



Home Baked Goods Sales Policies

A “not-potentially hazardous” baked good is one that can safely remain unrefrigerated and do not support the rapid growth of bacteria that would make people sick when held outside of refrigerated temperature. Lower-risk food means food in a form or state that is not capable of supporting the growth of disease-causing organisms or the production of toxins. One or more of the following factors usually apply to these foods:

- Water activity (A_w) of 0.85 or less, or
- A pH (hydrogen ion concentration) value of 4.6 or less.

Most cookies, muffins, cakes, and breads are typically not-potentially hazardous and have a low moisture content that inhibits mold growth. Foods with cream filling, custard or meat are potentially hazardous and are **not allowed**. A traditional buttercream frosting made with cream that requires refrigeration would also not be allowed. For example, some baked goods with vegetables as an ingredient such as zucchini bread or banana bread may not qualify as non-hazardous as they are too moist. There are approved safe recipes you can use for these available online.

If you are at all unsure if your item is not-potentially hazardous, you can have a sample of your recipe tested by submitting it to a certified lab that conducts the water activity test that would then determine if it meets the official non-hazardous definition per the FDA Food Code of a “water activity value of 0.85 or less” or a pH value of 4.6 or less. When in doubt, always err on the side of caution.

Sales/Labeling Policies

No more than \$5,000.00 in sales per year

Retail only (direct from producer to consumer)

Signs and labels required (Certificate of insurance recommended)

Sign at the point of sale stating, “These baked goods are homemade and not subject to state inspection.”

Product labels must include:

- Name and address of the person who did the baking
- Date of baking
- All ingredients in descending order of prominence, including the common name for any ingredient that originates from milk, eggs, fish, shellfish, tree nuts, peanuts, wheat or soybeans. These are ingredients that can cause severe allergic reactions in some people, who must be able to recognize when they are present.

Record-keeping Suggested

Written record of every batch of product made for sale, including:



- Recipe, including procedures and ingredients
- Amount baked and sold
- Baking date
- Sale dates and locations
- Gross sales receipts
- Results of any pH test

Sanitation

Inspection is not required, but customers expect good sanitation. Here are some factors you should consider:

- Use clean equipment that has been effectively sanitized prior to use
- Clean work surfaces and then sanitize with bleach water before and after use
- Keep ingredients separate from other unprocessed foods
- Keep household pets out of the work area
- Keep walls and floors clean
- Have adequate lighting
- Keep window and door screens in good repair to keep insects out
- Wash hands frequently while working
- Consider annual testing of water if using a private well