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MINORITY WHIP
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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

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SB 701

Public Health - Cottage Food Products - Nonpotentially Hazardous Foods and Refrigerated Baked Goods

Chair Beidle, Vice Chair Hayes and member of the Finance Committee:

Senate Bill 701 was brought to me by a constituent currently engaged in the cottage baking business. He hopes to expand his business by adding items that require refrigeration, what is currently labeled as “potentially hazardous”. The list of these items is long but includes items like cheesecakes, custards, merengues, fresh fruit tarts, and pumpkin pies. Currently, to produce and sell these items, you must have access to a commercial kitchen that is licensed and inspected by the health department.

Working out of a commercial kitchen or commissary kitchen can be quite expensive and they often charge more for use of their equipment. Location of a kitchen of this type are not available everywhere, creating a huge disadvantage. This arrangement would also require a catering license, which can cost from \$400 to \$1,000 depending on the county. You also typically have limited access to the facility and be required to work only during their business hours. Baking at home would eliminate these overhead costs.

Ohio has a Home Bakery Law which requires a \$10 license.¹ This law allows your home to be recognized as a bakery and allow you to prepare perishable baked goods for sale. A "Home Bakery" is permitted to manufacture non-potentially hazardous bakery products (such as cookies, breads, brownies, cakes, fruit pies, etc.), and potentially hazardous bakery products (such as cheesecakes, cream pies, custard pies, pumpkin pies, etc.) which require refrigeration.

For these reasons, I respectfully request a favorable vote on Senate Bill 701.

¹ [Home Bakery](#)