

SB 290/HB 527 – Written Testimony In Support from Donna Sasscer, Agriculture and Seafood Manager for St. Mary’s County, Maryland

In 2012, Maryland passed a modified Cottage Law, allowing for citizens to operate a home based bakery or home food processing company. The law was updated in 2018 and establishes requirements with regard to cottage food businesses (i.e., businesses that produce or package cottage food products in a residential kitchen for annual revenues of up to \$25,000 from the sale of those products.

The law specifies that a cottage food business in compliance with these requirements is not required to be licensed by the Maryland Department of Health. A “cottage food product” is a nonhazardous food that is sold at a farmer’s market, public event, directly from the producer’s home, via online and by personal delivery or mail delivery. By law, the owner of a cottage food business may sell only cottage food products stored on the premises of the business without needing a food license. If other non-cottage items or potentially-hazardous items are sold in conjunction, a food permit is then required for retail and/or storage.

COTTAGE FOOD PRODUCTS THAT MAY BE PRODUCED INCLUDE:

- Non-potentially hazardous baked goods [bagels, pastries, brownies, breads, cakes, pies. No cream cheese, custards, or other potentially-hazardous fillings, glazes, fruits or cream cheeses that require refrigeration.
- High-acid fruit jams, preserves and jellies (Made only from Oranges, Nectarines, tangerines, blackberries, raspberries, blueberries, boysenberries, cherries, cranberries, strawberries, red currants, or another fruit mixture that produces an acid-canned product at 4.6 pH or less.)
- Fruit butters (Made only from apples, apricots, grapes, peaches, plums, prunes, quince, or another fruit that produces an acid-canned product at 4.6 pH or less.)
- Natural Honey (Unflavored and without any processing or additives; flavored honey requires a processing permit from Maryland DHMH.)
- Hard candy (Made in a home kitchen that does not require further refrigeration. Chocolates, caramel, fudge, and other soft candies require a permit.)

The proposed SB 290 and HB 527 would allow for the sale of cottage food products in retail food stores, including a grocery store, or food cooperatives.

The St. Mary’s County Agriculture, Seafood, and Forestry Board and Commissioners of St. Mary’s County recommend increasing the annual revenues from the sale of cottage food products in an amount not exceeding \$25,000 to \$40,000 which is consistent with the Maryland On Farm Home Processing License.

The cottage food provisions in the Maryland Department of Health Code are a stepping stone for many entrepreneurs. Through our local farmers markets, we have seen individuals start as a cottage food business out of their home and expand into successful value added businesses.

Thank you for your time and consideration.

Donna Sasscer
Agriculture and Seafood Manager for St. Mary’s County