

Cottage Food in Florida¹

Sarah M. Ellis, Jennifer Hagen, and Matthew D. Krug²

This document is one in a “Florida Food Entrepreneur” series, which seeks to assist new and established food entrepreneurs by providing information on topics relevant to food-based businesses.

In Florida, individuals can manufacture, sell, and store specific types of **cottage food products** in their primary home kitchen in accordance with [Florida Statute 500.80](#). Cottage food operators are not required to obtain a license or permit, and these operations are not inspected by any state government entity.

Sales and Marketing

Cottage food businesses must not exceed \$50,000 in gross sales annually. Products must be sold direct to consumer and cannot be sold wholesale or across state lines. Cottage food operators may advertise, sell, and accept payment over the internet; however, products cannot be delivered through the mail. Products may be sold at farmer’s markets, pop-up markets, flea markets, and roadside stands (provided there are no other food items at the stand that require a food permit).

Allowable Foods

Foods manufactured under the cottage food law are limited to products that are considered a low risk for causing foodborne illness. Many products are not allowed to be manufactured under the cottage food law because they require time/temperature control for food safety to limit

pathogenic microorganism growth or toxin formation. Examples of products allowed and prohibited to be sold as cottage foods are found in Table 1.

Labeling Requirements

Cottage food operators may only sell allowed products that are prepackaged and labeled for individual sale. The affixed product label is required to include the following information:

- Name and physical address of the cottage food operation
- Name of the product
- Ingredient list for the product in descending order by weight
- Net weight or net volume of the product
- Allergen information as required by federal law
 - Must identify if any of the following are in the product:
 - Milk
 - Eggs
 - Wheat
 - Peanuts
 - Soybeans
 - Fish (including shellfish, lobster, crab, or shrimp)
 - Tree nuts (almonds, pecans, walnuts, etc.)

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2. Sarah M. Ellis, family and consumer sciences agent I, UF/IFAS Extension Citrus County; Jennifer Hagen, family and consumer sciences agent I, UF/IFAS Extension Lee County; and Matthew D. Krug, state specialized agent II, UF/IFAS Southwest Florida Research and Education Center; UF/IFAS Extension, Gainesville, FL 32611.

- Cottage food operation statement printed in at least 10-point font in a contrasting color to the label background: “Made in a cottage food operation that is not subject to Florida’s food safety regulations.”

Additionally, if any nutritional claim is made, the label must include the appropriate information specified by the federal Food and Drug Administration. To learn about nutritional food claims and label requirements, visit <https://www.fda.gov/food/food-labeling-nutrition/label-claims-conventional-foods-and-dietary-supplements>.

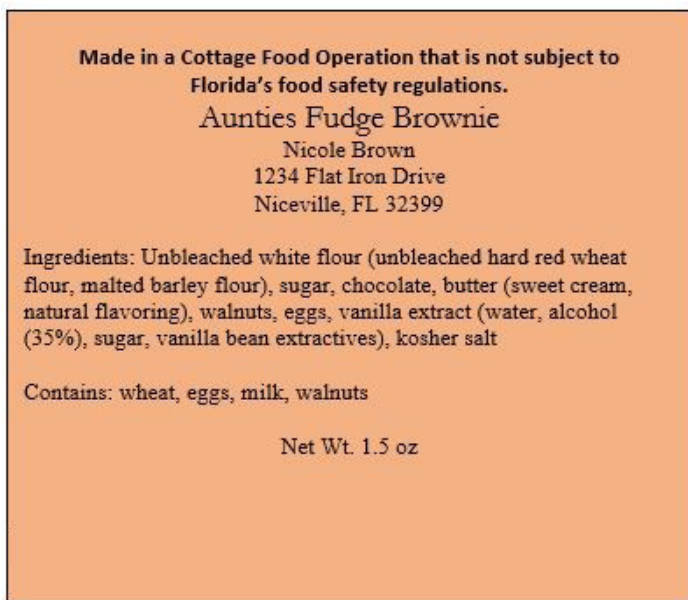


Figure 1. Example Cottage Food Label

Frequently Asked Questions

Do I need to apply for a local business tax account or home occupational license as a cottage food operator?

Anyone wishing to start a food-related business should contact their local tax collector and inquire as to whether they need to collect taxes. While many food and grocery items are exempt from tax, some food products are not tax exempt.

What happens if someone files a complaint against me?

Even though cottage food operations are not inspected by any state government entity, if a complaint is received, the Florida Department of Agriculture and Consumer Sciences (FDACS) will investigate. Furthermore, if FDACS finds the operation is in violation, the operation may be fined.

Can I make pumpkin butter?

No. Pumpkin butter is considered a potentially hazardous food because it is a low-acid food that may support the growth of harmful bacteria and cause a foodborne illness.

Can I make pet food or treats?

No. The cottage food law only applies to human food. Pet food is regulated by state and federal laws.

My friend has a cottage food business, but my wedding venue requires all vendors to have a food license. Can a venue or market require a license?

Yes. Even though the entity may meet the requirements of a cottage food operation, some venues or other direct sales markets may require vendors to have additional licensing or food protection manager’s certification.

Can I sell my cottage food products from a convenience store?

No. A permitted commercial food establishment or mobile food vendor cannot sell foods from an unapproved source, including cottage foods.

Can my county or city prevent or restrict me from having a cottage food operation?

Yes. Local governments may have policies that restrict cottage food operations.

Can I grow my own produce, such as pumpkins, to can and use them later for baked goods?

No. Home-canned products cannot be used. Commercially processed canned fillings such as canned pumpkin must be used.

Further Resources

Florida Department of Agriculture and Consumer Services (FDACS) Cottage Food Operations Guidance: <https://www.fdacs.gov/content/download/70108/file/Cottage-Food-Brochure.pdf>

Florida Statute 500.80 (Cottage Food Operations): http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0500-0599/0500/Sections/0500.80.html

Table 1. Examples of products allowed and prohibited by the cottage food law.

Allowed Cottage Foods	Prohibited Foods
Biscuits	Baked goods that require any refrigeration (custard, cream cheese icing or filling, etc.)
Candies and confections	Canned fruits, vegetables, chutneys, garlic dip, and hummus
Cereals, granola, and trail mixes	Canned pickled products (relish, pickles, etc.)
Coated or uncoated nuts	CBD or hemp items
Cookies, cakes, and pastries	Cut fresh fruits and vegetables
Dry herbs, seasonings and mixtures	Eggs
Fruit jams, jellies, and preserves	Fish or shellfish products
Fruit pies	Focaccia style breads with cheeses or vegetables
Homemade pasta	Fresh or dried meat or meat products (jerky)
Honey	Ice and ice products
Loaf breads and rolls	Milk and dairy products
Nut butters	Raw seed sprouts
Popcorn, popcorn balls	Salsa, BBQ sauce, ketchup, mustard
Roast coffee beans (whole or ground)	Syrups (including elderberry)
Vinegar and flavored vinegars	Vegetable butters and jellies