

Selling Safe Food: The Michigan Cottage Food Law

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The Michigan Cottage Food Law took effect in July 2010. This law gives small-scale entrepreneurs the opportunity to make and market specific foods from their home kitchens. It allows \$25,000 per year per household in total sales before expenses. Over \$25,000 in sales requires a licensed kitchen for production.

Michigan Cottage Food Law Requirements

Preparation. Cottage foods can be prepared only in the kitchen of a single-family domestic residence. This means the place where you live, whether you own the home or are renting. It doesn't include group or communal residential settings.

Foods allowed. Only foods that do not require refrigeration and may be kept at room temperature can be sold as cottage food products. These foods have a low risk for causing foodborne illness. Examples of legal cottage foods include fruit jams and jellies, breads and similar baked products, cakes – including those produced for special events, cookies, fruit pies, vinegars, dried herbs and dry herb mixtures, dried pasta, cotton candy, popcorn and chocolate-covered foods such as chocolate-covered pretzels.



Foods not allowed. Food requiring refrigeration cannot be sold as cottage food products. Examples of foods not allowed include pumpkin or custard pies, cream-based or cream-filled products, or oil-based products such as olive oil and garlic mixtures.

Licensing and inspection. Cottage food producers are exempt from Michigan Department of Agriculture and Rural Development (MDARD) licensing and inspection requirements. If a complaint is made, MDARD can inspect the cottage food production and storage areas, and seize products.

Take the Michigan State University Extension Cottage Food Law online course at

msue.msu.edu/cottagefood.

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Labels. Each cottage food product must be labeled. The label must be printed or handwritten in at least 11-point type or about 1/8 inch tall and include:

- “Made in a home kitchen that has not been inspected by the Michigan Department of Agriculture and Rural Development.”
- The product’s name.
- The complete name and address of the cottage food business.
- All product ingredients in descending order of predominance by weight.
- The product’s net weight or volume.

In addition, list the following allergen food groups if they are in the product: milk, eggs, wheat, peanuts, soybeans, fish and tree nuts.

(Michigan Department of Agriculture and Rural Development, 2017)

MADE IN A HOME KITCHEN THAT HAS NOT BEEN
INSPECTED BY THE MICHIGAN DEPARTMENT OF
AGRICULTURE & RURAL DEVELOPMENT

Chocolate Chip Cookie

Artie Pinkster
123 Foodstuff Lane
Casserole City, MI 82682

Ingredients: Enriched flour (Wheat flour, niacin, reduced iron, thiamine, mononitrate, riboflavin and folic acid), butter (milk, salt), chocolate chips (sugar, chocolate liquor, cocoa butter, butterfat (milk), Soy lecithin as an emulsifier), walnuts, sugar, eggs, salt, artificial vanilla extract, baking soda

Contains: wheat, eggs, milk, soy, walnuts

Net Wt. 3 oz (85.05 g)

(Michigan Department of Agriculture and Rural Development, 2017)

Samples. Samples must be pre-packaged in your home kitchen. An individual label is not needed for each sample but you must have properly labeled packages of your product on display. Your product samples cannot be prepared in a way that makes it a potentially hazardous food, meaning, it requires refrigeration or heat to keep it safe. For example: you cannot add a dried dip mix to sour cream and serve samples of it.

Storage. Cottage foods cannot be stored in an outdoor building such as a garage, shed or barn. Approved storage areas include a kitchen, basement or spare rooms that are free of pests, standing water, dampness and other unsanitary conditions. Always store food in airtight food grade containers 6 inches off the floor.

Selling Safe Food:

If food is not handled safely, foodborne illness may result. Certain people, including young children and infants, pregnant women, senior citizens and those with chronic illnesses or weakened immune systems, are more likely to get sick due to foodborne illness. If someone should get sick from eating food that is not safely handled, there could be legal costs for the person making the food as well as product recalls.

Causes of foodborne illness include:

- **Poor personal hygiene.** Personal hygiene applies to anyone in the family helping to prepare your cottage food products. Because hands can contaminate food, hand washing is vital. Wash your hands before starting food preparation as well as after. In addition, wash hands after you touch your skin or mouth; sneeze or cough; touch raw eggs, dirty dishes or garbage; use the bathroom; or change a diaper.

Good personal hygiene also includes tying back long hair; wearing hats and clean aprons; keeping fingernails clean and short; covering cuts or wounds on hands or wrists with a bandage; wearing single-use, latex-free gloves; and removing jewelry from hands and wrists.

Never prepare cottage foods if you or other household members are sick with vomiting or diarrhea.

- **Cross-contamination.** This occurs when pathogens are transferred from one food or surface to another. For example, a cutting board that had been used for raw meat and then used for chopping nuts without being cleaned and sanitized is cross-contaminated. Raw meats should not be prepared while making cottage foods. Always transport food to the market in a clean vehicle.

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- **Improperly cleaned and sanitized equipment and utensils.** Before preparing cottage foods, wash, rinse, sanitize and air-dry equipment, dishes, utensils and food preparation surfaces.

(National Restaurant Association, 2017)

An effective sanitizer is a mixture of chlorine bleach and water. Too much bleach in the water can be dangerous and too little can be ineffective. Use 1/8 to 1/4 teaspoon of concentrated chlorine bleach for each quart of warm water. Always use test strips purchased from a food service store to achieve the proper concentration (50–99 parts per million). Applying this mixture to a surface for one minute is 99 percent effective in killing microorganisms. Sanitizer strength decreases over time. Each day, prepare the amount of solution you will use that day. Avoid fragrance-added bleach, which is not safe for use on food contact surfaces.



Wash your hands for 20 seconds.

- Wet hands with warm water.
- Apply soap and scrub.
- Rinse.
- Dry with a paper towel.

In summary, to prepare safe food products:

- Familiarize yourself with Michigan’s Cottage Food Law requirements found at michigan.gov/cottagefood.
- Practice good personal hygiene, in or out of the kitchen.
- Prepare your food in a clean kitchen.
- Sanitize equipment, utensils, dishes and food preparation surfaces.
- Store your products appropriately.
- Transport food in a clean vehicle.
- Keep a production log.

References and Resources:

Michigan’s Cottage Food Law, PA 113 (2010).

Michigan Department of Agriculture and Rural Development. (2017). *Michigan cottage foods information*. Retrieved from michigan.gov/cottagefood

National Restaurant Association. (2017). *ServSafe manager* (7th ed.). Upper Saddle River, NJ: Prentice Hall.

Find out more about Michigan Food Safety at www.msue.msu.edu/safefood.

Keep a log to track production and sales.

Cottage Food Production Log

Product	Where ingredients Were Purchased	Date Prepared	Amt. Prepared (# of jars, bags, etc.)	Prepared By	Packaged By	How Packaged (jar size, amt. in bag, etc.)	Where Sold	Amt. of Product Sold