



Selling Homemade Food Products in New Hampshire

The Basics - Part Two

When is a Class H Homestead License Required (Non- Exempt)

Selling Homestead Food Products in New Hampshire

Starting a homestead food business is a dream of many home cooks. Beginning small, in your own kitchen, with shelf-stable baked goods and other allowed foods is a practical way to try out this venture.

There are some food safety and legal requirements that will help to create a delicious and safe product. This fact sheet, developed from New Hampshire Food Protection Section guidance, can help to get you started.

Please read [The Basics - Part One](https://extension.unh.edu/resources/files/Resource008106_Rep11826.pdf) (https://extension.unh.edu/resources/files/Resource008106_Rep11826.pdf). The foods you can make and those you are prohibited from making are listed in Part One. The additional requirements for Homestead businesses that require a Class H Homestead license are listed [here](#).

A Class H Homestead License is required if:

Your gross sales from your homestead food products exceed \$20,000. Accurate records should be kept and maintained, including sales records.

Or

You wish to sell your non-TCS foods (safe at room temperature storage) products:

- To Restaurants
- To food establishments (not including retail food stores - for these, no license is needed to sell homestead foods under the \$20,000 sales limit)
- Over the internet
- By mail order



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Please read the Basics - Part One (https://extension.unh.edu/resources/files/Resource008106_Rep11826.pdf). **The additional requirements for Homestead businesses that require a Class H Homestead license are listed [here](#).**

- To wholesalers, brokers, or other food distributors

AND

You must meet the licensing requirements for a Class H Homestead license, which has a fee of \$150.

<https://www.dhhs.nh.gov/dphs/fp/documents/happlication.pdf>

1. What must I submit with my license application?

1. Water test results for bacteria, nitrates and nitrites if using well water. Not required if using municipal water.
2. All Process Review results for any processed or jarred foods such as BBQ, hot sauces mustards, pepper jellies and “tweaked” jam/jelly recipes. Laboratory results (pH and water activity) for homemade buttercream or cream cheese frostings.
3. Water activity results for any baked goods made with banana, pumpkin, zucchini or other fruit or vegetable
4. List of products you are selling
5. Sample of each label for each product

2. What Kinds of Foods Can I Sell with a Homestead Food License?

The homestead license applies to non-potentially hazardous foods made in the residential kitchen of the homestead food operation. (See: The Basics - Part One at https://extension.unh.edu/resources/files/Resource008106_Rep11826.pdf)

Under a homestead license, you are not allowed to offer potentially hazardous food that requires refrigeration for safety.

Note: Homestead food operations are allowed to produce jams or jellies that do not use recipes approved by the National Center for Home Food Preservation only if the operations submits a Process Review by a food processing authority that states the food is safe.

A **Process Review** is conducted by a food processing authority on each product prior to its being produced by the license holder. The food processing authority declares in writing whether there are biological food safety concerns with the food. Products that are classified as acid foods and foods that have low water activity (below 0.85) can be produced in the homestead.

A list of food processing authorities is available at <http://www.dhhs.nh.gov/dphs/fp/sanitation/documents/processing-faqs.pdf>

Under a homestead license, you are not allowed to offer potentially hazardous food that requires refrigeration for safety.



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3. How must I label my Licensed Homestead Products?

You are required to label your individually packaged products with the following information:

- a) Name, Address, Phone number of the homestead food operation
- b) Name of the homestead food product
- c) The ingredients of the homestead product, in descending order by weight
- d) The name of each major food allergen contained in the food unless it is already part of the common or usual name of the ingredient already disclosed in the ingredient statement

Major food allergens:

Milk

Eggs

Fish (e.g., bass, flounder, cod)

Crustacean shellfish (e.g., crab, lobster, shrimp)

Tree nuts (e.g., almonds, walnuts, pecans, coconut)

Peanuts

Wheat

Soybeans



- e) The label must also state in at least 10-point font “This product is made in a residential kitchen licensed by NH DHHS.”
- f) Product code which identifies the product with a batch number. Note: this number can be your “baked on” date.

Chocolate Chip Cookies batch 01-15

Ashley’s Cookies
2550 Kingston Lane
Anytown, NH 03333
(603) 555-5555

Ingredients: Enriched flour (Wheat flour, niacin, reduced iron, thiamine mononitrate, riboflavin and folic acid), butter (milk, salt), chocolate chips (sugar, chocolate liquor, cocoa butter, butterfat (milk)). Soy lecithin as an emulsifier), walnuts, sugar, eggs, salt, artificial vanilla extract, baking soda.

Contains: wheat, eggs, milk, soy, walnuts

This product is made in a residential kitchen licensed by NH DHHS

4. What equipment and procedures must I have in my residential home kitchen?

- Either a residential model dishwasher and a one compartment sink OR a two-compartment sink to wash, rinse and sanitize your utensils
- A home refrigerator with a thermometer. Refrigerator temperature maintained at 41°F or less
- No pets in the kitchen during food preparation and packaging
- If the bathroom opens directly to the kitchen, it must have a self-closing door and mechanical ventilation

For More Information:

Food Processing Authority University of Maine- Beth Calder
beth.calder@maine.edu 207-581-2791
<https://umaine.edu/foodandagriculture/process-product-review-testing>

Food processors
<https://www.dhhs.nh.gov/dphs/fp/food-processing.htm>

Floor plan review
<https://www.dhhs.nh.gov/dphs/fp/floor-plan.htm>

Homesteads
<https://www.dhhs.nh.gov/dphs/fp/homestead.htm>

NH Food Protection Food Safety and Defense Specialist
Royann Bossidy, royann.bossidy@dhhs.nh.gov 603-271-3989

NH Food Protection Frequently Asked Questions about Homestead Food Businesses
<https://www.dhhs.nh.gov/dphs/fp/documents/homesteadfaq.pdf>

New Hampshire He-P 2300 Sanitary Production and Distribution of Food
http://www.gencourt.state.nh.us/rules/state_agencies/he-p2300.html

Retail food establishments - commercial kitchens
<https://www.dhhs.nh.gov/dphs/fp/apply-change.htm>

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For More Information

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