



National Environmental
Health Association

State Food Freedom/ MicroEnterprise Kitchens Legislation

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Food Freedom Legislation Expanded in 2022

Food Freedom Activity	Number of States
Bills introduced	45
Bills enacted into law	9
Do not require inspection of homemade food business	32
Do not license, permit, or register home-based food businesses	25
Require extensive inspections and permitting for home-based food businesses	6 + DC

Microenterprise Kitchens Are Home Kitchens

Sale of home-kitchen prepared foods
without any state/local regulatory
oversight



California Enacts Microenterprise Act

Microenterprise Home Kitchen Operations Act

- A food facility that is operated by a resident in a private home where food is stored, handled, and prepared for, and may be served to consumers
- No limitations but must provide state with list including "All food types or products that will be handled"
- Inspection, permitting, education required



Maine Enacts Food Sovereignty Act

Food Sovereignty Act

- Food or food products intended for human consumption, including, but not limited to, milk or milk products, meat or meat products, poultry or poultry products, fish or fish products, seafood or seafood products, cider or juice, acidified foods or canned fruits or vegetables.
- Direct to consumers at the point of production
- Municipalities must pass ordinances allowing for sale of food or food products without registration, inspection, licensure, or permits.



Maine Amends Its Constitution – Right to Food

ME Constitution, Art. I, §25 5 Section 25. Right to food.

All individuals have a natural, inherent and unalienable right to save and exchange seeds and the right to grow, raise, harvest, produce and consume the food of their own choosing for their own nourishment, sustenance, bodily health and well-being, as long as an individual does not commit trespassing, theft, poaching or other abuses of private property rights, public lands or natural resources in the harvesting, production or acquisition of food.



Montana Local Food Choice Act

- exempts producers who sell specific homemade food products from licensing, certification, packaging, labeling, and inspection requirements
- "The action may be performed by the producer or the producer's designated agent at a... home.... "Transactions pursuant to this chapter: must be directly between the producer and the informed end consumer; must be only for home consumption..."
- "Homemade" means food or a food product that is prepared in a private home and that is not licensed, permitted, certified, packaged, labeled, or inspected per any official regulations.



North Dakota Enacts Cottage Food Law

Cottage Food Law/Food Freedom Law

- Any baked goods, jams, jellies, and other food and drink products except “uninspected products made from meat.”
- Sales only direct to informed end consumer.
- Home consumption only.
- No testing, registration, inspection, permitting, licensing, education required



Oklahoma Adopts Food Freedom Act

Homemade Food Freedom Act

- Food and beverages are covered
- Cannot contain seafood or meat, meat by-products, meat food products, poultry, poultry products, or poultry food products
- Food safety education <8 hours required to sell



Utah Amends Home Kitchen Rules

Microenterprise Home Kitchen Amendments

- Any foods except alcohol, raw dairy, and most meat products.
- Sales direct to informed final consumer
- Microenterprise home kitchen permit required



Vermont Allows Home Caterer License

Home Caterer License

- Prepackaged or on-demand food items
- Meat and poultry products may only be sold as meals direct to consumer
- Food prepared and wrapped in home kitchen using only standard home kitchen equipment and sold as take-out or for commercial resale
- Inspection and labeling required



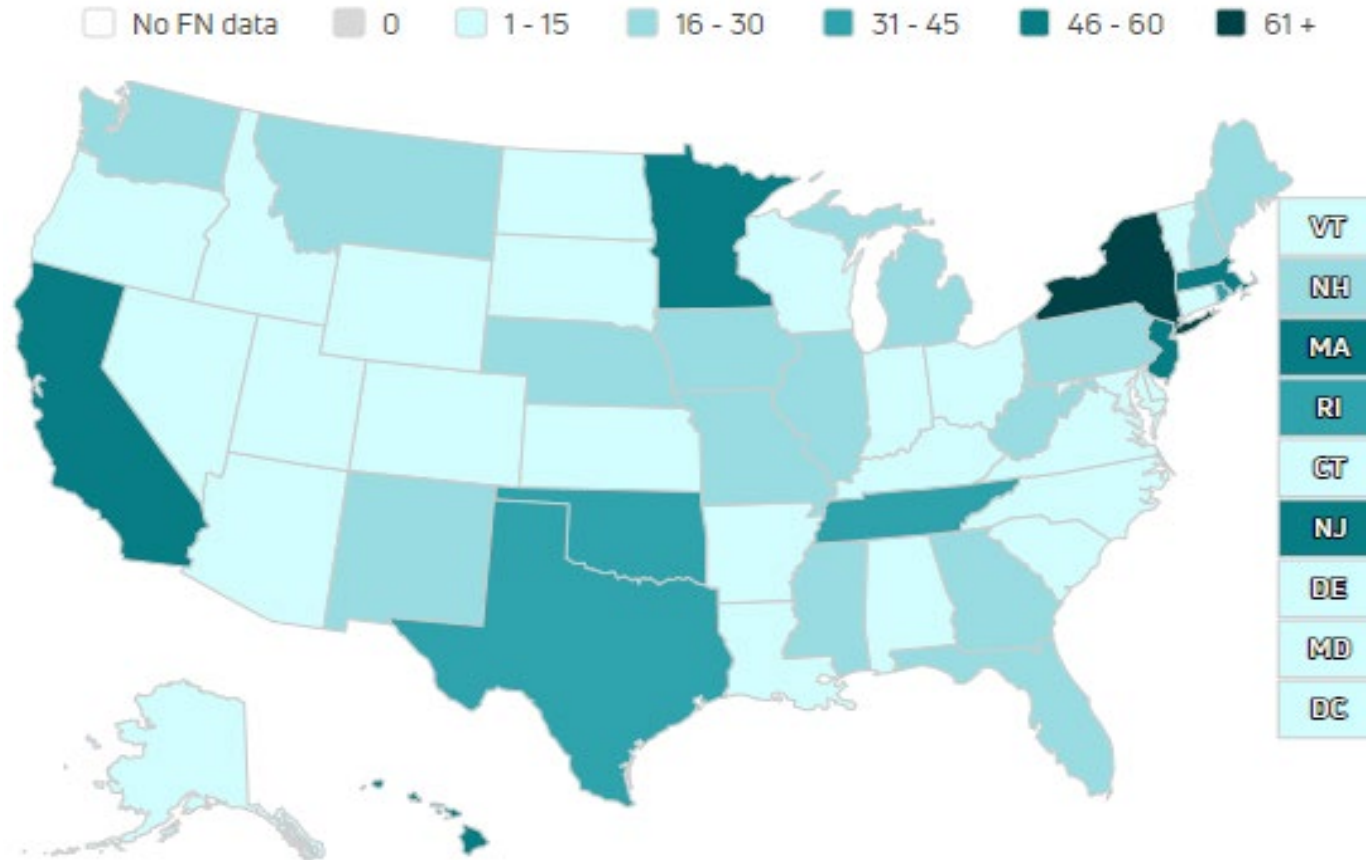
Wyoming Passes Food Freedom Act

Food Freedom Act

- Direct 3rd party vendor or informed consumer
- Sale and delivery may take place at a farm, ranch, farmers market, office, or any location agreed to between the producer and the informed end consumer.
- No testing, inspection, permitting required



1,048 Food Safety Bills Introduced





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