



Processing and Selling Value Added Food Products in Maryland

All products sold in Maryland must at a minimum be labeled with the name and address of the producer or distributor, a quantity statement (count, fluid measurement or net weight depending on the product), the identity of the product, the ingredients listed in descending order of prominence by weight. The requirements listed only address food safety requirements and licensure requirements. Local and state zoning, waste disposal and other laws may apply. Instead of obtaining the license(s) to process the value added products, a farmer can have them processed at a licensed facility and returned to the farm for sales.

Primary Contacts:

Maryland Department of Health Requirements Office of Food Protection –
<https://health.maryland.gov> ; mdh.foodplanreview@maryland.gov; (410)767-8400

Maryland Department of Agriculture Requirements – www.mda.maryland.gov ; (410) 841-5769

Terms and Definitions -

Cottage Foods: Allows certain non-potentially hazardous foods to be made and packaged in a private home kitchen. The prepackaged cottage food can be sold directly to a consumer from a residence, at a farmer’s market, at a public event, by personal delivery, or by mail delivery; or to a retail food store, including a grocery store, or a food cooperative. Sales must not exceed \$50,000 annually, and can only be offered within Maryland. Sales through interstate commerce are not allowed. No license is required.

Farmer’s Market: A place where a person offers or sells one or more of the following food product directly to the public: raw agricultural products; products processed under an On-Farm Home Processing license; products that are not potentially hazardous and do not require refrigeration that are processed in a licensed food processing plant; and/or eggs that are regulated by MDA.

On-Farm Home Processing License: License issued by MD Department of Health (MDH). Must be a farmer and sales must be less than \$40,000.00 annually. Allows the processing of some products in a home kitchen. Cost - \$30.00 annually.

Organic Certification: Certification by a USDA National Organic Program accredited certifier required if over \$5,000 in annual sales of organic products. MDA is an accredited certifier – annual fee is

\$500.00. MDA offers a voluntary registered exempt certificate for under \$5,000 in annual sales for \$30.00.

Poultry and Rabbit Processing Certification: MDA certification or voluntary USDA inspection required for processors exempt from continuous inspection by the USDA Food Safety Inspection Service to sell product intrastate other than directly to consumers on the farm. Annual renewal by MDA. Cost: \$75.00.

Process Authority: A person(s) who has expert knowledge of thermal processing requirements for low-acid foods packaged in hermetically-sealed containers or has expert knowledge in the acidification and processing of acidified foods. This person(s) evaluation of a scheduled process must be registered by FDA or USDA depending on the food. Private Sector - fees vary.

Processing License: License issued by MD Department of Health to persons processing food. Must meet commercial requirements. Cost - \$150.00 annually.

Producer Mobile Farmer's Market License: Issued annually by MD Department of Health and covers sales at any farmers markets within Maryland. Required for potentially hazardous products covered by the "On Farm Home Processing License" and meat and poultry certified by Maryland Department of Agriculture. Not required for eggs, non-processed fresh fruits and vegetables, non-potentially hazardous baked goods and non-potentially hazardous jams/jellies. Producers can obtain a license for each farmer's market from the local health department where the market is located in lieu of the Mobile Farmer's Market License. Cost - \$100.00 annually.

Seasonal Farmer's Market Producer Sampling License: Annual license intended for farmers that serve only foods that are prepared and offered as samples by a producer of a farm product at a farmer's market or a public event, such as: (i) Farm products as specified in §.02B(30)(a) of regulation COMAR 10.15.03; or (ii) Farm products that have been inspected, licensed, or certified for food safety by the Maryland Department of Agriculture. Cost: Contact your local county health department to see if this license is offered.

Scheduled process: The process selected by the processor as adequate under the conditions of manufacture for a given product to achieve commercial sterility and/or maintaining a food that will not permit the growth of microorganisms having public health significance.

Product	Licenses Required	Basic Requirements
<p>Baked Goods - with potentially hazardous toppings or fillings. Toppings, glazes, icings or fillings that must be refrigerated such as custard based, filled or topped with cream, cheese, etc.</p>	<p>Processing license from MDH.</p>	<p>Potable water, approved sewage disposal system, commercial kitchen and refrigeration. Plan Review.</p>
<p>Baked Goods - without potentially hazardous toppings or fillings. Pies, turnovers, fruit tarts from fruits such as apples, apricots, blackberries, boysenberries, cherries, peaches, strawberries, etc. No cream, cheese, custards, etc.</p>	<p>As a cottage food business, can sell directly from a farm or at farmer's markets, from a residence or directly to a retail food store (ex. grocery store or food cooperative) with no license. Sales limited to less than \$50,000.</p> <p>To sell to restaurants or other types of retailers, on-farm home processing license for sales less than \$40,000. Over \$40,000.00 requires a Processing License from MDH.</p>	<p>Cottage foods - See above definition and COMAR 10.15.03.27.</p> <p>For sales to a retail food store additional requirements, including completion of food safety training, apply. Submit application with MDH. Visit MDH's Cottage Food Business page at the website listed above.</p> <p>Potable water, approved sewage disposal system & home kitchen for less than \$40,000. Potable water, approved sewage disposal system, plan review & commercial kitchen for more than \$40,000.</p>
<p>Canned Goods - acidified - products that must be acidified to a pH of 4.6 or less during processing such as artichokes, asparagus, beans, beets, broccoli, cabbage, corn, cucumber, peas, most peppers, potatoes, pumpkin, etc.</p>	<p>On-farm home processing license from MDH if less than \$40,000 in sales. Processing license from MDH if more than \$40,000 in sales. FDA Better Process School training course required.</p>	<p>Potable water, Process Authority, scheduled process filed with FDA & home kitchen for less than \$40,000. Potable Water, Process Authority, scheduled process filed with FDA & commercial kitchen for more than \$40,000. Plan review for both types of licenses.</p>

Product	Licenses Required	Basic Requirements
<p>Canned Goods - naturally acid (pH of 4.6 or less) fruit such as apples, apricots, blackberries, boysenberries, cherries, grapes, peaches, etc.</p>	<p>Evaluation needed in order to sell directly from farm or at farmer's markets with no license. To sell to restaurants or retailers, on farm home processing license for sales less than \$40,000. Over \$40,000.00 requires a Processing License from MDH</p>	<p>Potable water, approved sewage disposal system & home kitchen for less than \$40,000. Potable water, approved sewage disposal system, plan review & commercial kitchen for more than \$40,000.</p>
<p>Dairy Products</p>	<p>Requires a license from MDH.</p>	<p>Regulated by the federal Pasteurized Milk Ordinance and State.</p>
<p>Dried Fruit (Fruit Leathers) - made with fruits with a natural pH of 4.6 or less such as apples, apricots, blackberries, peaches, strawberries, etc.</p>	<p>As a cottage food business, can sell directly from a farm or at farmer's markets, from a residence or directly to a retail food store (ex. grocery store or food cooperative) with no license. Sales limited to less than \$50,000.</p> <p>To sell to restaurants or other types of retailers, on-farm home processing license for sales less than \$40,000. Over \$40,000.00 requires a Processing License from MDH.</p>	<p>Cottage foods - See above definition and COMAR 10.15.03.27.</p> <p>For sales to a retail food store additional requirements, including completion of food safety training, apply. Submit application with MDH. Visit MDH's Cottage Food Business page at the website listed above.</p> <p>Potable water, approved sewage disposal system & home kitchen for less than \$40,000. Potable water, approved sewage disposal system, plan review & commercial kitchen for more than \$40,000.</p>
<p>Dried Products (all other foods)</p>	<p>On-farm home processing license from MDH if less than \$40,000 in sales. Processing license from MDH if more than \$40,000 in sales.</p>	<p>Potable water, approved sewage disposal system & home kitchen for less than \$40,000. Potable water, approved sewage disposal system, plan review & commercial kitchen for more than \$40,000.</p>

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Eggs	Register with the Secretary of Agriculture annually (no fee if less than 3,000 chickens). No retail license from local health department, no Producer Mobile Farmers Market License or any other health department license required if selling own production.	Must meet minimum of Grade A standards, weight requirements, labeling requirements, invoice requirements and be held at 45°F.
Fermented Products	Processing license from MDH.	Potable water, approved sewage disposal system, commercial kitchen and refrigeration. Plan Review.
Fruit, Butters – Pumpkin, banana or pear	Processing license from MDH.	Potable water, approved sewage disposal system, commercial kitchen and refrigeration. Plan Review.
Fruit, uncut and not processed	No license required from MDH or local health department. Over \$29,245* in annual sales regulated by MDA. *Based on annual inflation rates.	Dependent on annual sales, requires compliance with all or portions of the Food Safety Modernization Act Produce Safety Rule.
Fruit, Cut or Processed - ready to eat	Processing license from MDH. Seasonal farmer’s market producer sampling license from local health department.	Potable water, approved sewage disposal system, plan review & commercial kitchen
Honey	No license required if no flavors added (raw agricultural product). If further processed, on-farm home processing license from MDH if less than \$40,000 in sales or processing license from MDH if more than \$40,000 in sales.	Potable water, approved sewage disposal system & home kitchen for less than \$40,000. Potable water, approved sewage disposal system, plan review & commercial kitchen for more than \$40,000.

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<p>Jellies and Jams – made with fruits with a natural pH of 4.6 or less such as apples, apricots, blackberries, peaches, strawberries, etc.</p>	<p>As a cottage food business, can sell directly from a farm or at farmer’s markets, from a residence or directly to a retail food store (ex. grocery store or food cooperative) with no license. Sales limited to less than \$50,000.</p> <p>To sell to restaurants or other types of retailers, on-farm home processing license for sales less than \$40,000. Over \$40,000.00 requires a Processing License from MDH.</p>	<p>No paraffin wax seals allowed – hot filled into sterile Mason jars with ¼” head space.</p> <p>Cottage foods - See above definition and COMAR 10.15.03.27. For sales to a retail food store additional requirements, including completion of food safety training, apply. Submit application with MDH. Visit MDH's Cottage Food Business page at the website listed above.</p> <p>For other than cottage foods sales, potable water, approved sewage disposal system & home kitchen for less than \$40,000. Potable Water, approved sewage disposal system, plan review & commercial kitchen for more than \$40,000.</p>
<p>Meats - non USDA regulated (bison, rabbits, etc.)</p>	<p>On farm sales only without inspection. Can have voluntary inspection by USDA or MDA to qualify for sales off farm. If slaughtered, packaged and labeled at a USDA facility, can be returned to farm for sales. Must have a license from MDH for on farm storage (Under \$40,000 in sales – On-Farm Home Processing License, Over \$40,000 in sales – Processing License) unless farm is certified through MDA’s Poultry and Rabbit Processing Program. Producer Mobile Farmer’s Market License required for sales at Farmer’s Markets.</p>	<p>For storage on farm – Commercial freezer capable of maintaining product temperature of 0°F for frozen. Refrigeration capable of maintaining product temperature of 40°F for fresh. Dry ice or mechanical freezer capable of maintaining product 0°F or below for frozen product; refrigeration capable of maintaining product temperature of 40°F or less for sales at markets. Refreezing not allowed.</p>

Product	Licenses Required	Basic Requirements
<p>Meats - USDA regulated - Cattle, Swine, Sheep, Goats and Equine; cured and processed meats</p>	<p>Cannot slaughter, process, package or label without USDA inspection. Can have the product slaughtered, packaged and labeled at a USDA inspected facility and return to the farm for sales. Must have a license from MDH for on farm storage (Under \$40,000 in sales – On-Farm Home Processing License, Over \$40,000 in sales – Processing License) unless farm is certified through MDA’s Poultry and Rabbit Processing Program. Producer Mobile Farmer’s Market license required for sales at Farmer’s Markets.</p>	<p>For storage on farm – Commercial freezer capable of maintaining product temperature of 0°F for frozen. Refrigeration capable of maintaining product temperature of 40°F for fresh. Dry ice or mechanical freezer capable of maintaining product 0°F or below for frozen product; refrigeration capable of maintaining product temperature of 40°F or less for sales at markets. Refreezing not allowed.</p>
<p>Organic labeling</p>	<p>Under \$5,000 in annual sales no official certification required. Over \$5,000 in annual sales must be certified by a USDA accredited certifier such as MDA.</p>	<p>Not certified: Must follow requirements of the USDA National Organic Program and can only label the product organic. Label cannot state certified seal, 100% organic or bear the USDA NOP seal. Certified: Name of certifier immediately below the name and address of the producer.</p>
<p>Pickles, canned</p>	<p>On-farm home processing license from DHMH if less than \$40,000 in sales. Processing license from MDH if more than \$40,000 in sales. FDA Better Process School training course and scheduled process from a process authority required.</p>	<p>Potable water, approved sewage disposal system, Process Authority, scheduled process filed with FDA & home kitchen for less than \$40,000. Potable water, approved sewage disposal system, Process Authority, scheduled process filed with FDA & commercial kitchen for more than \$40,000. Plan review for both types of licenses.</p>

Product	Licenses Required	Basic Requirements
<p>Poultry – less than 20,000 slaughtered annually meeting one of the USDA FSIS exemptions from continuous inspection.</p>	<p>Can slaughter and sell directly from farm to consumers without a license or inspection from MDH or MDA. To slaughter and sell to retailers, restaurants or at a farmer’s market must be inspected by USDA for interstate and intrastate sales or for intrastate sales only by MDA. Can be slaughtered, packaged and labeled at a USDA inspected facility and returned to the farm for storage and sales. Must have a license from MDH for on farm storage (Under \$40,000 in sales – On-Farm Home Processing License, Over \$40,000 in sales – Processing License). No MDH or local health department license required on farm if participating in MDA’s Poultry and Rabbit Processing Program. Mobile Farmer’s Market License required for sales at Farmer’s Markets.</p>	<p>All: Must be own production. Potable water and approved processing waste water disposal (MDE approved disposal or local health septic). Product cannot be adulterated: contaminated with filth, held under unsanitary conditions, contain any poisonous or added deleterious substance, etc. Must be held at 40°F or less if fresh, 0°F or less if frozen. Off farm sales: Must have voluntary continuous inspection by USDA or participate in MDA’s voluntary program.</p>
<p>Poultry - more than 20,000 slaughtered annually</p>	<p>USDA continuous inspection required. Producer Mobile Farmer’s Market License required to sell at a Farmer’s Market.</p>	<p>Continuous inspection by USDA/FSIS of slaughter: poultry health and sanitation.</p>
<p>Sampling (On Farm - Food/Drink) at Farms, Farmers Markets or Wineries</p>	<p>Contact your local health department</p>	<p>Requirements differ for different licenses.</p>
<p>Sauerkraut and other fermented products</p>	<p>Processing license from MDH.</p>	<p>Potable water, approved sewage disposal system & commercial kitchen. Plan Review.</p>

Product	Licenses Required	Basic Requirements
<p>Vegetables*, uncut and not processed</p> <p>*Includes microgreens – uncut, not processed. Does not include sprouts and microgreens washed and sold as Ready to Eat items.</p>	<p>No license required from MDH or local health department. Over \$29,245* in annual sales regulated by MDA.</p> <p>*Based on annual inflation rates</p>	<p>Dependent on annual sales, requires compliance with all or portions of the Food Safety Modernization Act Produce Safety Rule.</p>
<p>Vegetables*, cut or processed - Ready to Eat</p> <p>*Includes cut, processed, washed and Ready to Eat microgreens. Also includes sprouts.</p>	<p>Processing license from MDH.</p> <p>Seasonal farmer’s market producer sampling license from local health department.</p>	<p>Potable water, approved sewage disposal system, plan review & commercial kitchen</p>