTRATION	Yes
INSPECTION	No
DIRECT ONLY	Yes
INDIRECT SALES	No — Under the pre-2025 law (NRS 446.866), sales must be in-person transactions only — no internet or phone sales. Products may not be sold to wholesalers, brokers, distributors, or retail establishments for resale. AB352 (2025) amends this to allow phone and internet transactions with delivery via mail or food delivery service, but product relinquishment must still occur in Nevada. Local rules vary significantly: Clark County (Las Vegas), Washoe County, Carson City, and Douglas County have separate health authority requirements.
ALLOWED	Non-potentially-hazardous foods prepared in the kitchen of the operator's primary private home (or approved nonprofit kitchen) may be sold directly to consumers in person. Under the pre-2025 law, allowed items included baked goods, candy, jams, dried foods, and other non-TCS foods. AB352 (2025) expands the definition to include certain acidified foods and raises the sales cap to \$100,000; the new law also allows phone and internet sales with in-person or mail/delivery service fulfillment.
IJ GRADE	C-
VERIFIED	2026-05-05

Vermont OKAY

18 V.S.A. §4351; Act 42 (2025) cottage food operator exemption

SALES CAP	30000
REGISTRATION	Yes
INSPECTION	Upon-complaint
DIRECT ONLY	Yes
INDIRECT SALES	No — Food made under a license exemption cannot be sold to restaurants or other licensed food establishments. Sales must be direct to final consumers. Exempt producers must file an annual attestation with the Vermont Department of Health by January 15 each year and complete online food safety training.
ALLOWED	Cottage food operators (under Act 42, 2025 exemption) may sell non-potentially-hazardous baked goods, candy, jams, jellies, dry herbs, trail mix, granola, cereal, mixed nuts, flavored vinegar, popcorn, coffee beans, dry tea, and home-canned pickles/vegetables/fruits with equilibrium pH 4.6 or lower (using NCHFP-approved recipes), as long as gross annual receipts do not exceed \$30,000. A separate Home Bakery License is available for larger operations under \$10,000 in production.
IJ GRADE	B/D+
VERIFIED	2026-05-05

Poor states

Hawaii POOR

HAR §11-50-3

SALES CAP	No annual cap
REGISTRATION	No
INSPECTION	Upon-complaint
DIRECT ONLY	Yes
INDIRECT SALES	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.
ALLOWED	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.
IJ GRADE	F
VERIFIED	2026-05-05

New Jersey POOR

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

SALES CAP	50000
REGISTRATION	Yes
INSPECTION	No
DIRECT 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.
ALLOWED	Non-TCS (non-time/temperature-control-for-safety) foods prepared in the operator's private home kitchen are allowed, including: baked goods (bread, cakes, cupcakes, cookies), candy and brittle, chocolate-covered nuts and dried fruit, dried fruit, dried herbs and seasonings, dried pasta, dry baking mixes, fruit jams/jellies/preserves, fruit pies and empanadas (excluding pumpkin), fudge, granola/cereal/trail mix, honey and sweet sorghum syrup, nuts and nut mixtures, nut butters, popcorn and caramel corn, roasted coffee and dried tea, vinegar and mustard, waffle cones and pizzelles, and other non-TCS foods upon written application.
IJ GRADE	D
VERIFIED	2026-05-05

Rhode Island

POOR

R.I. Gen. Laws §21-27-6.2

SALES CAP	50000
REGISTRATION	Yes
INSPECTION	Yes
DIRECT ONLY	Yes
INDIRECT SALES	No — No wholesale or consignment sales permitted. Sales to grocery stores, restaurants, long-term care facilities, group homes, daycare facilities, and schools are prohibited. Internet/mail/phone sales are permissible but the operator or designee must personally deliver within the state. Farmers market and temporary event sales require an additional retail food peddler license.
ALLOWED	Only non-refrigerated baked goods are allowed, including double crust pies, yeast breads, biscuits, brownies, cookies, muffins, and cakes that do not require refrigeration. No time/temperature control for safety (TCS) foods are permitted. The law is limited in scope compared to most states.
IJ GRADE	D+
VERIFIED	2026-05-05

Methodology & disclaimers

The 50-state survey was compiled from state cottage food statutes, state department of agriculture / health websites, Forrager.com state pages, and the Institute for Justice's cottage food research. Tier classifications follow Crosodo's framework aligned with Forrager. Each entry was reviewed against primary sources where possible.

Important: Cottage food laws are amended every year. This resource was compiled in good faith from authoritative public sources but is **not legal advice** and is not a substitute for consulting your state's department of agriculture, your local health department, and your city or county planning office.

For county-level zoning overlays and full statute excerpts, see the free state reports at crosodo.com/states.

Patient hands, better bread.