

### **A homestead food license is no longer required if:**

- You only offer your non-potentially hazardous food from your own residence, retail food stores, from your own farmstand or at a farmer's market **and**
- You do not exceed a maximum gross sales of \$20,000

Please be advised that this only applies to non-potentially hazardous food including but not limited to breads, rolls, muffins, cookies, brownies, double crusted fruit pies, candy and fudge, packaged dry products, jams and jellies. The food must be made in your residential kitchen and you cannot make foods that require refrigeration or acidified or low acid foods such as pickles or relishes.

Also, even if you do not need a license you are still required to label your products with the following information: Name, address and phone number of the homestead operation; Ingredients in descending amount (including allergens) and Statement: "This product is exempt from New Hampshire licensing and inspection."

### **The New Hampshire Department of Health and Human Services (NH DHHS) Food Protection requires a homestead food service license if:**

- You offer your non-potentially hazardous products to restaurants, , over the Internet, by mail order or to wholesalers, brokers or other food distributors **or**
- Your income from your homestead products exceeds \$20,000

The homestead license applies to non-potentially hazardous foods made in a residential kitchen. You are not able to make potentially hazardous food with a homestead license. More information about the license requirements and license application is available: <https://www.dhhs.nh.gov/dphs/fp/homestead.htm> If food products are coming from a homestead they are required to be individually packaged and labeled. If samples are provided at the market, the producer should have them in covered portion control cups that are prepared in the home. The purpose for this is to not have open, exposed food at the farmers market. Open food at the market would require no bare hand contact – gloves or utensils, a hand sink should also be provided, and the food protected from coughs, sneezes, flies, bees, dust and debris blowing around.

**On site prepared food sales-**If a vendor operates only 4 days in a 30 day period, they are exempt from a food license as an occasional food service establishment. However to operate under this exemption, all foods must be prepared on site.

If the vendor operates more than 4 days in a 30 day period (does more than one market), they then would need to be licensed in an enclosed mobile unit and they can offer sampling on site in the unit. The food on display would need to be protected as above with covers and/or sneeze guards. The products must be kept at proper temperature control so if foods are served that require refrigeration (TCS foods) they must be maintained at 41F or less during display and service and foods served hot would need to be held above 135F. TCS foods are to be prepared on site not in a homestead since TCS foods are not approved to be made in a residential kitchen.

