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Buying and Selling Baked Goods: Things to Consider

NORWALK, Ohio— We are officially 10 days away from the first day of fall, and many entrepreneurs are looking to sell their favorite fall sweets, like pumpkin rolls. To protect the health of our residents, Huron County Public Health (HCPH) would like to emphasize food safety practices and encourage everyone to be cautious about where and from whom they buy homemade baked goods, such as pumpkin rolls, and to get informed about the food-related rules and laws that exist to protect Ohioans.

Cottage Food Law

Ohio's Cottage Food Law allows certain types of low-risk food products to be sold out of a home kitchen with no food or licensing requirements (Ohio Administrative Code 901:3-20 Cottage Food Production & Ohio Revised Code Chapter 3715). Foods allowed to be sold under the Cottage Food Law include, but are not limited to: *(see list below)*



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Health Commissioner

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- Baked goods that do not require refrigeration (i.e. bread, cookies, brownies, cake, fruit pie, fruit cobbler)
- Candy
- Fruit jams/jellies
- Flavored honey produced by an exempt beekeeper
- Fruit chutneys, non-acidified
- Fruit butters
- Granola, granola bars dipped in candy
- Maple sugar produced by an exempt maple syrup producer
- Popcorn, flavored popcorn, kettle corn, popcorn balls, caramel corn
- Unfilled baked donuts
- Waffle cones and waffle cones dipped in candy
- Pizzelles
- Dry cereal and nut snack mixes with seasonings
- Roasted coffee (whole beans or ground, flavoring permitted)
- Dry baking mixes in a jar (other packages permitted)
- Dry herbs and herb blends
- Dry tea blends
- Dry soup mixes
- Dry seasoning blends

Cottage Food law requires specific labeling of food products and allows Cottage Food Products to be sold in Ohio directly to the consumer from the home where the products are produced, as well as through grocery stores, registered farm markets, farmers markets, restaurants, and at certain festivals/celebrations. Cottage Food Production Operations are exempt from inspection and licensing.

Some examples of items that **cannot** be sold as Cottage Food include candy-covered fresh fruit, freezer jam, fresh pasta, fry pies, hummus, and beef jerky. Unfortunately, fall favorites such as pumpkin rolls are also **not** considered Cottage Foods because they require refrigeration.

Home Bakery Licensure

Pumpkin rolls being sold out of a home would need to be produced in a home with a Home Bakery License. Home Bakery Licenses require additional labeling, are subject to licensure and inspection by the Ohio Department of Agriculture (ODA) and are therefore allowed to sell “potentially hazardous food,” like pumpkin rolls. Home Bakery items can be sold in the same places as Cottage Food Products, in addition to other retail outlets, including those *outside* of the State of Ohio.

To be a Home Bakery, the household kitchen must have walls, ceilings, and floors that are in good repair, clean, easily cleanable, and maintained in a sanitary condition. Equipment/utensils must be maintained and kept in sanitary condition. The kitchen may not have carpeted floors. The home must be free of pets. There must be a mechanical refrigerator, equipped with a properly located thermometer, capable of maintaining 45 degrees Fahrenheit or less. If the home is served by a private well, the well must be tested annually for coliform bacteria, having a negative test result within the past year. Proof of

the well test result must be provided to the inspecting food safety specialist. Labels are to be available for review at the time of inspection.

How This Effects Your Health

Food safety education is important and knowing the differences between Cottage Foods and Home Bakery can help consumers make informed decisions about the foods that their families purchase and consume. It is also important for entrepreneurs to be informed about the laws so that they can properly package and sell their delicious fall treats!

Interested individuals can find more information about Cottage Food vs. Home Bakery in Ohio at:

<https://agri.ohio.gov/wps/portal/gov/oda/divisions/food-safety/resources/cottage-food> and
<https://agri.ohio.gov/wps/portal/gov/oda/divisions/food-safety/resources/home-bakery/>.

Questions can also be directed to HCPH's Environmental Health Division at 419-668-1652 extension 239.

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