

Law Bulletin

OSU EXTENSION AGRICULTURAL & RESOURCE LAW PROGRAM

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What's Considered a Cottage Food Product in Ohio?

In Ohio, thanks to our cottage food law, there are certain types of low risk food products you may produce and sell right out of your home kitchen with no inspection or licensing requirements. This is perfect for anyone who wants to test the market for their food product without the risk of investing a lot of money in a storefront. We have already discussed the requirements for a cottage food production operation in our law bulletin, "Legally Selling Your Baked Goods at a Farmer's Market." We are now going to turn to the specific food products that Ohio law defines as "cottage foods."

Only food products that are *non-potentially hazardous* fall into the cottage food category. Ohio Administrative Code Section 901:3-20-04 lists the food items approved as cottage food products. This list is very specific and includes the following food products:

- Non-potentially hazardous bakery products (such as cookies, breads, brownies, cakes, and fruit pies)
- Jams
- Jellies
- Candy (including no-bake cookies, chocolate covered pretzels or similar chocolate covered non-perishable items)
- Fruit butters
- Granola, granola bars, granola bars dipped in candy
- Popcorn, flavored popcorn, kettle corn, popcorn balls, caramel corn (does *not* include un-popped popping corn)
- Unfilled, baked donuts
- Waffle cones
- Pizzelles
- Dry cereal and nut snack mixes with seasonings
- Roasted coffee, whole beans or ground
- Dry baking mixes in a jar (for making items like breads and cookies)
- Dry herbs and herb blends
- Dry seasoning blends (such as dry barbeque rubs and seafood boils)
- Dry tea blends

If there is a specific food product you want to produce in your home but it is not in the cottage food definition, you may need to obtain a home bakery license. For an explanation of home bakery products and requirements for home bakery licenses, see our law bulletin, "Ohio's Home Bakery License: What's Required?"

If the food item you want to produce is not in the cottage food or home bakery definitions, then you likely need to produce the product in a facility licensed by the Ohio Department of Agriculture or local county health department. For example, salsas, BBQ sauces, canned vegetables, frozen foods and homemade hummus must be produced in a licensed facility. Specifically, salsas, BBQ sauces, and canned vegetables must be produced in a licensed *cannery* facility. Licensing information for these types of food products is available on the Ohio Department of Agriculture's [website](#). If you're not ready or able to obtain one of these licenses, you may be able to produce your food in a "food business incubator" facility that is already licensed. Several programs in Ohio provide their licensed facilities for use by food entrepreneurs, such as [ACEnet's Food Manufacturing and Commercial Kitchen Facility](#) in Athens or [CIFT's Northwest Ohio Cooperative Kitchen](#) in Bowling Green; these programs also provide additional support for developing food products.

If you want to produce a home-based food product, first review these questions:

1. Is the food product in Ohio's definition of "cottage foods?" If so, you do not need a license.
2. If the food product is not a "cottage food," is it a "home bakery" product? If so, you will need to obtain a home bakery license and pass a home kitchen inspection.
3. If the food product is not a "cottage food" or "home bakery" product, is there another licensed facility where you can produce the product? You cannot produce the food in your home; unless you are able to use a facility that already has a license, you must obtain the appropriate license from the Ohio Department of Agriculture or your county health department.

Ohio's cottage food regulations are [here](#).

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