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Cottage Food Law Statutes:

Mississippi



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Cottage Food Laws: Mississippi

Miss. Code § 75-29-951

Miss. Code Ann. § 75-29-951. Exemption of cottage food production operations from regulation.

(1)

(a) A cottage food operation must comply with the applicable requirements of this section but is exempt from the permitting requirements of Section 41-3-18 if the cottage food operation complies with this section and has annual gross sales of cottage food products that do not exceed Thirty-five Thousand Dollars (\$35,000.00).

(b) For purposes of this subsection, a cottage food operation's annual gross sales include all sales of cottage food products at any location, regardless of the types of products sold or the number of persons involved in the operation. A cottage food operation must provide the department, upon request, with written documentation to verify the operation's annual gross sales.

(2) A cottage food operation may not sell cottage food products over the Internet, by mail order, or at wholesale or to a retail establishment; however, this does not prohibit the advertising of cottage food products over the Internet, including through social media. Cottage food products are nonpotentially hazardous food products as defined by the department.

(3) A cottage food operation may only sell cottage food products which are prepackaged with a label affixed that contains the following information:

- (a) The name and address of the cottage food operation;
- (b) The name of the cottage food product;
- (c) The ingredients of the cottage food product, in descending order of predominance by weight;
- (d) The net weight or net volume of the cottage food product;
- (e) Allergen information as specified by federal labeling requirements;
- (f) Appropriate nutritional information as specified by federal labeling requirements, if any nutritional claim is made; and
- (g) The following statement printed in at least ten-point type in a color that provides a clear contrast to the background of



the label: “Made in a cottage food operation that is not subject to Mississippi’s food safety regulations.”

(4) This section does not exempt a cottage food operation from any federal tax law, rule, regulation, or certificate that applies to all cottage food operations.

(5)

(a) The department may investigate any complaint that alleges that a cottage food operation has violated an applicable provision of this section or rule adopted under this section.

(b) Only upon receipt of a complaint, the department’s authorized officer or employee may enter and inspect the premises of a cottage food operation to determine compliance with this section and department rules. A cottage food operation’s refusal to permit the department’s authorized officer or employee entry to the premises or to conduct the inspection is grounds for disciplinary action pursuant to Section 41-3-59.

(6) This section does not apply to a person operating under a food permit issued pursuant to Section 41-3-18.

