



## FACT SHEET • Ohio Department of Agriculture



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### Cottage Food Production Operation

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#### What is a Cottage Food Production Operation?

A "Cottage Food Production Operation" is defined in Chapter 3715 of the Ohio Revised Code to mean a person who, *in the person's home*, produces food items that are not potentially hazardous foods, including bakery products, jams, jellies, candy, and fruit butter. These foods must be labeled properly or they will be considered misbranded or adulterated.

"Home" means the primary residence occupied by the residence's owner, on the condition that the residence contains only one stove or oven used for cooking, which may be a double oven, designed for common residence usage and not for commercial usage, and that the stove or oven be operated in an ordinary kitchen within the residence.

#### What Foods are Permitted to be Manufactured for Sale or Distribution by a Cottage Food Production Operation?

The definition of "home" refers to a residence that contains one stove or oven used for **COOKING**. Each of the food products identified in the law undergoes a heat step: bakery products (such as cookies, breads, brownies, cakes, pies, etc.); candy (including no-bake cookies, chocolate covered pretzels, or similar chocolate covered non-perishable items); jams, jellies, and fruit butter.

#### What Foods are not Allowed to be Manufactured for Sale or Distribution by a Cottage Food Production Operation?

A "Cottage Food Production Operation" is **not** permitted to process acidified foods, low-acid canned foods, or potentially hazardous foods or non-potentially hazardous foods not listed above. *Low acid food* means any food with a finished equilibrium pH greater than 4.6 and a water activity greater than 0.85. *Acidified food* means a low acid food to which acids or acid foods are added (Ex. Beans, cucumbers, cabbage, puddings, etc.) *Potentially hazardous food* means it requires temperature control because it is in a form capable of supporting the rapid and progressive growth of infectious or toxigenic microorganisms (Ex. Raw or cooked animal products, cooked vegetables, garlic in oil, cheese cakes, pumpkin pies, custard pies, cream pies, etc.) Non-potentially hazardous food items/processes not permitted to be made or performed in a "Cottage Food Production Operation"—Snack Foods (potato chips, popcorn, trail mix, etc.); Cereals including granola; Repackaging of Foods; Production of Dry Food Mixes; Drying of foods including Herbs and Fruits, etc.

#### What are the Requirements for the Labeling of Cottage Food Products?

Yes: A "Cottage Food Production Operation" is required to label all of their food products and include the following information on the label of each unit of food product offered or distributed for sale:

1. The name and address of the business of the "Cottage Food Production Operation";
2. The name of the food product;
3. The ingredients of the food product, in descending order of predominance by weight;
4. The net weight or net volume of the food product;
5. The following statement in ten-point type: ***"This Product is Home Produced."***

Note: If a nutritional claim is made (i.e. low fat, salt free, etc.) federal labeling requirements must be met. Specific food labeling information is available at the ODA web site: [www.state.oh.us/agr/labelingrequirements.htm](http://www.state.oh.us/agr/labelingrequirements.htm)

#### **What Does the Statement "This Product is Home Produced" Mean?**

The statement means that the food product was produced in a private home that is not subject to inspection by a food regulatory authority

#### **Where may a Cottage Food Production Operations Sell their Food Products?**

Cottage Food Products may **only** be sold in Ohio. Cottage Food Products that are properly identified and labeled may be sold directly to the consumer from the site where the products are produced; sold through grocery stores, farm markets, farmers markets; and sold and/or used in preparing food in a restaurant.

#### **Does A Cottage Food Production Operation Need to Acquire a License to Process and Package Food Products?**

No: A "Cottage Food Production Operation" is exempt from inspection and licensing by the Ohio Department of Agriculture. However, all food products, including those produced and packaged by a "Cottage Food Production Operation", are subject to food sampling conducted by the Ohio Department of Agriculture to determine if a food product is misbranded or adulterated.

**Questions?** Contact ODA Division of Food Safety; 1-800-282-1955; email: [foodsafety@mail.agri.state.oh.us](mailto:foodsafety@mail.agri.state.oh.us)