

**Cottage Food Law Guidance
City of St. Joseph Health Department
February 2024**

What is the Cottage Food Law?

Missouri Revised Statutes:

RS Mo. 196.298.1

“Cottage food production operation,” an individual operating out of the individual’s home who:

- (a) Produces a baked good, a canned jam or jelly, or a dried herb or herb mix for sale at the individual’s home; and
- (b) Sells the food produced under paragraph (a) of this subdivision only directly to consumers.

RS Mo. 196.298.2

A cottage food production operation is not a food service establishment and shall not be subject to any health or food code laws or regulations of the state or department other than this section and rules promulgated thereunder for a cottage food production operation.

How common are cottage food laws?

All 50 states and the District of Columbia have some type of cottage food program.

What other restrictions exist in Missouri on cottage food producers?

While there are 35 states that allow cottage food producers to deliver their products via mail, Missouri is not one of them. Though products may be sold online, they must be delivered via home delivery or pickup. Twenty-two other states allow cottage food producers to sell their products in grocery stores and restaurants. Missouri does not allow this.

Do I need a food handler’s license or training before I sell my homemade food?

No, neither Missouri, nor the City of St. Joseph, require that cottage food producers have government permits, inspections, or training.

Do I need a special license to sell homemade goods?

The state of Missouri doesn't require any licensing. The City of St. Joseph requires a business license.

Obtaining a business license for the City of St. Joseph:

Business Licenses:

Regulations & Fire Inspections: [Business Licenses | St. Joseph, MO - Official Website \(stjosephmo.gov\)](http://www.stjosephmo.gov)

Per Section 8-37 in the St. Joseph Code of Ordinances, “any person engaged in any business, occupation, pursuit, profession, or trade or to keep / maintain any institution, establishment, article, utility, or commodity” must first obtain a city of St. Joseph business license.

Per Section 16-35 of the city Code of Ordinances, you may also be required to obtain a Fire Inspection Permit by contacting the fire marshal at 816-271-4623 for further details.

View [business license applications](#).

Can I make sales online?

Yes, but the goods must be home delivery or pickup. No delivery via mail is allowed.

As a cottage food producer in Missouri, do I need to label my homemade foods?

Even as a cottage food, labels are still [required](#) as a processed packaged food. The [U.S. Department of Agriculture](#) defines a processed food as any food that has undergone a change to its natural state, such as washing, milling, chopping or pasteurizing.

Labels for cottage foods, must identify:

- Name and address of the manufacturer/processor of the food
- Common name of the food
- All ingredients in the order of predominance
- Net weight of the food
- A statement that the product is not prepared in a kitchen subject to inspection by the Missouri Department of Health.

MISSOURI COTTAGE FOOD TYPES

Food Varieties

Missouri

What Shelf-Stable Foods Can I Sell in Missouri?

Baked goods, jams, jellies, dried herbs, or herb mix.

Can I Sell Refrigerated Baked Goods in Missouri?

No

Can I Sell Meat in Missouri?

No

Can I Sell Acidified or Pickled Foods in Missouri?

No

Can I Sell Low-Acid Canned Goods in Missouri? No

Can I Sell Fermented Foods in Missouri? No

Sales and Venue Restrictions

Missouri

Annual Sales Cap

No limit

Where Can I Sell Homemade Food Direct to Consumers in Missouri?

No restrictions

Can I Sell Homemade Food to Retail Outlets Like Restaurants and Grocery Stores?

No

Online Orders

Yes

Mail Delivery

No

Missouri cottage food producers must sell their goods directly to the end consumer at farmers' markets, roadside stands, and special events. The state also allows home delivery and pickup. Missouri cottage food producers may not sell their products wholesale through retailers like grocery stores and restaurants. A 2022 reform ended the state's sales cap and allows in-state online sales.

Examples of foods that are **ALLOWED (considered Non-Potentially Hazardous Foods):**

- Cookies
- Brownies
- Cakes
- Cupcakes
- Breads
- Muffins
- Fruit Pies (apple, cherry, berry, etc.)

Examples of foods that are **NOT ALLOWED:**

- Pumpkin pies
- Meringue pies
- Cream cheese frosting and/or filling
- Meats and cheeses
- Cooked sauces
- Cut tomatoes/leafy greens
- Pickled vegetables
- Salsas
- Canned vegetables
- Low acid canned foods or other pepper jams or jellies

Determination of Potentially Hazardous food vs. Non-Potentially Hazardous food

The City of St. Joseph Health Department shall have final authority in determining whether a food is non-potentially hazardous and may prohibit an individual who violates these conditions from selling, sampling, or serving these foods.