



Selling Homemade Food Products in New Hampshire

The Basics - Part Three

When is a Commercial Kitchen Food License Required?

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. In Parts One (https://extension.unh.edu/resources/files/Resource008106_Rep11826.pdf) and Two (https://extension.unh.edu/resources/files/Resource008107_Rep11827.pdf) you learned about the kinds of foods you can make and sell in your home kitchen. In this fact sheet, we will discuss the kinds of foods that require a commercial kitchen.

You will need a commercial kitchen food license and access to a commercial kitchen to make and sell these food products:

1. Acidified foods: low-acid foods to which acid(s) or acid food(s) are added.

Acidified foods include acidified or pickled:

- Beans
- Cucumbers
- Cabbage
- Artichokes
- Cauliflower
- Puddings
- Peppers
- Tropical fruits
- Fish
- Salsa
- Pepper Jelly
- Relish



Photo credit: Genuine Local

For a complete list, contact DHHS:

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

2. Fermented foods – sauerkraut, kimchi
3. Special processes – dehydration
4. Refrigerated foods or foods requiring Time/Temperature Control for safety (TCS foods) including cheesecake, sandwiches, salads, soups, etc.

If you are planning a new facility, you will need to submit water test results, septic approval and floor plans for commercial kitchen license requirements.

Commercial Kitchen Requirements

- Commercial refrigeration
- 3-bay sink to wash, rinse, and sanitize equipment
- Separate food prep sink
- At least one hand washing sink
- Mop sink
- Floors, walls, and ceilings are required to be smooth, durable, non-absorbent, and easily cleanable

Commercial Kitchen License Requirements

- Water test results
- Septic documentation, including approval for construction and approval for operation
- If the facility is new, then floor plans are required to be submitted for a plan review
- Hazard Analysis Critical Control Point (HACCP) plan and process review may be required for acidified foods.

Additional FDA Requirements for Acidified Foods

- Processors of acidified foods are required to attend and satisfactorily complete a Better Process Control School (BPCS) for acidified foods.
- In addition to the BPCS, manufacturers of acidified foods are required to file and register their *scheduled processes* with the FDA.

A scheduled process is the steps and controls you use to manufacture a food that will not permit the growth of food-borne illness causing microorganisms.

NH Food Protection has a detailed info sheet on these FDA requirements: <https://www.dhhs.nh.gov/dphs/fp/documents/processing-faqs.pdf> (Scroll to page 5).

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>

HACCP Principles & Application Guidelines

www.fda.gov/food/hazard-analysis-critical-control-point-haccp/haccp-principles-application-guidelines

Homesteads

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

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

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Retail food establishments - commercial kitchens

<https://www.dhhs.nh.gov/dphs/fp/apply-change.htm>

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About the Author

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For More Information

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