

# Iowa Cottage Food

September 15, 2021

# Iowa Cottage Food

Iowa does not have one single "Cottage Food Law".

Iowa's cottage food landscape is comprised of several statutory exemptions as well as some regulated in home food production.

# Definitions

**Food Establishments and Food Processing facilities  
are licensed and regulated in the State of Iowa.**

- ▶ **Iowa Code 137F (Statute) defines a “Food processing plant”** as a commercial operation that manufactures, packages, labels, or stores food for human consumption and does not provide food directly to a consumer.
- ▶ **Iowa Code 137F (Statute) defines a “Food Establishment”** as an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption.....
- ▶ **Both definitions exclude the premises of a residence in which HONEY is stored; prepared; packaged, including by placement in a container; labeled; or from which honey is distributed.**



# Statutory Exclusions: (Food Establishment)

## Excluded from the definition of a Food Establishment:

**Selling prepackaged foods that are not time/temperature control (TCS) for safety foods.**

- *“Approved source” still applies unless addressed in one of the exceptions below.*

**Selling only whole, uncut fresh fruits and vegetables**

**A home kitchen preparing non-TCS food and selling directly to the consumer for off site consumption. The food is to be labeled to identify the name and address of the person preparing the food and the common name of the food.**

- *This exception applies only to in person sales made from the residence in person and does not include delivery, mail order, or Internet sales.*

**Premises where a person operates a farmers market, if time/temperature control for safety foods are not sold or distributed from the premises.**

- *Non-TCS foods sold at a farmers market are not regulated. They may be produced at any location.*

**Food Stand Operated by a Minor**

- *Persons under the age of eighteen may operate a temporary food stand on private property and sell Non-TCS food directly to consumers*

**Premises which are a “Home Bakery” per Iowa Code Chapter 137D**

- *“Home bakery” means a business on the premises of a residence that is operating as a home-based bakery where baked goods (IAC481-30) and prepared foods (IC137D) are created for sale or resale, for consumption off the premises. Annual gross sales of these products cannot exceed \$35,000.*

HOME FOOD OPERATIONS	LICENSED HOME BAKERY OPERATIONS
<ul style="list-style-type: none"> <li>No license required</li> </ul>	<ul style="list-style-type: none"> <li>Licensing required for the home kitchen. Additional licenses may be required for off premises sales of TCS baked goods.</li> </ul>
<ul style="list-style-type: none"> <li>No food safety certificate required</li> </ul>	<ul style="list-style-type: none"> <li>No food safety certificate required</li> </ul>
<ul style="list-style-type: none"> <li>No limit on annual sales</li> </ul>	<ul style="list-style-type: none"> <li>Annual sales limited to \$35,000</li> </ul>
<ul style="list-style-type: none"> <li>Non-TCS Food sold in person from operator's home (no delivery, no internet sales, no shipping). May also be sold at a Farmers Market.</li> </ul>	<ul style="list-style-type: none"> <li>"Baked goods" may be sold from the home, at farmer's markets and wholesale to other retailers. Delivery, internet sales, and shipping of products is also allowed.</li> </ul>
<ul style="list-style-type: none"> <li>Food limited to non-TCS foods only (baked goods, fruit pies, fruit jams and jellies, candy, cereal, granola, etc.)</li> </ul>	<ul style="list-style-type: none"> <li>Home bakery operations can sell both, TCS and Non-TCS "baked goods"</li> </ul>
<ul style="list-style-type: none"> <li>Food labels must include the common name of the food and the name and address of where it was prepared.</li> </ul>	<ul style="list-style-type: none"> <li>Food labels are required: Name of food, name and address of production location, quantity, and ingredients</li> </ul>
<ul style="list-style-type: none"> <li>In-person sales allow the customers the ability to "self-inspect" the operators kitchen.</li> </ul>	<ul style="list-style-type: none"> <li>Inspections are conducted by the Regulatory Agency</li> </ul>

### PROHIBITED FOODS PREPARED IN A HOME KITCHEN

- Raw doughs
- Low acid canned foods
- Foods that are Acidified, Cured, Fermented, Vacuum Packaged
- Foods that are produced by a specialized process
- Fruit or Vegetable Juices

# Complaints

Iowa follows up on all licensed and unlicensed food related complaints that are received.