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Cottage Food Law Statutes:

Alabama



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AL Code § 22-20-5.1

§ 22-20-5.1. Cottage Food Production

(a) For purposes of this section, the following words have the following meanings:

(1) **COTTAGE FOOD.** A non-potentially hazardous food that has been prepared in a person's home that does not require time or temperature control for safety to limit pathogenic microorganism growth or toxin formation and that does not include meat, poultry, or fish. The term includes all of the following:

- a. Cakes, breads, Danish pastries, donuts, pastries, and pies.
- b. Jam, jellies, and fruit preserves.
- c. Candy.
- d. Dried and dehydrated herbs, herb mixes, vegetables, or fruits.
- e. Roasted coffee.
- f. Dried baking mixes.
- g. Fermented or preserved vegetables or fruit that do not result in the production of alcohol and that have an acidity level allowed by the department.

(2) **COTTAGE FOOD PRODUCTION OPERATION.** A person operating out of his or her home who meets the following requirements:

- a. Produces cottage food for sale.
- b. Sells the foods produced under paragraph a. only directly to consumers, whether in-person, by phone, or online, in the state.



- c. Delivers the foods produced under paragraph a. directly to consumers in the state, whether in person, through an agent of the producer, or by mail.

(3) DEPARTMENT. The State Department of Public Health.

(4) HOME. A primary residence that contains a kitchen and appliances designed for common residential use.

(b) A cottage food production operation is not a food service establishment and is not required to have a food service permit issued by the county health department.

(c) Neither the State Department of Public Health nor a county health department may regulate the production of food at a cottage food production operation except as provided by this section.

(d) The department may issue a stop sale, seize, or hold order for any food suspected of being the cause of a food borne illness.

(e) A cottage food production operation shall label all cottage foods that the operation sells to consumers, and shall complete a food safety course approved by the department. The label shall include in at least 10-point font the common or usual name of the food, the name, home or P.O. Box address of the cottage food production operation, and a statement that the food is not inspected by the department or local health department. The label shall also contain a list of the ingredients in descending order of predominance and shall include a disclaimer that the food may contain allergens. The operator of a cottage food production operation shall maintain a certification of having attended and passed a food safety course approved by the department.

