



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 series, developed from New Hampshire Food Protection Section guidance, can help to get you started. Reading all the fact sheets will give you the best start with the information you need to start and grow your food business.

There are 15 cities and towns in New Hampshire that are self-inspecting and may require additional requirements for Homestead licensing. See the resource section for a link to a listing of the cities and towns.

You may be surprised at the variety of foods that are allowed to be made in your home kitchen. The same foods are allowed whether exempt from a Homestead license or with the Homestead Class H license. Depending on which markets you are selling to, and your sales volume, a Class H license for your home kitchen may be required.

A New Hampshire Class H Homestead License is required if:

Your gross sales from your homestead food products exceed \$35,000. 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:



Photo credit: zeevveez



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Please read the Basics - Part One
([https://extension.unh.edu/resources/
files/Resource008106_Rep11826.pdf](https://extension.unh.edu/resources/files/Resource008106_Rep11826.pdf)).

- To restaurants
- To food establishments (not including retail food stores - for these, no license is needed to sell homestead foods under the \$35,000 sales limit)
- Over the internet
- By mail order
- 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/programs-services/environmental-health-and-you/food-protection/homestead-food-operations>

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



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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. Copy of a sample of finished product labels.

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 or beverages such as Kombucha or Cold Brew Coffee.

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 <https://www.dhhs.nh.gov/programs-services/environmental-health-and-you/food-protection/food-processing-plants> in Frequently Asked Questions (FAQ) section.

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

Sesame seeds



- 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” and “batch number”. For example: 1012-2 for the second batch of cookies made on October 12.

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://extension.umaine.edu/food-health/food-safety/services/>

Food Processing including Licensing, Food Processing Authorities, and Frequently Asked Questions

<https://www.dhhs.nh.gov/programs-services/environmental-health-and-you/food-protection/food-processing-plants>

Floor Plan Review

<https://www.dhhs.nh.gov/programs-services/environmental-health-and-you/food-protection/submit-floor-plan-review>

Homesteads including Frequently Asked Questions

<https://www.dhhs.nh.gov/programs-services/environmental-health-and-you/food-protection/homestead-food-operations>

NH Food Protection Food Safety and Defense Specialist

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New Hampshire He-P 2300 Sanitary Production and Distribution of Food

http://www.gencourt.state.nh.us/rules/state_agencies/he-p2300.html

NH Liquor Commission

<https://www.nh.gov/liquor/enforcement/contact-us/index.htm>



NH Self-Inspecting Cities & Towns

<https://www.dhhs.nh.gov/programs-services/environmental-health-and-you/food-protection/homestead-food-operations>

Retail Food Establishments - Commercial Kitchens

<https://www.dhhs.nh.gov/programs-services/environmental-health-and-you/food-protection/apply-new-license-or-change-existing>

For more information contact, UNH Extension Food Safety Field Specialists:

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Funding for this project provided by USDA-NIFA Award 2018-70020-28876.

Created: July 2020
Updated: January 2023

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Special appreciation to Royann Bossidy of the NH Food Protection Section for her insights and guidance in putting together this 3-part fact sheet series.

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