



# Cottage Food Law in SC

Updates to the law in 2022

South Carolina Department of Health and Environmental Control  
Healthy People. **Healthy Communities.**



# History of the SC Cottage Food Law

## (Home-Based Food Production Law, or HBFP Law)

- Originated in 2012
- No permit or inspection
- No authority to regulate
- No training requirement
- Direct to consumer sales
- Sales only in SC
- Non-PHF baked goods, candy
- Consumer advisory required

## Changes in May, 2022 Update

- Voluntary registration
- Expanded opportunities for sales
  - Retail stores and RFEs
  - Online and mail-order sales
- Expanded list of allowed non-TCS foods
- Exemption below \$1500 sales/year





## Changes in May, 2022 Update

### NOT allowed:

- Aluminum canned goods, charcuterie boards
  - Preparation, processing, packaging, storing or distribution
- Potentially hazardous foods (FDA Definition of TCS foods)
- Foods designated as Product Assessment Required (Table A)

## Response to the New Law

- Consensus needed between impacted agencies
- Collaboration: SC DHEC, SCDA, Clemson Extension
- Need buy-in from industry groups
- Outreach to stakeholder entities
- Workgroup to develop guidance





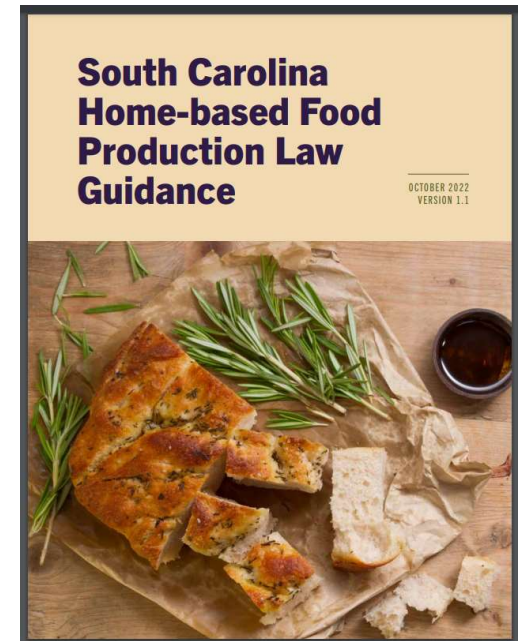
# Guiding Principles to Create Guidance

- No authority to regulate
  - Cannot require inspection, permitting, training
  - Cannot require product assessments to allow or disallow foods
- Relied heavily on published pH, Aw data
- Acidity alone insufficient for lethality in canned/bottled foods
  - Process letter would be required, so not allowed
- LACF not allowed

[Water Activity Values of Select Food Ingredients and Products](#) – Shelly J. Schmidt and Anthony J. Fontana  
[pH Values of Common Foods and Ingredients](#) – Clemson University Cooperative Extension

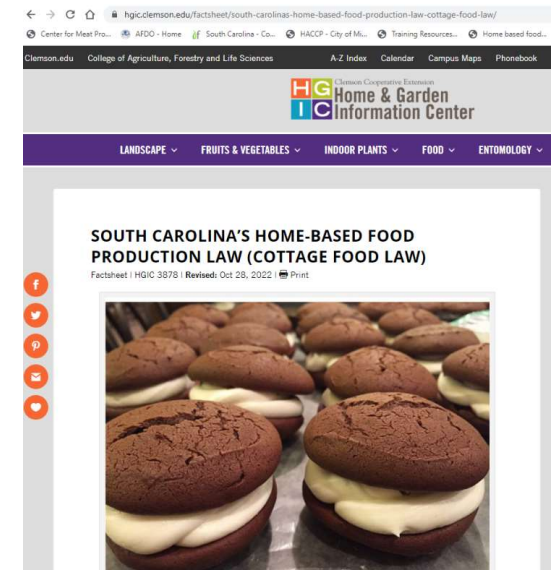
# Contents of the SC HBFP Guide

- General requirements
- Variance allowing RFEs to *serve* cottage food
- Allowed foods, Foods not allowed
- Honey – requirements for small producers
- Published academic resources
- Certain exempt products
- Labeling guidance
- FAQ



# Centralized Resource Hosting

- Clemson Extension hosts the HBFP Guide
- [sccottagefood@clemson.edu](mailto:sccottagefood@clemson.edu)
- Workgroup discusses questions by email
- Periodic meetings to discuss updates to Guide







# Outcomes of Collaborative Effort

- Well received by stakeholders
- Reduced inquiry workload for SC DHEC and SCDA
- Partnership with Clemson Extension = tremendous asset!
- New industry workshop collaboration (SC DHEC, Clemson)
  - For entrepreneurs who want to produce acidified foods for retail

[SC Cottage Food Guide – October 2022](#)



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# Questions?

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## Thank you!