

Selling Homemade Food in Maine

All across the United States, people are making food at home to sell in their communities. Together, they form a small but growing industry—the homemade or “cottage food” industry. The movement fits within a larger trend toward healthy eating and responsible sourcing, as consumers take greater interest in where their food comes from and who makes it. Maine has been a leader in the movement, allowing “home food manufacturing” since 1980.

More recently, Maine has gone even further, passing a [Food Sovereignty Law](#) in 2017 that allows local governments within the state to legalize the sale of nearly all types of homemade foods directly to consumers. Before the law took effect, the state passed an [amendment](#) to exclude home-based meat and poultry processing. The amendment also excludes sales at farmers’ markets and other public venues. Under the Food Sovereignty Law, sales must occur at the “site of production,” which means only at farms and private residences. Sedgwick, Maine, became the [first municipality](#) to adopt a food sovereignty ordinance. An [updated map](#) from LocalFoodRules.org shows 97 Food Sovereignty municipalities in Maine as of 2021.

Grades For Homemade Food Laws	Maine Home Food Manufacturing	Maine Food Sovereignty
Final Grade	C	B+
Food Varieties Grade	C-	A
Sales and Venue Restrictions Grade	A+	C+
Regulatory Burdens Grade	F	B+

MAINE COTTAGE FOOD TYPES

Food Varieties	Maine Home Food Manufacturing	Maine Food Sovereignty
What Shelf-Stable Foods Can I Sell in Maine?	No restrictions	No restrictions
Can I Sell Refrigerated Baked Goods in Maine?	No	Yes
Can I Sell Meat in Maine?	No	Yes, fish and seafood.
Can I Sell Acidified or Pickled Foods in Maine?	Yes	Yes
Can I Sell Low-Acid Canned Goods in Maine?	No	Yes
Can I Sell Fermented Foods in Maine?	No	Yes

Many states regulate “cottage food,” meaning food made in home kitchens for sale. Maine cottage food producers may sell products that are shelf-stable, meaning they do not require time or temperature control for safety. Examples include most types of baked goods, candies, honey, ketchup, salsas, pickles, dried fruits and vegetables, cereals, pastas, pies, fruit butters, jams, jellies, fruit leather and popcorn.

If Maine cottage food producers live in a local jurisdiction with a food sovereignty ordinance, they may sell almost any food product, including fish and seafood, but not meat and poultry.

MAINE COTTAGE FOOD VENUES

Sales and Venue Restrictions	Maine Home Food Manufacturing	Maine Food Sovereignty
Annual Sales Cap	None	None
Where Can I Sell Homemade Food Direct to Consumers in Maine?	No restrictions	Only at farmers' markets, events, and from home.
Can I Sell Homemade Food to Retail Outlets Like Restaurants and Grocery Stores?	Yes	No
Online Orders	Yes	No
Mail Delivery	Yes	No

Under Maine's home manufacturing laws, producers may sell their products in a wide range of venues, including farmers' markets, roadside stands, retail stores and restaurants. Maine cottage food producers also may sell their products online and through mail-order delivery. The state also allows home delivery and pickup.

However, those selling under a food sovereignty ordinance can only sell directly to consumers. The venues allowed by the ordinance can vary depending on the municipality but typically include farmers' markets, events, and from home.

GETTING STARTED IN MAINE

Regulatory Burdens	Maine Home Food Manufacturing	Maine Food Sovereignty
Inspections Required Before Starting	Yes	No
Are Local Ordinances Preempted or Overridden?	No	No
License, Permit or Registration Required	Yes	No
Recipe Approval or Lab Testing Required	Only for acidified or pickled foods.	No
Food Handler Training Required	No	No

Under home manufacturing, Maine cottage food producers must apply for a state license and pass a home inspection before selling their goods. Some products, including pickles and chocolate sauces, must be tested to ensure safety. If Maine cottage food producers get their water from a private source, or if they use a private sewage system, they must pass additional inspections. Meanwhile, food sovereignty ordinances do not impose any red tape before a homemade food producer can open their business.

MAINE COTTAGE FOOD LABELS

Maine cottage food producers do not need labels on products sold directly to consumers from home. Products sold outside the home must include labels with the product name, production address, ingredients, and product weight.

MAINE COTTAGE FOOD FACTS

Myths about cottage food abound. Here are the facts:

- **Cottage food is safe.** Critics who talk about the risk of food-borne illness give hypothetical examples of what could go wrong because real-world cases are rare or nonexistent. Since Utah's food freedom law took effect in 2018, there has not been a single outbreak of foodborne illness from food sold under the law.
- **Cottage food is local.** When neighbors trade with neighbors, money stays in the local economy.
- **Cottage food is transparent.** People who buy from a cottage food producer know what they get. If they have questions about ingredients, sourcing or safety, they can ask.
- **Cottage food creates jobs.** Many homemade food producers use their income to provide for their families. Others seek a secondary or supplemental income.
- **Cottage food empowers women.** IJ [cottage food research](#) shows that most cottage food producers are women, and many live in rural areas with limited economic opportunity.
- **Cottage food expands consumer choice.** Some stores simply don't sell what you want. This is especially true if you have a gluten-free, peanut-free, halal, kosher or vegan diet. Cottage food fills market gaps, giving consumers more options.

MAINE COTTAGE FOOD RESOURCES

As part of its Food Freedom Initiative, the Institute for Justice provides a variety of resources for home bakers and other food entrepreneurs. These include:

- [Model Food Freedom Act](#) from the Institute for Justice guides activism efforts at state capitols nationwide.
- [Flour Power: How Cottage Food Entrepreneurs Are Using Their Home Kitchens to Become Their Own Bosses](#) surveys 775 cottage food producers in 22 states about what their businesses mean to them.
- [Ready to Roll](#) highlights nine lessons from the Institute for Justice's cottage food victory in Wisconsin.
- [The Attack on Food Freedom](#) examines the impact of regulations on farmers, chefs, artisans, restaurateurs, food truck operators and others.

TELL YOUR MAINE STORY

Is government violating your homemade food freedom in Maine? Do you have a potential case for IJ? [Get started here...](#)

SUPPORT MAINE LEGISLATION

Help expand cottage food laws in Maine by teaming with the Institute for Justice. Send an email with your name, background information and availability to [get started...](#)

DEFENDING HOMEMADE FOOD FREEDOM NATIONWIDE

People have a right to earn an honest living without arbitrary and excessive government interference. Since 2013, the Institute for Justice has defended home bakers and chefs as part of its Food Freedom Initiative. Read about IJ's nationwide [food freedom advocacy...](#)

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