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Cottage Food Law Statutes:

Connecticut



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Cottage Food Laws: Connecticut

[Conn. Gen. Stat. Sec. 21a-62a](#)
[Conn. Gen. Stat. Sec. 21a-62b](#)
[Conn. Gen. Stat. Sec. 21a-62c](#)
[Conn. Gen. Stat. Sec. 21a-62d](#)
[Conn. Gen. Stat. Sec. 21a-62e](#)
[Conn. Gen. Stat. Sec. 21a-62f](#)
[Conn. Gen. Stat. Sec. 21a-62g](#)
[Conn. Gen. Stat. Sec. 21a-62h](#)

Conn. Gen. Stat. Sec. 21a-62a. Preparation of food in residential dwelling for sale. Regulations

- (a) Preparation of food in a private residential dwelling for sale for human consumption shall be allowed provided it conforms to the regulations adopted pursuant to subsection (b) of this section.
- (b) The Commissioner of Consumer Protection, after consulting with the Commissioner of Public Health, shall adopt regulations, in accordance with the provisions of chapter 54, to allow the preparation of food in a private residential dwelling for sale for human consumption.

(P.A. 15-76, S. 2; 15-242, S. 57.)

Conn. Gen. Stat. Sec. 21a-62b. Definitions.

For the purposes of this section and sections 21a-62c to 21a-62h, inclusive:

- (1) “Commissioner” means the Commissioner of Consumer Protection or an authorized agent of the commissioner;
- (2) “Cottage food operation” means any person who produces cottage food products only in the home kitchen of such person's private residential dwelling and only for sale directly to the consumer and who does not operate as a food service establishment pursuant to section 19a-36 or regulations adopted pursuant to section 21a-101, or a food retailer, distributor or manufacturer as defined in subsection (b) of section 21a-92 and section 21a-151;



- (3) “Cottage food products” means nonpotentially hazardous baked goods, jams, jellies and other nonpotentially hazardous foods produced by a cottage food operation. “Cottage food products” does not include maple syrup or honey;
- (4) “Food service establishment” means any establishment in which food is stored, offered for sale, processed or prepared, and includes the transportation of any food;
- (5) “Private residential dwelling” means an owner or resident occupied dwelling. “Private residential dwelling” does not include any group or communal residential setting within any type of structure or outbuilding, shed, barn or other similar structure;
- (6) “Home kitchen” means a kitchen designed and intended for use by the residents of a home but that is also used by a resident for the production of cottage food products and that may contain one or more stoves or ovens, which may be a double oven, designed for residential use. “Home kitchen” does not include commercial equipment typically used for large wholesale manufacturing;
- (7) “Permitted area” means the portion of a private residential dwelling that contains a home kitchen where the preparation, packaging, storage or handling of cottage food products occurs; and
- (8) “Potentially hazardous food” means a food that requires time and temperature control for safety to limit pathogenic microorganism growth or toxin formation, which controls shall be consistent with the United States Food and Drug Administration's Food Code definition for time and temperature control for safety food, as amended from time to time, and adopted by reference by the commissioner pursuant to section 19a-36h.

(P.A. 18-141, S. 13; P.A. 19-18, S. 1; 19-177, S. 38.)

History: P.A. 19-18 redefined “cottage food products” in Subdiv. (3) to exclude maple syrup and honey; P.A. 19-177 amended definition of potentially hazardous food in Subdiv. (8), effective July 9, 2019.

Conn. Gen. Stat. Sec. 21a-62c. Cottage food operations. Examination of premises. Licensure requirements.

- (a) All cottage food operations shall be licensed annually by the Commissioner of Consumer Protection. The license application form shall be developed by the commissioner. The license shall specify the food products allowed to be produced by the cottage food operation. The annual license fee for cottage food operations



shall be set by the Commissioner of Consumer Protection, provided such fee shall not exceed one hundred dollars.

- (b) Prior to licensing, the commissioner shall, within existing resources, examine the premises of the cottage food operation to determine it to be in compliance with the provisions of this section and sections 21a-62b and 21a-62d to 21a-62h, inclusive.
- (c) Any cottage food operation shall comply with all applicable municipal laws and zoning ordinances when conducting a business from a private residential dwelling. Upon request by the commissioner, the cottage food operation shall provide written verification, from a credible recognized source, as determined by the commissioner, of compliance with all local, state and federal laws regarding on-site wastewater systems.
- (d) Any cottage food operation with a private water supply shall have the supply tested prior to receiving a license in order to demonstrate that the water supply is potable. Subsequent testing of such private water supplies shall be required at a frequency determined by the commissioner.
- (e) Prior to receiving a license, each cottage food operation shall have attended and completed a food safety training program that includes training in food processing and packaging. A list of food safety training programs that are recognized by the commissioner shall be maintained on the Department of Consumer Protection's Internet web site.

(P.A. 18-141, S. 14.)

Conn. Gen. Stat. Sec. 21a-62d. Limitation on total annual gross sales. Direct sale to consumer. Authorized food products. Display of license.

- (a) Total annual gross sales for a cottage food operation shall not exceed twenty-five thousand dollars per calendar year. If annual gross sales exceed the maximum annual gross sales amount allowed, the cottage food operation shall either obtain a food manufacturing establishment license or cease operations. The commissioner may request documentation to verify the annual gross sales figure of any cottage food operation.
- (b) Products produced by a cottage food operation shall be sold directly to the consumer. Direct sales at point of production, farmers markets, local fairs and festivals, and charitable organization functions are permitted. Advertising and sales by Internet, mail and phone are permissible, provided the cottage food operator or their designee shall deliver, in person, to the customer within the state. No such operation shall engage in consignment or wholesale sales. The



following additional locational sales by any such cottage food operation shall be prohibited: (1) Grocery stores; (2) restaurants; (3) long-term care facilities; (4) group homes; (5) day care facilities; and (6) schools. A cottage food operation may not operate as a food service establishment, a retail establishment engaged in the sale of food, a food manufacturing establishment, as defined in section 21a-151, or a food warehouse, as defined in section 21a-151.

- (c) A cottage food operation may only produce those specific food products listed on its license.
- (d) Any such license shall be displayed at every location where the operation's cottage food products are sold.

(P.A. 18-141, S. 15.)

Conn. Gen. Stat. Sec. 21a-62e. Inspection of cottage food operation.

- (a) The commissioner may inspect a cottage food operation at any time to ensure compliance with the provisions of this section, sections 21a-62c, 21a-62d and sections 21a-62f to 21a-62h, inclusive.
- (b) Nothing in this section, section 21a-62c or 21a-62d or sections 21a-62f to 21a-62h, inclusive, shall be construed to prohibit the local director of health or duly authorized agents of the director from investigating the permitted area of a cottage food operation in response to a foodborne illness outbreak, consumer complaint or other public health emergency.

(P.A. 18-141, S. 16.)

Conn. Gen. Stat. Sec. 21a-62f. Authorized food items. Prohibited food items.

- (a) A cottage food operation may produce food items that are not potentially hazardous food.
- (b) A cottage food operation shall not produce:
 - (1) Potentially hazardous food items; and
 - (2) Food items that present a food safety risk, such as acidified foods, low acid canned foods, garlic in oil, fresh fruit or vegetable juices and beverages.

(P.A. 18-141, S. 17.)

Conn. Gen. Stat. Sec. 21a-62g. Prepackaged food products. Labels.



If a cottage food operation sells cottage food products that are prepackaged, such packaging shall include an affixed label that contains the following information and that is printed in English:

- (1) The name and address of the cottage food operation;
- (3) The common or usual name of the cottage food product;
- (4) The ingredients of the cottage food product, in descending order of predominance by weight or volume;
- (5) Allergen information, as specified by federal labeling requirements, such as milk, eggs, fish, crustacean shellfish, tree nuts, peanuts, wheat and soybeans; and
- (6) The following statement printed in at least ten-point type in a clear and conspicuous manner that provides contrast to the background label: “Made in a Cottage Food Operation that is not Subject to Routine Government Food Safety Inspection.”

(P.A. 18-141, S. 18.)

Conn. Gen. Stat. Sec. 21a-62h. Cottage food operation requirements. License suspension and revocation. Hearing. Cost of inspection.

- (a) Each cottage food operation shall comply with the following requirements and any failure to comply shall be deemed a violation of this section and sections 21a-62b to 21a-62g, inclusive:
- (1) No person, other than the person licensed to produce cottage food products or a person under his or her direct supervision, may engage in the processing, preparing, packaging or handling of any cottage food products;
 - (2) No preparation, packaging or handling of cottage food products shall occur in the home kitchen concurrently with any other domestic activities such as family meal preparation, clothes washing or ironing, kitchen cleaning, or guest entertainment;
 - (3) No pets, infants or children under the age of twelve shall be in the home kitchen during the preparation, packaging or handling of any cottage food products;
 - (4) All food contact surfaces, equipment and utensils used for the preparation, packaging or handling of any cottage food products shall be washed, rinsed and sanitized before each use;
 - (5) All food preparation and food and equipment storage areas shall be maintained free of rodents and insects; and
 - (6) All persons involved in the preparation and packaging of cottage food products:
 - (A) Shall not be ill while working in the home kitchen;



- (B) Shall wash their hands before any food preparation and food packaging activities; and
 - (C) Use single-service gloves, bakery papers, tongs or other utensils in order to not have bare hand contact with ready-to-eat foods.
- (b) A cottage food operation license may be suspended or revoked by the commissioner for any violation of this section or sections 21a-62b to 21a-62g, inclusive, after a hearing conducted in accordance with chapter 54. A cottage food operation license may be summarily suspended pending such a hearing if the commissioner has reason to believe that the public health, safety or welfare imperatively requires emergency action. Upon issuing a summary suspension, the commissioner shall schedule a hearing to determine whether to reinstate the license of the cottage food operation. Following said hearing, the commissioner shall either void such suspension or order revocation of the cottage food operation license. Any person or business entity whose license was revoked shall not be permitted to apply to the department for a new license for a period of one year from the date of decision of license revocation by the commissioner. The cost of any inspections necessary to determine whether or not an applicant whose license was revoked is entitled to have a new license granted shall be borne by the applicant at such rates as the commissioner may determine. The commissioner may refuse to grant any cottage food operation license if the commissioner finds that the applicant has evidenced a pattern of noncompliance with the provisions of this section or sections 21a-62b to 21a-62g, inclusive. Prima facie evidence of a pattern of noncompliance shall be established if the applicant has operated, controlled or managed two or more cottage food operations for which such a license has been revoked.

(P.A. 18-141, S. 19.)

