UF IFAS Extension UNIVERSITY of FLORIDA

UF/IFAS PEER REVIEWED FSHN20-55
doi.org/10.32473/EDIS-FS425-2021

Cottage Food in Florida[1]

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This publication is part of the " Food Entrepreneurship in Florida" series, which provides information and resources to help new and established food entrepreneurs start, operate, and grow food-based businesses in Florida.

Florida's cottage food law allows individuals to prepare and sell certain low-risk food products from their primary residence. Cottage food operations can provide an accessible entry point for entrepreneurs interested in testing products, generating supplemental income, or starting a small food business without the expense of a licensed commercial facility. Understanding which foods qualify as cottage foods and complying with applicable sales, labeling, recordkeeping, and local requirements are important steps in operating a successful cottage food business. This fact sheet provides an overview of Florida's cottage food law, including allowable and prohibited foods, sales and labeling requirements, and compliance considerations.

Cottage Food Operations

A cottage food operation is a home-based food business that prepares, packages, stores, and sells approved cottage food products from a primary residence. Under Florida Statute 500.80, qualifying cottage food operations are exempt from obtaining a food permit from the Florida Department of Agriculture and Consumer Services (FDACS) and are not subject to routine state inspections. However, FDACS may investigate complaints and inspect a cottage food operation when necessary to determine compliance with Florida law. To qualify for this exemption, annual gross sales of cottage food products may not exceed $250,000.

Allowable Cottage Food Products

Florida's cottage food law is limited to non-potentially hazardous foods, which are considered low food safety risk because they do not support the rapid growth of microorganisms that can cause foodborne illness. These foods do not require refrigeration or other time and temperature control for safety and are generally considered shelf-stable.

Examples of allowable cottage food include:

- Loaf breads, rolls, and biscuits
- Cookies, cakes, pastries, and muffins without cream or custard fillings
- Candies and confections
- Fruit pies
- Fruit jams, jellies, preserves, and fruit butters
- Honey
- Dried fruits
- Dry herbs, seasonings, and spice blends
- Cereals, granola, and trail mixes
- Coated or uncoated nuts
- Nut butters
- Homemade dry pasta
- Popcorn and popcorn balls
- Vinegar and flavored vinegars
- Roasted coffee beans (whole or ground)
- Dry baking mixes

Because food safety characteristics vary among products, operators should consult FDACS if they are uncertain whether a product qualifies as a cottage food. For the most current information regarding allowable cottage foods, visit the FDACS Cottage Foods website or contact FDACS directly.

Prohibited Food Products

Foods that do not meet the definition of a non-potentially hazardous food cannot be produced under Florida's cottage food law. These products typically require refrigeration or other food safety controls to prevent the growth of harmful microorganisms and, therefore, require additional regulatory oversight.

Examples of prohibited foods include:

- Products containing meat, poultry, or seafood

- Dairy products such as milk, yogurt, and cheese
- Custard-filled pastries and cream pies
- Salsa, pickles, and other acidified foods
- Pepper jelly
- Hummus and garlic-in-oil mixtures
- Canned vegetables
- Raw seed sprouts
- Eggs
- Beverages and juices
- Ice and ice products
- Pumpkin butter and other vegetable butters
- CBD- or hemp-containing food products

Producing or selling these products generally requires operation from a permitted commercial food establishment.

Sales and Marketing

Florida law allows cottage food operators to sell products directly to consumers through a variety of channels. Cottage food products may be sold at farmers markets, roadside stands, flea markets, festivals, community events, and similar venues. Operators may also advertise products online, accept orders and payment electronically, conduct mail-order sales, deliver products directly to consumers, and ship products to customers within Florida through USPS or commercial delivery services.

Although the law provides flexibility in how products are marketed and delivered, all sales must be made directly to the final consumer. Cottage food products may not be sold or distributed at wholesale. For example, cottage food operators may not sell products to restaurants, grocery stores, distributors, or wholesalers for resale, nor may they enter into consignment arrangements with retail businesses. In addition, cottage food products cannot be shipped to consumers outside of Florida. Food products entering interstate commerce fall under federal jurisdiction and must be produced in a registered, licensed commercial food facility.

Labeling Requirements

All cottage food products must be prepackaged and labeled before sale. Product labels must contain the following information:

- Name and physical address of the cottage food operation (PO box addresses are not sufficient)
- Name of the product
- List of ingredients in descending order by weight
- Net weight or net volume of the product
- Allergen information as required by federal law
- Nutrition information, if a nutritional claim is made
- The following statement printed in at least 10-point type in a contrasting color: "*Made in a cottage food operation that is not subject to Florida's food safety regulations*."

An example of a compliant cottage food label is provided in Figure 1, and the required labeling elements are identified in Figure 2.



Figure 1. Example of a Florida cottage food product label. Credit: AI-generated images using Microsoft Copilot and the prompt "create an example cottage food product label including product name, business name and address, ingredient list, allergen declaration, net weight or volume, and cottage food disclosure statement". July 31, 2026.



Figure 2. Required label elements for Florida cottage foods. Credit: AI-generated images using Microsoft Copilot and the prompt "create an example cottage food product label including product name, business name and address, ingredient list, allergen declaration, net weight or volume, and cottage food disclosure statement". July 31, 2026.

Federal allergen labeling requirements stipulate the declaration of major food allergens when present in a product. The major food allergens include milk, eggs, fish, crustacean shellfish, tree nuts, peanuts, wheat, soybeans, and sesame. Failure to include required labeling information may result in regulatory action.

Recordkeeping and Business Considerations

Cottage food operators must maintain records demonstrating compliance with the annual gross sales limit. Annual gross sales include all sales of cottage food products, regardless of product type, sales location, sales platform, or the number of individuals involved in the operation. FDACS may request documentation to verify annual gross sales.

In addition to maintaining sales records, cottage food operators should consider keeping basic production records, such as production dates, details about the products produced, ingredient sources, and other information that may be useful if questions arise regarding product quality or safety.

Although not required by Florida law, cottage food operators may also consider obtaining food product liability insurance. In addition, homeowners insurance policies may not cover losses associated with business activities. Operators should consult an insurance professional to determine the type and amount of coverage appropriate for their business.

Understanding Local Requirements

Local requirements are an important consideration for cottage food operators. While Florida's cottage food law limits the ability of cities and counties to regulate many aspects of cottage food operations, operators must still comply with applicable local requirements related to zoning, business taxes, signage, parking, traffic, noise, and home-based businesses. Requirements vary by city and county.

For example, some local governments may require a business tax account, restrict certain home-based business activities, regulate customer pickup, or limit the operation of roadside stands, kiosks, or similar retail activities. Before starting a cottage food business, contact your local city or county government to determine which local requirements apply. Failure to comply with local requirements may result in fines, code enforcement actions, or restrictions on business activities.

Before You Start a Cottage Food Business

- Verify that your product qualifies as a cottage food.
- Ensure annual gross sales remain below the statutory sales limit.
- Follow all required labeling requirements.
- Maintain records that document annual sales.
- Confirm compliance with local zoning, tax, and home-based business requirements.
- Use information from FDACS, UF/IFAS Extension, and other reliable government sources rather than social media posts or unofficial online advice.

Frequently Asked Questions

Do I need a food permit to operate a cottage food business?

No. Cottage food operations that meet the requirements of Section 500.80, Florida Statutes, do not need a food

permit or license from the Florida Department of Agriculture and Consumer Services (FDACS).

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

Maybe. Requirements vary by location. Food entrepreneurs should contact their local tax collector or local government to determine whether a local business tax account or other registration is required. Operators are also responsible for complying with all applicable local, state, and federal tax requirements.

Should I collect sales tax for cottage food items?

Maybe. It depends on the specific item. In Florida, most cottage food items are classified as grocery items intended for home consumption and are exempt from state sales tax. However, sales tax generally applies to candy and confections (e.g., chocolates, fudge, caramels, truffles). Contact the Florida Department of Revenue for specific guidance regarding sales tax registration and compliance.

Is food safety training required?

No. Florida Law does not require food safety training for cottage food operators. However, food safety education is strongly recommended because operators remain responsible for producing safe food products. Contact your local UF/IFAS Extension office for available food safety and cottage food training opportunities.

Are cottage food operations inspected?

No. Cottage food operations do not need a pre-operational inspection and are not subject to routine inspections. However, FDACS may investigate complaints and inspect a cottage food operation to determine compliance with state law.

What happens if someone files a complaint against me?

FDACS may investigate complaints alleging violations of Florida food laws or regulations. If FDACS determines that a cottage food operation is not complying with applicable requirements, enforcement actions may be taken.

Can I sell my cottage food products online?

Yes. Florida law allows cottage food operators to advertise products online, accept orders and payment electronically, and deliver products directly to consumers in Florida.

Can I ship cottage food products?

Yes. Cottage food products may be shipped within Florida through the United States Postal Service (USPS) or commercial delivery services such as UPS and FedEx. Cottage food products should not be shipped to consumers outside Florida because interstate food sales are subject to federal requirements.

Can I sell my products to restaurants or grocery stores?

No. Cottage food products may not be sold at wholesale. This includes sales to restaurants, grocery stores, distributors, wholesalers, or other businesses that intend to resell the products.

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

No. Permitted food establishments may not sell foods obtained from an unapproved source, including cottage food products.

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

Florida law preempts regulation of cottage food operations to the state. Local governments may not prohibit cottage food operations or regulate the preparation, processing, storage, or sale of cottage food products covered under the cottage food statute. However, cottage food operations must still comply with applicable local requirements related to zoning, business taxes, traffic, parking, noise, signage, and home-based business.

Can I make pet food or treats?

No. Florida's cottage food law applies only to food intended for human consumption. Pet foods and pet treats are regulated separately under state and federal laws.

Can I make pumpkin butter?

No. Pumpkin butter and other vegetable butters are considered potentially hazardous foods because they may support the growth of harmful microorganisms.

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

No. Home-canned products may not be used as ingredients in cottage food products. Commercially processed canned ingredients must be used instead.

Can I use homegrown fruits and vegetables in baked goods?

Yes. Homegrown fruits and vegetables may be used in baked goods if they are thoroughly washed and incorporated into the product during baking. The finished product must comply with all cottage food requirements. Fresh fruits and vegetables should not be used as decorations or garnishes on cottage food products.

My wedding venue or farmers market requires vendors to have a food license. Can a venue or market require additional requirements?

Yes. Although cottage food operators are exempt from FDACS food permit requirements, individual venues, markets, and event organizers may establish their own participation requirements. These requirements may include proof of insurance, food safety training, or other documentation as a condition of participation.

Further Resources

Florida Department of Agriculture and Consumer Services (FDACS) Cottage Foods

Florida Statute 500.80 (Cottage Food Operations)

[1] This document is FSHN20-55, one of a series of the UF/IFAS Department of Food Science and Human Nutrition. Original publication date February 2021. Revised July 2021 and October 2026. Visit the Ask IFAS website at https://ask.ifas.ufl.edu/ for the currently supported version of this publication. © 2026 UF/IFAS. This publication is licensed under CC BY-NC-ND 4.0

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