



**ADDING VALUE TO SPECIALTY CROPS: REGULATORY  
DECISION TREES FOR MARYLAND PRODUCERS**



UNIVERSITY OF MARYLAND  
**AGRICULTURE LAW  
EDUCATION INITIATIVE**  
MPOWERING THE STATE

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# INTRODUCTION

Value-added foods are made from raw agricultural products that have been modified or enhanced to have a higher market value or to extend their shelf life. Value-added products can open new markets for farmers and extend the marketing season, however, making value-added foods is a complex endeavor.

Beyond delicious ingredients, legally producing and selling value-added foods requires producers to locate, interpret, and apply law related to food safety, food production, licensing, and labeling. This is challenging because the laws are overseen by federal agencies like the U.S. Food and Drug Administration (FDA) and the U.S. Department of Agriculture (USDA), two different state agencies – the Maryland Department of Agriculture (MDA) and the Maryland Department of Health (MDH) – and the local health departments.

This resource will equip growers with the information they need to identify the requirements that apply to their value-added operation. Understanding the various food production plan and facility requirements will also help producers assess the amount of time, effort, and investment needed to obtain the necessary license.

## Who Needs This Resource?

Maryland specialty crop growers who are interested in starting or scaling-up value-added food production.

## What Does It Include?

**Online Hub for Value-Added Business Planning** – Visit [www.umaglaw.org/about/direct-marketing](http://www.umaglaw.org/about/direct-marketing) for a list of additional resources about business planning, market research, etc. to help you assess marketing strategies and the potential profitability of producing value-added foods.

**Regulatory Decision Trees** – You can run through the decision trees to help you understand the potential regulatory obligations associated with a variety of value-added foods. Resources for developing a processing plan are provided on the back side of each Decision Tree,

You can also access an online version of these decision trees at [www.umaglaw.org/about/direct-marketing](http://www.umaglaw.org/about/direct-marketing). The online tool includes more detailed descriptions of processing plan requirements, plus the ability to print the results.

## How Do I Use the Decision Trees?

The Decision Trees are designed to help you identify if a food establishment license is required, based upon the type of product you want to make.

1. Start at the top (burgundy boxes) by choosing which type of product you plan to make.
2. Follow the questions (blue boxes) and arrows to the end for the pertinent Maryland regulatory information.
3. Check the federal regulatory question at the bottom (green box) to learn about possible federal requirements for the processing facility.
4. Review the relevant resources listed on the back of the Decision Tree to help identify the necessary information for writing a processing plan, finding an application, or asking questions.

Before beginning, review the list of abbreviations and terms below that are used in the Decision Trees.

*Note that to successfully use these tables you should know or be able to measure the pH and/or water activity of your product.*

## Abbreviations & Key Terms

### **Regulatory Agencies:**

FDA – U.S. Food & Drug Administration

LHD – Local Health Department

MDA – Maryland Department of Agriculture

MDH – Maryland Department of Health

USDA – U.S. Department of Agriculture

### **Federal Laws:**

[FSMA](#) – Food Safety Modernization Act

[PSR \(Produce Safety Rule\)](#) – Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption

[PCHF \(Preventive Controls Rule for Human Foods\)](#) – Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Human Food

# INTRODUCTION

## Food Production Scenarios:

Cottage Food Business – A food business operating from a home kitchen and producing only certain allowed pre-packaged, non-potentially hazardous foods. These are **unlicensed** and typically uninspected unless a food safety incident is reported. To sell products at local retail stores, the business must register with MDH.

On-Farm Home Processing License – A food processing license issued by MDH to an individual who owns a farm, to process food in a home or domestic kitchen located on the individual's farm.

Retail Food Service Facility License – Referred to as a **Retail Food License**, this is required to sell products outside of Maryland, when annual sales of processed foods are over a certain sales amount or produce foods not allowed under Cottage Foods regulations. Issued by local health department, located in the county or municipality where the food is produced.

Processing Plant Facility License – Referred to as a **Processing License**, this is required for certain foods (flavored honey, low-acid canned foods, etc.) or when annual sales to wholesalers exceeds 25% of total sales.

Each type of food production license requires the application be submitted and approved prior to offering products for sale.

## Processing Terms:

ANSI (American National Standards Institute) – oversees standards and conformity assessment activities in the United States on various topics, including food handling and food protection manager certification courses. <https://anab.ansi.org/credentialing/>

Better Process Control Schools – schools that offer required training for producers of low-acid and acidified foods, like tomato sauces and pickled products. The Consumer Brands Association and partner institutions runs the program to develop the training materials to help producers comply with FDA regulations for thermal processing, and low-acid and acidified canned food. <https://consumerbrandsassociation.org/about-us/programs-initiatives/better-process-control-school/>

Farm – a place where agricultural commodities are grown, raised, or harvested for commercial purposes. includes a place where, for commercial purposes: (i) crops are grown and harvested; (ii) fruit, nuts, or other agricultural commodities are harvested from trees; or (iii) animals are raised, fed, and managed for meat or other agricultural commodities. COMAR 10.15.03.02(B)(29).

Hazard Analysis – the process of collecting and evaluating information on hazards associated with the food under consideration to decide which are significant and must be addressed in the HACCP plan.

HACCP Plan (Hazard Analysis Critical Control Point Plan) – the written document which delineates the procedures to be followed to minimize food safety risks.

- » A retail food facility is given a priority rating based on the type of product and how the food is prepared to determine whether a HACCP plan is needed. A complete HACCP Plan must be submitted for a retail food facility that is classified as a High or Moderate Priority and must be updated and approved every 5 years.
- » A Low Priority retail facility does not require a HACCP Plan. Low priority ranking includes facilities that serve commercially packaged, potentially hazardous foods directly to the consumer, or non-potentially hazardous foods that are cut, assembled, or packaged on the premises, such as candy, popcorn, or baked goods.
- » For more information, a retail food facility can refer to MDH, [Guidelines for Submitting HACCP Plans](#). Processing plants are subject to stricter standards, see FDA, [HACCP Principles & Application Guidelines](#). Note: Seafood and juice production are subject to specialized HACCP standards not covered in this resource.

Non-potentially hazardous food – food with an aw value of 0.85 or less; food with a pH level of 4.6 or below when measured at 75°F; commercially sterile food in a hermetically sealed container; or food for which laboratory evidence demonstrates that the rapid and progressive growth of infectious and toxigenic microorganisms or the growth of *Salmonella Enteritidis* in eggs or *Clostridium botulinum* cannot occur.

# INTRODUCTION

pH – indicates the degree of acidity or alkalinity of a food. Values from zero to seven indicate acidity, and values above seven up to 14 indicate alkalinity

Potentially hazardous food – natural or synthetic foods that require temperature control because the food is in a form capable of supporting the growth of infectious or toxic microorganisms, such as *Clostridium botulinum* and *Salmonella Enteritidis*.

Processing Authority – a person who has expert knowledge of thermal processing requirements for low-acid foods packaged in hermetically sealed containers or has expert knowledge in the acidification and processing of acidified foods. They conduct a validation study of the scheduled process to ensure food safety standards are met. The Association Food & Drug Officials (AFDO) maintains a **Food Processing Authority Directory**. <https://www.afdo.org/directories/fpa/>

Scheduled Process – the detailed recipe and procedure for making your processed food in a way that will not permit the growth of microorganisms having public health significance. It includes control of pH and other critical factors and is reviewed and approved by a processing authority.

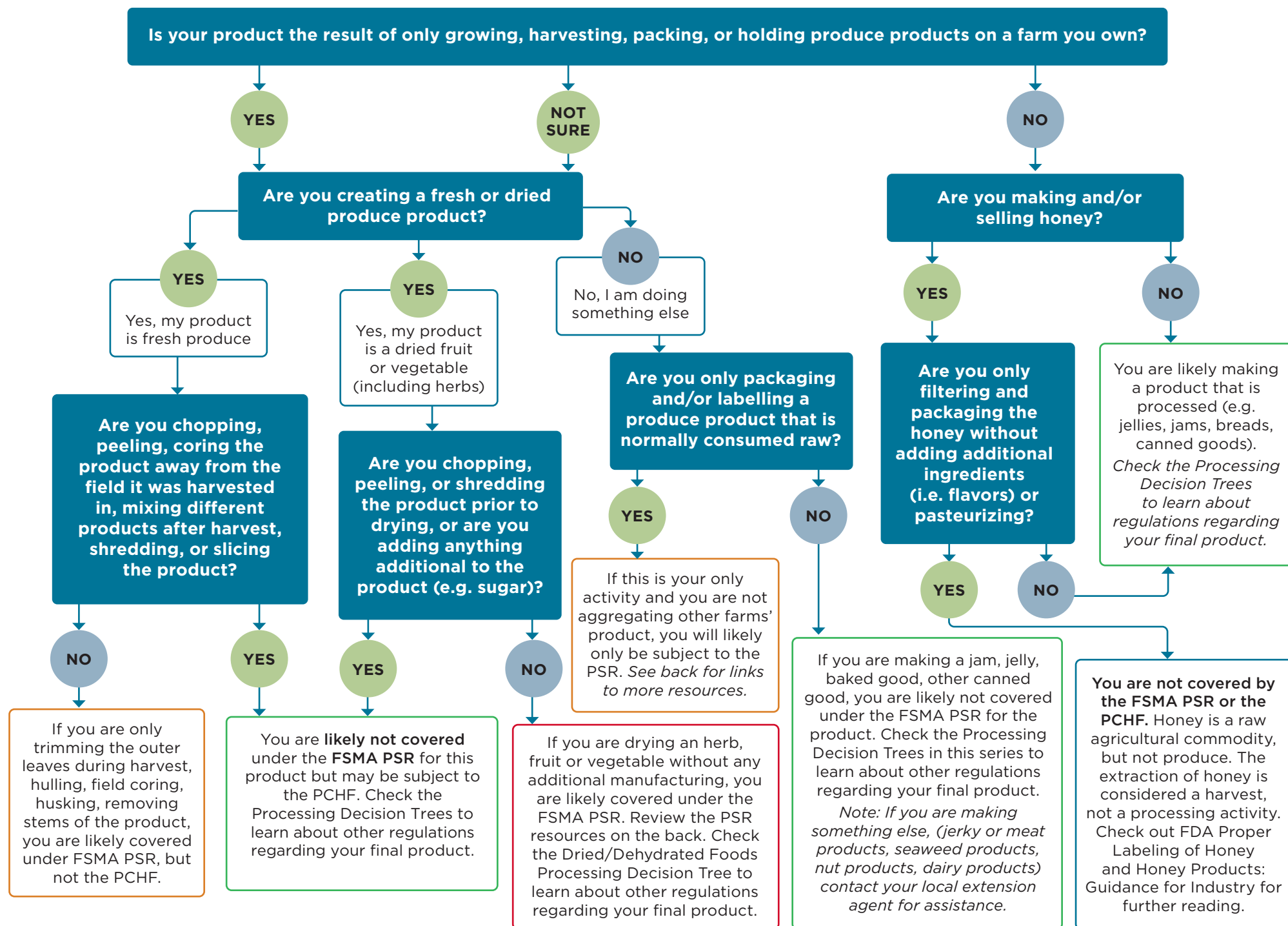
SOP (Standard Operating Procedures) – written practices and procedures specific to your operation that describe the activities necessary to produce safe food, which can cover worker training, sanitation practices, prevention of allergen cross-contamination, and recall procedures. SOPs provide specific information on how your policies will be implemented, including who performs a task, what materials are needed, when to complete, where a task is performed, and how it will be done. The purpose of an SOP is to ensure that workers perform operations correctly and consistently to achieve a quality outcome through uniform performance.

Water activity ( $a_w$ ) – the water in food that is not bound to food molecules so it can support the growth of bacteria, yeasts, and molds.

Wholesale – refers to producing and selling products primarily to other businesses, such as grocery stores or other retail establishments, often in large quantities for further re-sale to customers.



## How Does the Food Safety Modernization Act Apply to My Product?



## What is the Produce Safety Rule (PSR)?

If you **grow, pack, process,** or **sell** fresh produce, this regulation may apply to you. The Produce Safety Rule (PSR), outlined in Section 105 of the Food Safety Modernization Act, establishes science-based minimum standards for safe production and harvesting of fresh fruits and vegetables. Key requirements focus on:

- » agricultural water;
- » biological soil amendments; sprouts;
- » domesticated and wild animals;
- » worker training, health, and hygiene; and
- » equipment, tools, building.

Raw agricultural commodities (RACs) that are normally consumed raw and that do not go through a subsequent kill-step, as during processing, are covered by the PSR. Compliance requirements are based on a combination of average annual food sales and the type of end-user, or customer, the farmer sells to. Farms that grow produce that goes through a kill step are likely subject to modified PSR requirements.

The Maryland Department of Agriculture (MDA) oversees and enforces the implementation of the PSR in Maryland.

## Maryland Department of Agriculture Resources

- All farms in Maryland are required to register with MDA using the Inventory Registration form. Other forms may be required depending on the type and size of the operation.
- Farm Registration Forms:
  - » Inventory Registration (PDF)
  - » Qualified Exemption Registration Worksheet and Form
  - » Sales Amount Exemption Registration Worksheet and Form
  - » Non-Covered Commodities Exemption Registration Form
  - » Commercial Processing Partial Exemption Form
- The Maryland Department of Agriculture (MDA) offers free On-Farm Readiness Reviews (OFRR) to help farmers better understand and meet the requirements of the federal Food Safety Modernization Act Produce Safety Rule. To request a free OFRR, fill out MDA's request form online.
- MDA, Food Safety Modernization Act webpage, <https://mda.maryland.gov/foodfeedquality/Pages/Food-Safety-Modernization-Act.aspx>
- MDA, Exemption and Compliance Dates Fact Sheet

### MDA Food Quality Assurance Program Contact

**Address:** 50 Harry S. Truman Parkway, Annapolis, MD 21401

**Telephone:** 410-841-5769

**Email:** [produce.safety@maryland.gov](mailto:produce.safety@maryland.gov)

## County/City Resources

- If you want to offer samples of your RACs or processed product at the point of sale, ask you local health department whether a sampling license is required.
- You can locate your local office at: <https://health.maryland.gov/phpa/OEHFP/OFPCS/Pages/LHD-Food-Contact.aspx>.

## Federal Resources

- FDA Draft Guidance for Industry: Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption
- FDA Guidance for Industry: Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption: What You Need to Know About the FDA Regulation - Small Entity Compliance Guide
- The National Sustainable Agriculture Coalition has a useful flowchart to help producers understand how the Produce Safety Rule applies to an operation.

## University/Other Resources

- University of Maryland Extension, Food Safety Resources, <https://extension.umd.edu/resource/food-safety-farm-table-resources-marylanders>
- Agriculture Law Education Initiative (ALEI) Food Safety webpage, <https://umaglaw.org/about/food-safety/>
- Produce Safety Alliance record keeping templates
- ALEI, Produce Safety Rule, FSMA, and Recordkeeping (37:53), Sarah Everhart (January 2018).
- For more information on making non-specialty crop products, visit University of Maryland Extension, Value-Added Products - Rules for Specific Foods, <https://extension.umd.edu/resource/rules-specific-foods>
- University of Vermont, Food Safety Resource Clearinghouse, <https://www.foodsafetyclearinghouse.org/>
- University of Maryland Eastern Shore, Help with Herb Drying in Maryland(2022), <https://wwwcp.umes.edu/extension/help-with-herb-drying-in-maryland>. This is a comprehensive guide that includes references to processing license application plan review components.

# VALUE-ADDED PROCESSING LICENSE DECISION TREE: CUT FRUITS & VEGETABLES



**All Maryland producers of cut fruit and vegetables, ready-to-eat or not, must apply for either a retail food license or a processing license.**  
*e.g. fresh or frozen cut fruits, pico de gallo.*

**Where do you want to sell your cut produce?**

Direct to consumers - anywhere, including restaurants, retail stores, and other venues, with less than 25% wholesale

## **You Need a Retail Food License from your LHD.**

Plan review applications vary by county but typically must include list of products, sample label/package, floor plans, standard food handling procedures, and a HACCP plan.

**Facility Needs:** Potable water, approved sewage disposal system, commercial kitchen and refrigeration.

Wholesale - More than 25% of total sales will be to other businesses

## **You Need a Processing License from MDH.**

Plan review requires same materials as the retail license, plus an allergen plan, recall plan, SOPs that address manufacturing practices and employee training, a sanitation SOP (SSOP), and a HACCP plan.

**Facility Needs:** Potable water, approved sewage disposal, commercial kitchen and refrigeration.

**Do you plan to offer fresh cut fruit/vegetable samples at a farmers' market or other event?**

**If Yes** - Check with your local health department for the required sampling license and fee application. If your locality does not offer a sampling license, you may apply for a temporary food service facility license from MDH.

## **Federal Preventive Controls Rule (PCHF) for Human Foods - 21 CFR 117**

**Do you grow the fresh produce on a farm that you own/manage, with fewer than 500 employees and less than \$1 million in average annual total food sales?**

**YES**

**Is the natural pH of the fresh cut produce less than 4.2 when measured at 75 F? (e.g. cutting/slicing apples)**

**YES**

You may qualify as a farm mixed-type facility conducting a low-risk activity. The facility must register with the FDA but may be exempt from other requirements.

The processing activity is considered a high-risk activity but the facility is considered a Qualified Facility with modified requirements under the PCHF for Human Foods, including a requirement to submit attestation to the FDA every two years.

**NO**

**Are the majority (over 50%) of your annual food sales from selling directly to consumers?**

**NO**

The processing activity is considered a high-risk activity and requires registration with the FDA and compliance with the PCHF for Human Foods, including subpart C (food safety plan, hazard analysis & controls plan, written recall plan) and subpart G (supply chain program).

**YES**

**The Retail Food Establishment Exemption** applies - you do not need to register your facility with the FDA. *See back for more information.*





According to the FDA, “fresh-cut produce” means any fresh fruit or vegetable or combination thereof that has been physically altered from its whole state after being harvested from the field (e.g., by chopping, dicing, peeling, ricing, shredding, slicing, spiralizing, or tearing) without additional processing (such as blanching or cooking). Fresh-cut produce can be a single commodity or two or more mixed in the same package, such as coleslaw, salsa, or fruit salads, and sometimes called “ready to use,” “pre-cut,” or “value added” produce. Fresh-cut produce does not require additional preparation, processing, or cooking before consumption, with the possible exception of washing or the addition of salad dressing, seasoning, or other accompaniments.

## State Resources

- Questions regarding license application requirements can be submitted to the Maryland Department of Health by email ([mdh.foodplanreview@maryland.gov](mailto:mdh.foodplanreview@maryland.gov)) or phone (410-767-8400). Be able to identify the food(s) intended for processing to determine the acceptability of the food and process.

## University Resources

- University of Maryland Extension, Food Safety Resources, <https://extension.umd.edu/resource/food-safety-farm-table-resources-marylanders>
- University of Maryland Extension Food Ventures course for cottage food and on-farm home processors, <https://umeagfs.teachable.com/p/maryland-food-ventures-cottage-onfarm>
- B. Ingham, Purchasing and Using a pH meter, University of Wisconsin Extension (Oct. 2009), [https://foodsafety.wisc.edu/assets/pdf\\_files/what\\_is\\_ph.pdf](https://foodsafety.wisc.edu/assets/pdf_files/what_is_ph.pdf).
- University of Vermont, Food Safety Resource Clearinghouse, <https://www.foodsafetyclearinghouse.org>

## Retail Food Service Facility Processing License

- Retail Food Service Facility License applications are available through local health departments.
- Find your local contact by visiting: <https://health.maryland.gov/phpa/OEHFP/OFPCS/Pages/LHD-Food-Contact.aspx>.
- Applications require proof of compliance with zoning, building, plumbing, and other permits to operate a commercial kitchen. It may ask for other food safety training and certifications.
- If you intend to offer samples of your product at point of sale, ask your local health department whether a sampling license is required.

## Federal Resources

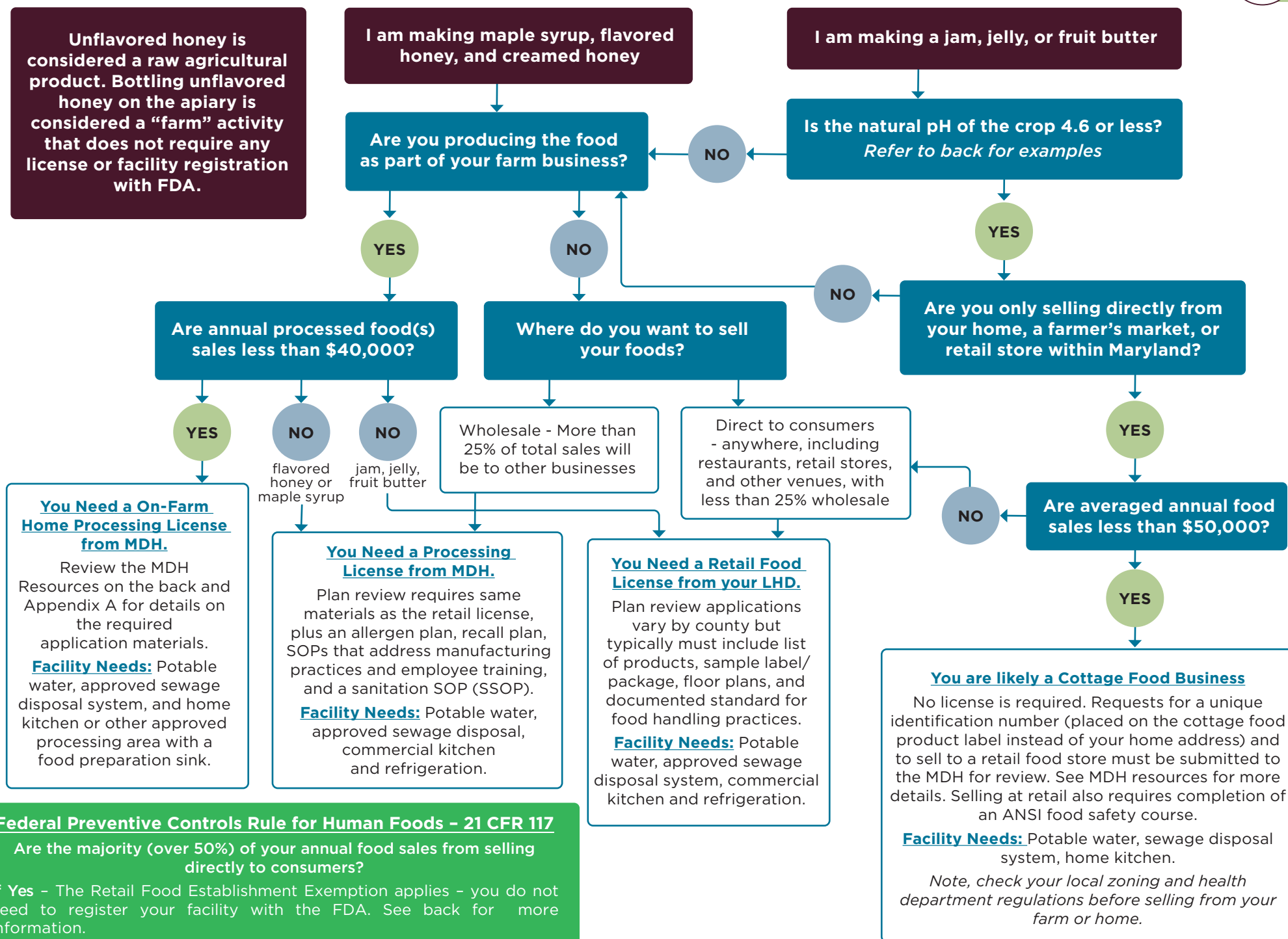
- A Farm Mixed-Type Facility is an establishment that is a farm, but also conducts activities outside the farm definition that require registration with the FDA. Facilities that are small and very small businesses and conducting only low-risk processing activities as described in 21 CFR 117.5(h) are exempt from the PCHF for Human Foods subpart C (food safety plan, hazard analysis & controls plan, written recall plan) and subpart G (supply chain program).
  - » FDA, Guidance for Industry: Guide to Minimize Microbial Food Safety Hazards of Fresh-cut Fruits and Vegetables (Feb. 2008).
    - \* Includes Appendix E, Example of Product/Personnel Flow Patterns in a Fresh-cut Processing Plant
  - » FDA, Guide to Minimize Food Safety Hazards of Fresh-cut Produce: Draft Guidance for Industry (Oct. 2018), <https://www.fda.gov/media/117526/download>.
  - » FDA, Questions and Answers Regarding Food Facility Registration (Aug. 2018), <https://www.fda.gov/media/85043/download>.
- A wholesale business with less than \$1 million/year (averaged over 3 preceding years) in food sales is considered a very small business and a Qualified Facility with reduced obligations. A Qualified Facility must submit an attestation (Form 3942a) to FDA every two years.
  - » FDA, Questions and Answers Regarding Food Facility Registration (Aug. 2018), <https://www.fda.gov/media/85043/download>.

## Food Processing Plant License

MDH, Food Processing Plant Review Submittals and Resources:

- Developing an Allergen Control Plan
- Developing Sanitation Standard Operating Procedures (SSOPs)
- Developing a Recall Plan
- Developing Standard Operating Procedures
- Guidelines for Submitting a Hazard Analysis Critical Control Point (HACCP) Plan

# VALUE-ADDED REGULATORY DECISION TREE: JAMS, JELLIES, FRUIT BUTTER, HONEY





Jams, jellies, fruit butters, and honey products are a subgroup of canned foods. The processing license requirements will depend upon the potential hazards inherent to the type of fruit or vegetable ingredients used in the finished product, determined by the crop's natural pH. Packaging is limited to hot-filled sterile Mason jars with ¼" head space, with no paraffin wax seals allowed.

**Before you start:** Make sure you can measure the pH of the final product at least 24 hours after processing. You can use pH strips for foods with a pH less than 4.0, however they are not always reliable. Using a calibrated pH meter is always recommended, particularly for foods with a pH above 4.0.

**Fruits with a natural pH of 4.6 or less:** Apple, Apricot, Blackberry, Boysenberry, Cherry, Cranberry, Grape, Nectarine, Orange, Peach, Plum, Quince, Raspberry, Red Currants, Strawberry, Tangerine. **Fruit butter** from apple, apricot, grape, peach, plum, prune, and quince. COMAR 10.15.03.27

## State Resources

- Questions regarding license application requirements can be submitted to the Maryland Department of Health by email ([mdh.foodplanreview@maryland.gov](mailto:mdh.foodplanreview@maryland.gov)) or phone (410-767-8400). Be able to identify the food(s) intended for processing to determine the acceptability of the food and process.
- If you intend to offer samples of your product at point of sale, ask your local health department whether a sampling license is required.

## University Resources

- University of Maryland Extension, Food Safety Resources, <https://extension.umd.edu/resource/food-safety-farm-table-resources-marylanders>
- University of Maryland Extension Food Ventures course for cottage food and on-farm home processors, <https://umeagfs.teachable.com/p/maryland-food-ventures-cottage-onfarm>
- B. Ingham, Purchasing and Using a pH meter, University of Wisconsin Extension (Oct. 2009), [https://foodsafety.wisc.edu/assets/pdf\\_files/what\\_is\\_ph.pdf](https://foodsafety.wisc.edu/assets/pdf_files/what_is_ph.pdf).
- University of Vermont, Food Safety Resource Clearinghouse, <https://www.foodsafetyclearinghouse.org>

## Federal PCHF for Human Foods – Facility Registration

Facilities that manufacture/process, pack, or hold food for human or animal consumption in the United States must be registered unless the facility satisfies one of the exemptions in 21 CFR 1.226. Retail Food Establishments with a majority (50.1% or higher) of annual food sales direct to consumers are exempt from FDA registration requirements. See FDA Retail Food Establishment Exemption Flowchart. A wholesale business with less than \$1 million/year (averaged over 3 preceding years) in food sales is considered a very small business and a Qualified Facility with reduced obligations. A Qualified Facility must submit an attestation (Form 3942a) to FDA every two years.

For more information, see FDA, Questions and Answers Regarding Food Facility Registration (Aug. 2018), <https://www.fda.gov/media/85043/download>.

## Cottage Foods Business

- Maryland Department of Health (MDH), Maryland Cottage Foods Businesses Webpage (includes links to FAQs, Fillable Label Form, and Cottage Foods Business Request Form)
- MDH, Guidelines for Cottage Food Businesses (June 2021).

## On-Farm Home Processing License

- "Farm" means "a place where agricultural commodities are grown, raised, or harvested for commercial purposes." COMAR 10.15.04.02(B)(12). Ingredients used for food produced under an On-Farm Home Processing License may be sourced from outside the farm.
- MDH, On-Farm Home Processing Foods and Definitions (April 2022).
- MDH, On-Farm Home Processing Plan Review Guidelines (April 2019).
- MDH, On-Farm Step By Step Licensing Procedure (Jan. 2018).

## Retail Food Service Facility License

- Retail Food Service Facility License applications are available through local health departments.
- Find your local contact by visiting: <https://health.maryland.gov/phpa/OEHFP/OFPCS/Pages/LHD-Food-Contact.aspx>.
- Applications require proof of compliance with zoning, building, plumbing, and other permits to operate a commercial kitchen. It may ask for other food safety training and certifications.

## Food Processing Plant License

MDH, Food Processing Plant Review Submittals and Resources:

- Developing an Allergen Control Plan
- Developing Sanitation Standard Operating Procedures (SSOPs)
- Developing a Recall Plan
- Developing Standard Operating Procedures

# VALUE-ADDED REGULATORY DECISION TREE: BAKED GOODS



## Federal Preventive Controls Rule for Human Foods – 21 CFR 117

Are the majority (over 50%) of your annual food sales from selling directly to consumers?  
If Yes – Retail Food Establishment Exemption applies – you do not need to register your facility with the FDA. See back for more information.

Does your baked good contain a perishable topping or filling that requires refrigeration?

NOT SURE

**Perishable baked goods** that require any type of refrigeration, considered potentially hazardous, include meringue pies, pecan pies, pumpkin pies, cheesecakes, cream and custard pies, and pies and cakes or pastries with cream cheese or buttercream icings or fillings that must be refrigerated. Breads that contain rehydrated fruits or vegetables are also considered potentially hazardous.

Are you producing the food as part of your farm business?

Are you only selling directly from your home, a farmer's market, or retail store within Maryland?

YES

NO

NO

YES

Are annual sales of the processed food(s) less than \$40,000?

Where do you want to sell your baked foods?

Are annual food sales less than \$50,000?

YES

NO

Wholesale - More than 25% of total sales will be to other businesses

Direct to consumers - anywhere, including restaurants, retail stores, and other venues, with less than 25% wholesale

NO

YES

## You Need a On-Farm Home Processing License from MDH.

Review the MDH Resources on the back and Appendix A for details on the required application materials.

**Facility Needs:** Potable water, approved sewage disposal system, and home kitchen or other approved processing area with a food preparation sink.

## You Need a Processing License from MDH.

Plan review requires same materials as the retail license, plus an allergen plan, recall plan, SOPs that address manufacturing practices and employee training, a sanitation SOP (SSOP), and possibly a HACCP plan.

**Facility Needs:** Potable water, approved sewage disposal, commercial kitchen and refrigeration.

## You Need a Retail Food License from your LHD.

Plan review applications vary by county but typically must include list of products, sample label/package, floor plans, documented standard for food handling practices, and possibly a HACCP plan.

**Facility Needs:** Potable water, approved sewage disposal system, commercial kitchen and refrigeration.

## You are likely a Cottage Food Business

No license is required. Requests for a unique identification number (placed on the cottage food product label instead of your home address) and to sell to a retail food store must be submitted to the MDH for review. See MDH resources for more details. Selling at retail also requires completion of an ANSI food safety course.

**Facility Needs:** Potable water, sewage disposal system, home kitchen.

*Note, check your local zoning and health department regulations before selling from your farm or home.*



**Baked goods are popular products, particularly for cottage food businesses.** A baked food's water activity (i.e. available water) and pH (acidity) determines whether it is considered potentially hazardous. Some foods will almost always be non-potentially hazardous (such as chocolate chip cookies). Other foods may or may not be potentially hazardous, depending on the ingredients, recipe, and cooking method (such as banana bread). A non-potentially hazardous or non-perishable food, when stored under normal conditions without refrigeration, will not support the growth of microorganisms (bacteria, molds, viruses, fungi) that can cause foodborne illness. Maryland Department of Health, MDH, Guidelines for Cottage Food Businesses (June 2021); COMAR 10.15.03.27.

**Before you start:** A water activity ( $a_w$ ) result of 0.85 or below and/or a pH of 4.6 or below are considered non-potentially hazardous. A certified food testing laboratory can test for water activity. Make sure you can measure the pH of the final product at least 24 hours after processing. You can use pH strips for foods with a pH less than 4.0, however they are not always reliable. Using a calibrated pH meter is always recommended, particularly for foods with a pH above 4.0.

## State Resources

- Questions regarding license application requirements can be submitted to the Maryland Department of Health by email ([mdh.foodplanreview@maryland.gov](mailto:mdh.foodplanreview@maryland.gov)) or phone (410-767-8400). Be able to identify the food(s) intended for processing to determine the acceptability of the food and process.
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## On-Farm Home Processing License

- "Farm" means "a place where agricultural commodities are grown, raised, or harvested for commercial purposes." COMAR 10.15.04.02(B)(12). Ingredients used for foods produced under an On-Farm Home Processing License may be sourced from outside the farm.
- MDH, On-Farm Home Processing Foods and Definitions (April 2022).
- MDH, On-Farm Home Processing Plan Review Guidelines (April 2019).
- MDH, On-Farm Step By Step Licensing Procedure (Jan. 2018).

## Retail Food Service Facility License

- Retail Food Service Facility License applications are available through local health departments.
- Find your local contact by visiting: <https://health.maryland.gov/phpa/OEHFP/OFPCHS/Pages/LHD-Food-Contact.aspx>.
- Applications require proof of compliance with zoning, building, plumbing, and other permits to operate a commercial kitchen. It may ask for other food safety training and certifications.

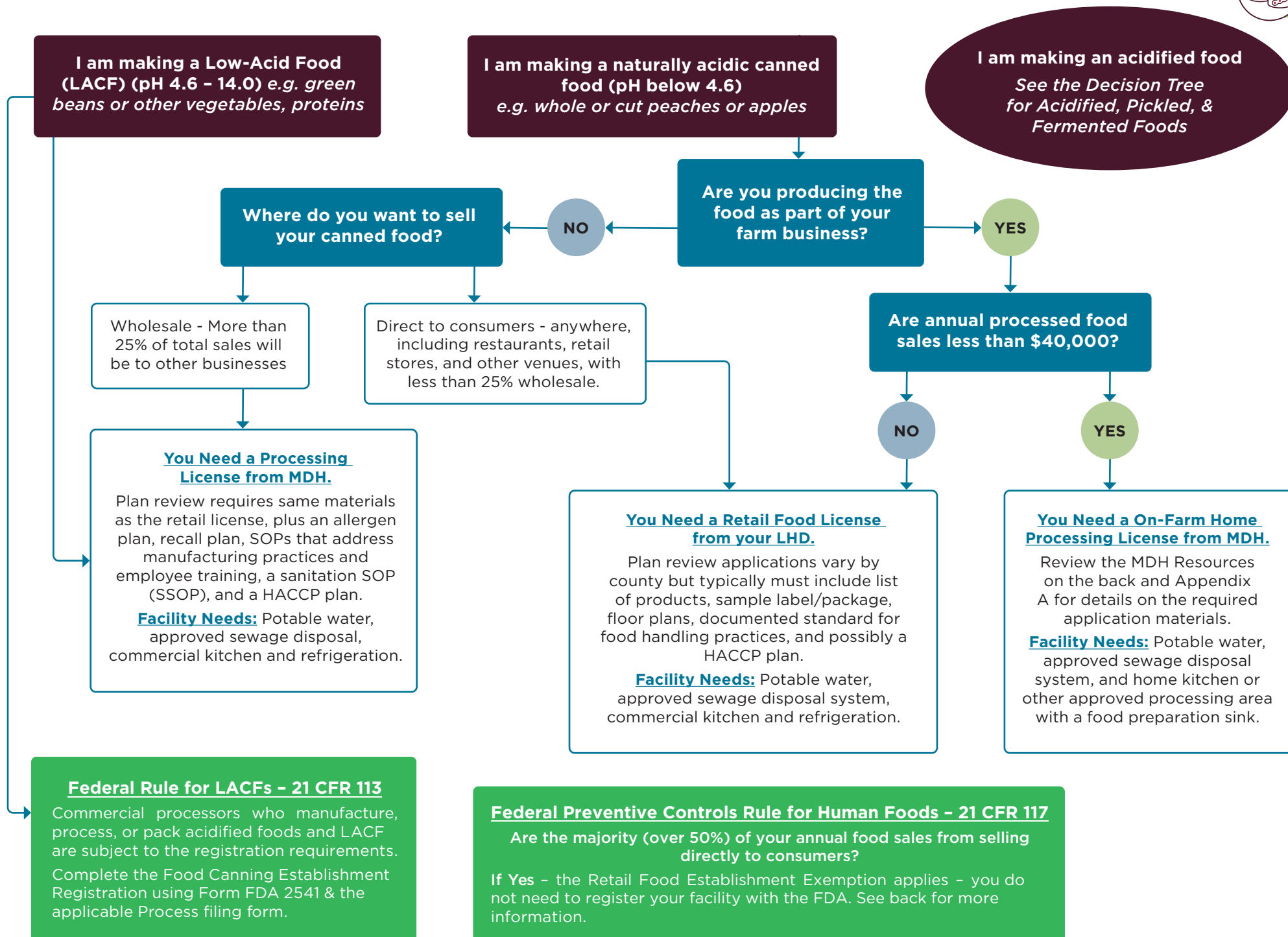
## Food Processing Plant License

MDH, Food Processing Plant Review Submittals and Resources:

- Developing an Allergen Control Plan
- Developing Sanitation Standard Operating Procedures (SSOPs)
- Developing a Recall Plan
- Developing Standard Operating Procedures
- Guidelines for Submitting a Hazard Analysis Critical Control Point (HACCP) Plan



## VALUE-ADDED REGULATORY DECISION TREE: CANNED FOOD





Canned foods are heat treated and hermetically sealed in a container for preservation – meaning they are shelf-stable and do not require refrigeration until after the package is opened. The canning process involves placing foods in packaging and heating them to a temperature that destroys microorganisms that could be a health hazard or cause the food to spoil. When done properly, canning is a safe method to preserve foods, especially surplus produce. Naturally acidic foods have a natural pH of 4.6 or below, such as apples, apricots, peaches, etc. “Low-acid foods” (LACF) means any foods, other than alcoholic beverages, with a finished equilibrium pH greater than 4.6 and a water activity (aw) greater than 0.85. “Low-acid foods” does not include tomatoes and tomato products having a finished equilibrium pH less than 4.7; they are considered acidified foods. Examples of LACFs are canned beans, vegetables, soups, broths

**Before you start:** Make sure you can measure the pH of the final product at least 24 hours after processing. You can use pH strips for foods with a pH less than 4.0, however they are not always reliable. Using a calibrated pH meter is always recommended, particularly for foods with a pH above 4.0. Refer to 21 CFR 114 Acidified Foods for test methodology when product is a mixture of liquid and solids. A certified food testing laboratory can test for water activity.

## State Resources

- Questions regarding license application requirements can be submitted to the Maryland Department of Health by email ([mdh.foodplanreview@maryland.gov](mailto:mdh.foodplanreview@maryland.gov)) or phone (410-767-8400). Be able to identify the food(s) intended for processing to determine the acceptability of the food and process.
- If you intend to offer samples of your product at point of sale, ask your local health department whether a sampling license is required.

## University Resources

- University of Maryland Extension, Food Safety Resources, <https://extension.umd.edu/resource/food-safety-farm-table-resources-marylanders>
- University of Maryland Extension Food Ventures course for cottage food and on-farm home processors, <https://umeagfs.teachable.com/p/maryland-food-ventures-cottage-onfarm>
- B. Ingham, Purchasing and Using a pH meter, University of Wisconsin Extension (Oct. 2009), [https://foodsafety.wisc.edu/assets/pdf\\_files/what\\_is\\_ph.pdf](https://foodsafety.wisc.edu/assets/pdf_files/what_is_ph.pdf).
- University of Vermont, Food Safety Resource Clearinghouse, <https://www.foodsafetyclearinghouse.org>

## Federal Resources

In addition to the food facility registration requirements under the Food Safety Modernization Act, commercial processors of low-acid canned foods and acidified foods must register their products and facilities with the FDA. For more information, see Guidance for Industry: Low-Acid Foods Packaged in Hermetically Sealed Containers (LACF) Regulation and the FDA Food Safety Modernization Act.

- Food Canning Establishment Registration using Form FDA 2541; and
- Process filings using the applicable process forms.

## On-Farm Home Processing License

- “Farm” means “a place where agricultural commodities are grown, raised, or harvested for commercial purposes.” COMAR 10.15.04.02(B)(12). Ingredients used for foods produced under an On-Farm Home Processing License may be sourced from outside the farm.
- MDH, On-Farm Home Processing Foods and Definitions (April 2022).
- MDH, On-Farm Home Processing Plan Review Guidelines (April 2019).
- MDH, On-Farm Step By Step Licensing Procedure (Jan. 2018).

## Retail Food Service Facility Processing License

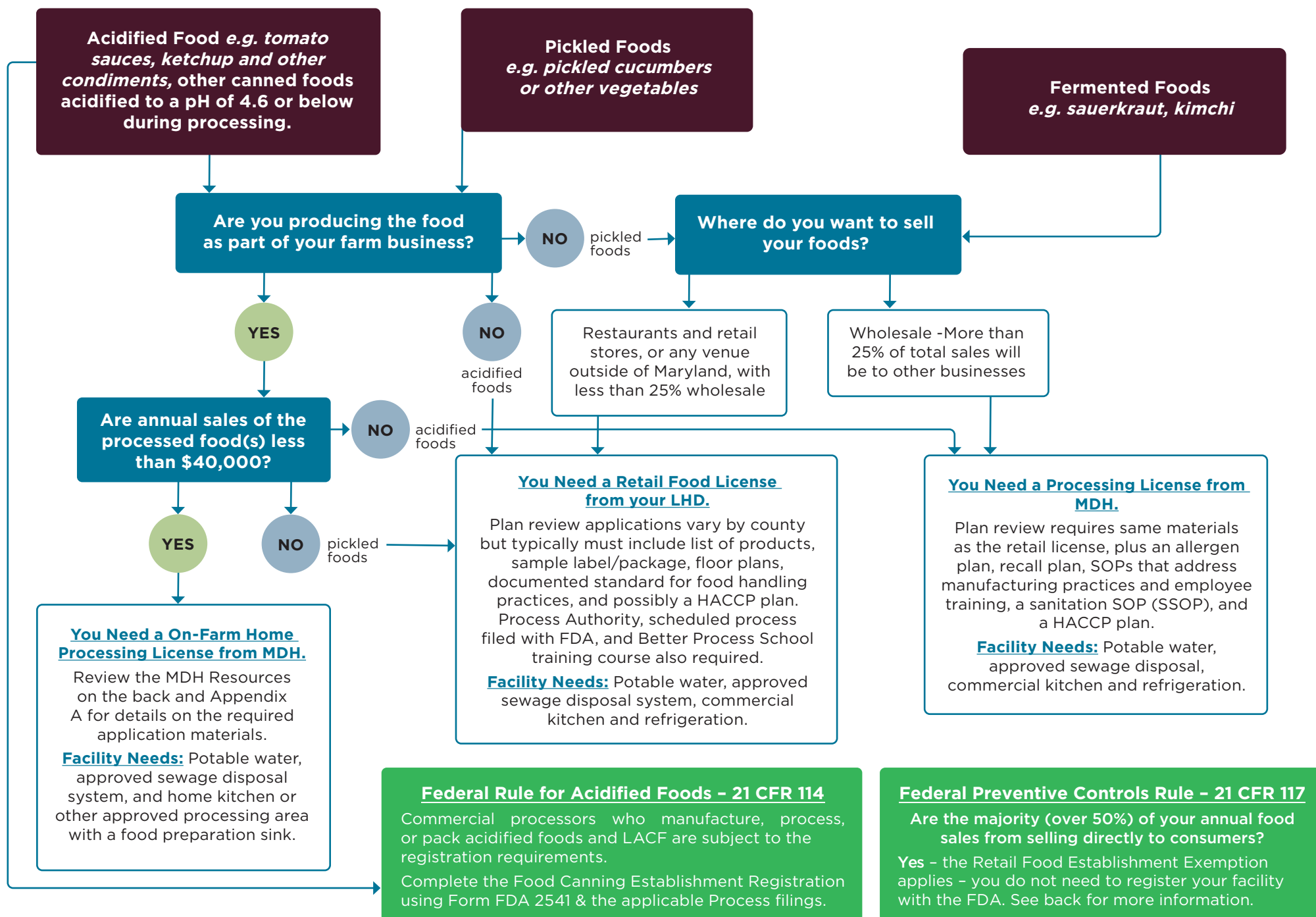
- Retail Food Service Facility Processing License applications for naturally acidic canned foods are available through local health departments. Costs vary.
- Find your local contact by visiting: <https://health.maryland.gov/phpa/OEHFP/OFPCS/Pages/LHD-Food-Contact.aspx>.
- Applications require proof of compliance with zoning, building, plumbing, and other permits to operate a home or commercial kitchen. It may ask for other food safety training and certifications.
- Better Process Control Schools – Offer required training for producers of low-acid and acidified foods, like tomato sauces and pickled products.

## Food Processing Plant License

MDH, Food Processing Plant Review Submittals and Resources:

- Developing an Allergen Control Plan
- Developing Sanitation Standard Operating Procedures (SSOPs)
- Developing a Recall Plan
- Developing Standard Operating Procedures
- Guidelines for Submitting a Hazard Analysis Critical Control Point (HACCP) Plan

# VALUE-ADDED REGULATORY DECISION TREE: ACIDIFIED, PICKLED & FERMENTED FOODS





Acidified foods are typically low acid foods that have acid (e.g. vinegar or lemon juice) added to lower the pH of the final product to 4.6 or below, and have a water activity ( $a_w$ ) greater than 0.85. Acidified foods must be heat treated and hermetically sealed in a container for preservation - meaning they are shelf-stable and do not require refrigeration until after the package is opened.

**Before you start:** Make sure you can measure the pH of the final product at least 24 hours after processing. You can use pH strips for foods with a pH less than 4.0, however they are not always reliable. Using a calibrated pH meter is always recommended, particularly for foods with a pH above 4.0. Refer to 21 CFR 114 Acidified Foods for test methodology when product is a mixture of liquid and solids.

## State Resources

- Questions regarding license application requirements can be submitted to the Maryland Department of Health by email ([mdh.foodplanreview@maryland.gov](mailto:mdh.foodplanreview@maryland.gov)) or phone (410-767-8400). Be able to identify the food(s) intended for processing to determine the acceptability of the food and process.
- If you intend to offer samples of your product at point of sale, ask you local health department whether a sampling license is required.

## University Resources

- University of Maryland Extension, Food Safety Resources, <https://extension.umd.edu/resource/food-safety-farm-table-resources-marylanders>
- University of Maryland Extension Food Ventures course for cottage food and on-farm home processors, <https://umeagfs.teachable.com/p/maryland-food-ventures-cottage-onfarm>
- B. Ingham, Purchasing and Using a pH meter, University of Wisconsin Extension (Oct. 2009), [https://foodsafety.wisc.edu/assets/pdf\\_files/what\\_is\\_ph.pdf](https://foodsafety.wisc.edu/assets/pdf_files/what_is_ph.pdf).
- University of Vermont, Food Safety Resource Clearinghouse, <https://www.foodsafetyclearinghouse.org>

## Federal Resources

In addition to the food facility registration requirements under the Food Safety Modernization Act, commercial processors of low-acid canned foods and acidified foods must register their products and facilities with the FDA. For more information, see Guidance for Industry: Low-Acid Foods Packaged in Hermetically Sealed Containers (LACF) Regulation and the FDA Food Safety Modernization Act.

- Food Canning Establishment Registration using Form FDA 2541; and
- Process filings using the applicable process forms.

## Cottage Foods Business

- Maryland Department of Health (MDH), Maryland Cottage Foods Businesses Webpage (includes links to FAQs, Fillable Label Form, and Cottage Foods Business Request Form)
- MDH, Guidelines for Cottage Food Businesses (June 2021).

## On-Farm Home Processing License

- "Farm" means "a place where agricultural commodities are grown, raised, or harvested for commercial purposes." COMAR 10.15.04.02(B)(12). Ingredients used for foods produced under an On-Farm Home Processing License may be sourced from outside the farm.
- MDH, On-Farm Home Processing Foods and Definitions (April 2022).
- MDH, On-Farm Home Processing Plan Review Guidelines (April 2019).
- MDH, On-Farm Step By Step Licensing Procedure (Jan. 2018).
- Southern Maryland Agricultural Development Center, A Step-by-Step Guide to On-Farm Processing of Acidified Foods, <https://smadc.com/farmer-resources/tutorials/acidified-foods/>.

## Retail Food Service Facility License

- Retail Food Service Facility License applications for pickled foods are available through local health departments. Costs vary. Find your local contact by visiting: <https://health.maryland.gov/phpa/OEHFP/OFPCHS/Pages/LHD-Food-Contact.aspx>.
  - » Applications require proof of compliance with zoning, building, plumbing, and other permits to operate a home or commercial kitchen. It may ask for other food safety training and certifications. Applications require proof of compliance with zoning, building, plumbing, and other permits to operate a home or commercial kitchen. It may ask for other food safety training and certifications.

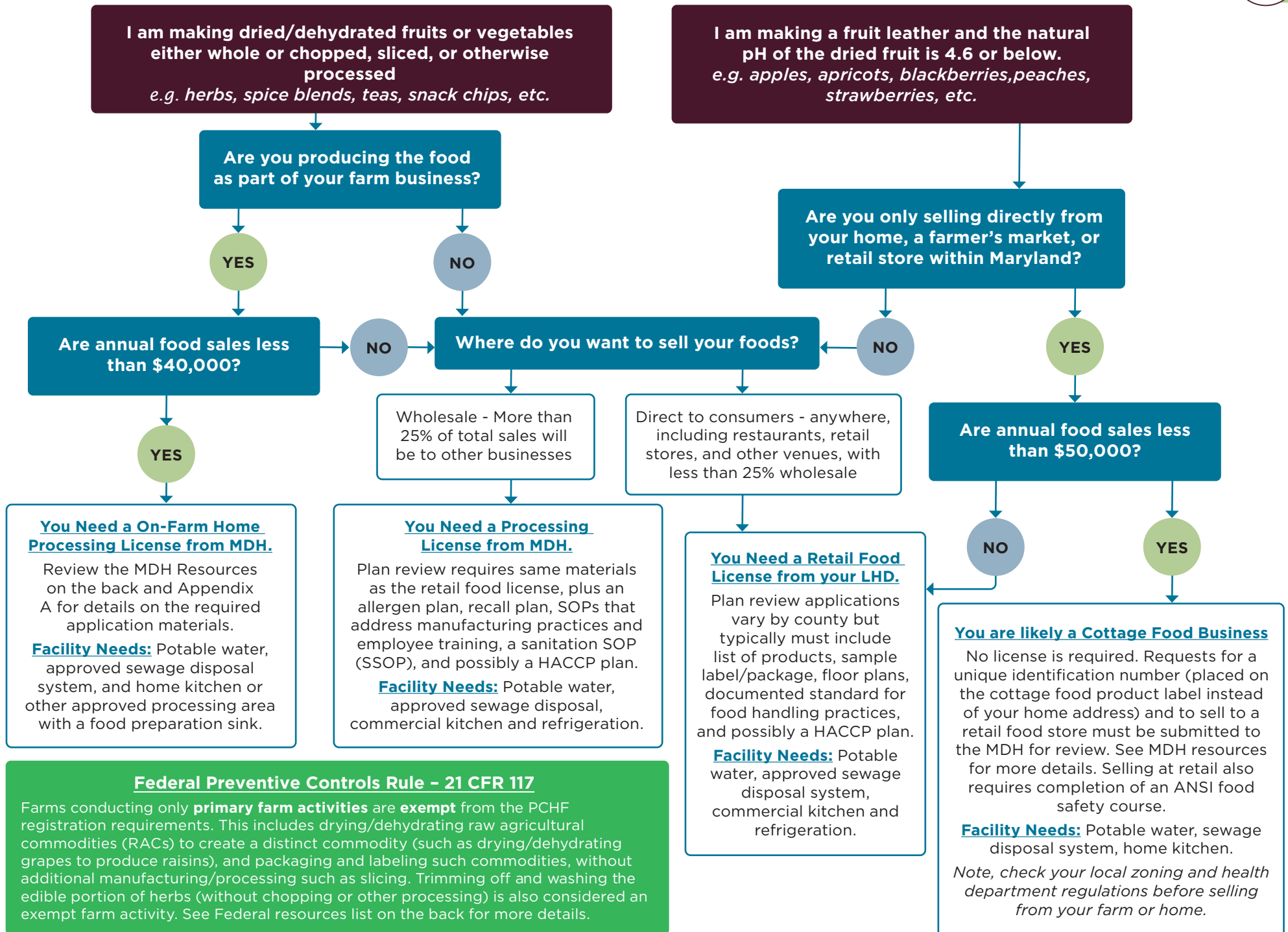
## Food Processing Plant License

MDH, Food Processing Plant Review Submittals and Resources:

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## VALUE-ADDED REGULATORY DECISION TREE: DRIED & DEHYDRATED FOODS







The Maryland Department of Health (MDH) defines a dried/dehydrated food product's safety through the water activity ( $a_w$ ) measurement, which represents the amount of water available for bacteria, yeast, and mold growth.  $a_w$  values must be below 0.85 to qualify as a non-potentially hazardous food, which would not require temperature control to prevent the growth of bacteria or toxic microorganisms. COMAR 10.15.04.02(23)(b). The natural pH of the fruit or vegetable being dried/dehydrated also impacts the level of risk associated with the final food product.

**Before you start:** A water activity ( $a_w$ ) result of 0.85 or below and/or a pH of 4.6 or below are considered non-potentially hazardous. A certified food testing laboratory can test for water activity. Make sure you can measure the pH of the final product at least 24 hours after processing. You can use pH strips for foods with a pH less than 4.0, however they are not always reliable. Using a calibrated pH meter is always recommended, particularly for foods with a pH above 4.0.

## State Resources

- Questions regarding license application requirements can be submitted to the Maryland Department of Health by email ([mdh.foodplanreview@maryland.gov](mailto:mdh.foodplanreview@maryland.gov)) or phone (410-767-8400). Be able to identify the food(s) intended for processing to determine the acceptability of the food and process.
- If you intend to offer samples of your product at point of sale, ask your local health department whether a sampling license is required.

## University Resources

- University of Maryland Eastern Shore, Help with Herb Drying in Maryland (2022), <https://wwwcp.umes.edu/extension/help-with-herb-drying-in-maryland>. This is a comprehensive guide that includes references to processing license application plan review components.
- University of Maryland Extension Food Ventures course for cottage food and on-farm home processors, <https://umeagfs.teachable.com/p/maryland-food-ventures-cottage-onfarm>
- B. Ingham, Purchasing and Using a pH meter, University of Wisconsin Extension (Oct. 2009), [https://foodsafety.wisc.edu/assets/pdf\\_files/what\\_is\\_ph.pdf](https://foodsafety.wisc.edu/assets/pdf_files/what_is_ph.pdf).
- University of Vermont, Food Safety Resource Clearinghouse, <https://www.foodsafetyclearinghouse.org>

## Federal PCHF for Human Foods – Facility Registration

A Farm Mixed-Type Facility is an establishment that is a farm, but also conducts activities outside the farm definition that require registration with the FDA. Facilities that are small and very small businesses and conducting only low-risk processing activities as described in 21 CFR 117.5(h) are exempt from the Preventive Controls Rule subpart C (food safety plan, hazard analysis & controls plan, written recall plan) and subpart G (supply chain program).

For more details, see FDA, Guidance: Small Entity Compliance; FDA, If your facility is a very small business or a small (or very small) farm mixed-type facility, what PC Human Food Exemptions/modified requirements apply to you?

## Cottage Foods Business

- Maryland Department of Health (MDH), Maryland Cottage Foods Businesses Webpage (includes links to FAQs, Fillable Label Form, and Cottage Foods Business Request Form)
- MDH, Guidelines for Cottage Food Businesses (June 2021).

## On-Farm Home Processing License

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- Applications require proof of compliance with zoning, building, plumbing, and other permits to operate a commercial kitchen. It may ask for other food safety training and certifications.

## Food Processing Plant License

MDH, Food Processing Plant Review Submittals and Resources:

- Developing an Allergen Control Plan
- Developing Sanitation Standard Operating Procedures (SSOPs)
- Developing a Recall Plan
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## LABELING VALUE-ADDED PRODUCTS FOR MARYLAND BUSINESSES

Food labels provide detailed information that help consumers make informed decisions, such as allergens.

Food labeling is mainly regulated by the United States Food & Drug Administration (FDA), but some aspects are covered by the United States Department of Agriculture (USDA), and the United States Federal Trade Commission (FTC). Food produced and sold in Maryland also needs to be labeled in accordance with state-specific laws, regulated by the Maryland Department of Health (MDH).

All value-added foods sold in Maryland must, at a minimum, be labeled with:

1. the common name of the food or descriptive identity of the product;
2. the business name and address of the producer, packer, or distributor;
3. the ingredients listed in descending order of prominence by weight;
4. a declaration of any artificial colors, flavors or chemical preservation; and
5. the food source of each major food allergen contained in the product.
6. a quantity statement (count, fluid measurement or net weight depending on the product);

The label must be printed or affixed to the product in a manner that is durable, conspicuous, legible, and able to remain on a container for the shelf life of the food. COMAR 10.15.04.16. The FDA Food Labeling Guide provides thorough guidance on placement of labels and content.

However, your product may need to include additional notices or nutrition information. The questions that follow will help you identify what additional information should be included on your product label.

### SAMPLE PRODUCT LABEL FOR CHOCOLATE CHIP COOKIES



1 Chocolate Chip Cookies with Walnuts  
Delicious Desserts

2 Any Street (may substitute with Unique ID#)  
Any City, MD Any Zip (may substitute with Unique ID#)  
Phone Number (if using Unique ID#)

3 Ingredients: Enriched flour (wheat flour, niacin, reduced iron, thiamine, mononitrate, riboflavin and folic acid), butter (milk, salt), semi-sweet chocolate chips (sugar, chocolate, cocoa butter, milkfat, soy lecithin, natural flavors) walnuts, sugar, eggs, salt, artificial vanilla extract (water, caramel color, vanillin, citric acid, and sodium benzoate as preservatives, ethyl vanillin and artificial flavor), sodium bicarbonate.

5 Contains: Wheat, eggs, milk, soy, walnuts

6 Net Wt. 3 oz. / 85 grams

SOURCE: MARYLAND COTTAGE FOOD BUSINESS LABELING GUIDE

## LABELING VALUE-ADDED PRODUCTS FOR MARYLAND BUSINESSES

Is your operation considered a cottage food business?

YES

Your label must include the language: **"Made by a cottage food business that is not subject to Maryland's food safety regulations."** Printed in 10-pt font or larger in a color that has a clear contrast to the background of the label. For more cottage food labeling requirements, see page 3 of the Maryland Department of Health Cottage Food Business Labeling Guide

NEXT

Do you sell cottage food products to retail stores (e.g., grocery stores)?

YES

Cottage foods businesses selling to retail stores (ex. grocery stores) must also include the business name, address of the where the food was made, phone number, email address, and the date the product was made. Any cottage food business may request a unique identification number to use in place of the home address via the Cottage Food Business Request Form.

NEXT

Does your value-added product contain a major food allergen? "Major food allergens" include (1) milk; (2) eggs; (3) fish; (4) Crustacean shellfish; (5) tree nuts; (6) wheat; (7) peanuts; (8) soybeans; or (9) sesame.

YES

The Food Allergen Labeling and Consumer Protection Act of 2004 (FALCPA) and the 2021 Food Allergy Safety, Treatment, Education, and Research (FASTER) Act apply to all packaged foods except meat, poultry, and egg products, and requires the label to declare the presence of the allergens in one of two ways.

1. The label can list the name of the food source in parenthesis after the common name in the list of ingredients if it does not appear elsewhere. (e.g. whey (milk), lecithin (soy)), or
2. Place the word "Contains" followed by the name of the food source from which the major food allergen is derived, immediately after or adjacent to the list of ingredients, in type size that is no smaller than the type size used for the list of ingredients. Specifics about the type of tree nut, fish, or shellfish should be declared (e.g. almonds; flounder; crab).

*Note, although gluten is not a required allergen, "gluten free" is a term that can be added voluntarily if a product conforms to the legal definition. See the FDA Small Entity Compliance Guide Gluten-Free Labeling of Foods.*

NEXT

## LABELING VALUE-ADDED PRODUCTS FOR MARYLAND BUSINESSES (CONT'D)

Does your product require refrigeration?

YES

If a product requires refrigeration for safety, include “keep refrigerated” or equivalent. A product that needs to be refrigerated after opening to provide safety, stability, or shelf life must be prominently and conspicuously marked with the statement “refrigerate after opening” or an equivalent statement. COMAR 10.15.04.16.

NEXT

Is your product a dried tea mixture?

YES

If your approved process does not include steps to ensure microbial die-off during production, include a notice that consumers should add boiling water (212°F or 100°C) to teas.

NEXT

Is your product a potentially hazardous food?

*“Potentially hazardous food” include natural or synthetic food that requires temperature control because the food is in a form capable of supporting the rapid and progressive growth of infectious or toxigenic microorganisms. This includes a food of animal origin that is raw or heat-treated; a food of plant origin that is heat-treated; raw seed sprouts; cut melons; cut raw tomatoes; garlic and oil mixtures that support pathogen growth, as noted above, and cut leafy greens.*

YES

Include a “sell by” or “use by date” if the package contains a potentially hazardous food whose safety is assured only until the date specified on the label. The shelf life for baked goods containing a potentially hazardous ingredient and stored without temperature controls should not exceed 3 days after the day of manufacture. COMAR 10.15.04.14; COMAR 10.15.04.16

NEXT

## LABELING VALUE-ADDED PRODUCTS FOR MARYLAND BUSINESSES (CONT'D)

Is your product a canned low acid or acidified food (i.e. tomato sauce, soup, etc.)? “Low-acid foods” (LACF) means any foods, other than alcoholic beverages, with a finished equilibrium pH greater than 4.6 and a water activity ( $a_w$ ) greater than 0.85. Acidified foods are typically low acid foods that have acid (e.g. vinegar or lemon juice) added to lower the pH of the final product to 4.6 or below, and have a water activity ( $a_w$ ) greater than 0.85. Acidified and LACF foods must be heat treated and hermetically sealed in a container for preservation - meaning they are shelf-stable and do not require refrigeration until after the package is opened.

YES

A container of canned low acid or acidified food must be marked with a **permanently visible identifying code** that is either embossed, inked, or otherwise securely affixed to the product container.

The identifying code is a code developed by the manufacturer or distributor that specifies the establishment where the product was packed; the product contained in the container; and the year, day, and time period during which the product was packed. COMAR 10.15.01.10

NEXT

Are you claiming your product is organic or made with organic ingredients?

YES

The U.S. Department of Agriculture (USDA) oversees the National Organic Program (NOP) and enforces the NOP regulations and standards, including the use of the term “organic” on food labels. There are four possibilities relating to the percentage of organic ingredients: 1) “100% Organic”; 2) “Organic” (95%); 3) “Made with Organic” (70%); 4) Listed specific organic ingredients (less than 70%)

Producers who market less than \$5,000 worth of organic products annually are not required to apply for organic certification, but they must comply with the organic production and handling requirements of the regulations, including recordkeeping (for at least 3 years). Products from such noncertified operations can use the term “organic” on the label but cannot be used as organic ingredients in processed products produced by another operation nor may they display the USDA certified organic seal.

NEXT



## LABELING VALUE-ADDED PRODUCTS FOR MARYLAND BUSINESSES (CONT'D)

**Nutrition Labeling - Are a U.S. business with more than 10 full-time employees and selling more than 10,000 total units of the product?**

**YES**

The Federal Food, Drug, and Cosmetic Act (Section 403(q)) requires that packaged foods bear a Nutrition Facts label displaying information about the nutrients contained in the product, unless they qualify for an exemption.

Nutrition Facts should include six main components: serving size, calories, fats, added sugars, nutrients (including Vitamin D and potassium), and a footnote. For more information, see FDA Changes to the Nutrition Facts Label. Simplified label layouts are available when there is insignificant nutritional content or space limitations.

If no exemption applies, OR the product label or advertising includes a nutrient content or health claim that characterizes the level of a nutrient or health benefit of the food (e.g. "sugar free" or "heart healthy"), the label must include a nutrition label. For more information, see FDA, Food Labeling Guide (Jan. 2013), <https://www.fda.gov/media/81606/download>.

### **Small Business/Low-Volume Exemption**

Small producers have two possible exemptions from including Nutrition Facts on their product labels (provided no nutrient or health claims are made on the label or advertising).

1. If you are a U.S. business with fewer than 10 full-time employees and selling less than 10,000 total units of the product, you do not have to include Nutrition Facts on your label.
2. If you employ an average of less than 100 full-time employees and sell fewer than 100,000 units of the particular product in a one-year period, you do not have to include Nutrition Facts on your label. However, a notice must be filed annually to inform the FDA about your product exemption status. See FDA Small Business Nutrition Labeling Exemption Guidance for more information on what to include in the notice.

### **Small Surface Area Exemption**

Foods in small packages that have a total surface area available to bear labeling of less than 12 square inches are exempt from bearing a Nutrition Facts label, provided no nutrition claim is made, but must list an address or telephone number that a consumer can use to obtain the required nutrition information.

**NEXT**

## LABELING VALUE-ADDED PRODUCTS FOR MARYLAND BUSINESSES (CONT'D)

Do you make any nutrient content claim or health claim regarding your value-added product?

YES

In addition to the Nutrition Facts label requirements noted above, you may have additional requirements under 21 CFR Subpart D Specific Requirements for Nutrient Content Claims or 21 CFR Subpart E Specific Requirements for Health Claims. The FDA allows the use of label claims for foods if they have been authorized by FDA and are made in accordance with FDA's authorizing regulations.

- Nutrient content claims describe the level of a nutrient in the product, using terms such as *free*, *high*, and *low*, or they compare the level of a nutrient in a food to that of another food, using terms such as *more*, *reduced*, and *lite*.
- A "health claim" has two essential components: (1) a substance (whether a food, food component, or dietary ingredient) and (2) a reduced risk of a disease or health-related condition. A statement lacking either one of these components does not meet the regulatory definition of a health claim.
- For more details, see FDA Label Claims for Conventional Foods and Dietary Supplements.

## AUTHORED BY:



Sarah Everhart

*Senior Legal Specialist, ALEI,  
Francis King Carey School of Law  
University of Maryland*

severhart@law.umaryland.edu



Margaret (Megan) Todd

*Legal Research Associate, ALEI,  
Francis King Carey School of Law  
University of Maryland*

motodd@law.umaryland.edu

Research and writing support provided by Student Research Assistant Codi Coulter, J.D. Candidate at the Maryland Carey School of Law.

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**University of Maryland  
Francis King Carey  
School of Law**

500 West Baltimore St.  
Baltimore, MD 2120  
(410) 706- 7377

www.umaglaw.org Twitter: @MDAgLaw  
Facebook: facebook.com/MdAgLaw

## APPENDIX A: CHECKLIST FOR COMPLETING A MARYLAND ON-FARM HOME PROCESSING PLAN

This Checklist contains suggestions for completing an on-farm home processing plan. If you have questions about creating a processing plan, contact the Maryland Department of Health at 410-767-8400. For guidance on completing a Retail Food Establishment Plan, check out [Retail Food Establishment Plan Review Guidelines](#).

	Processing Plan Requirement	Suggested Considerations/Actions
<input type="checkbox"/>	1. Documented compliance with local zoning, building, and health department requirements.	<ul style="list-style-type: none"> <li>▪ Have you called the local health department to confirm the requirements for processing in the county/municipality?</li> <li>▪ Have you called the local permits department to confirm the building code requirements for processing?</li> <li>▪ Have you called the local planning and zoning office to verify that your zoning designation allows for the processing business operation</li> </ul>
<input type="checkbox"/>	2. Detailed description of all planned food processes, including ingredient sources and receiving and processing steps (mixing, cooking, cooling, packaging, etc.)	<p>Ingredient source considerations:</p> <ul style="list-style-type: none"> <li>▪ Have you provided a complete list of the ingredients that will be used?               <ul style="list-style-type: none"> <li>» Determine if any of the nine major allergens are present in each ingredient</li> <li>» Consider listing all possible suppliers, with contact information, you use for the same ingredient</li> <li>» Consider including a photo of the item with the supplier's name and ingredients contained in the item</li> </ul> </li> </ul> <p>Receiving and processing steps considerations:</p> <ul style="list-style-type: none"> <li>▪ Consider keeping records of storage room temperatures and calibration of thermometers</li> <li>▪ What steps will you take to prepare for processing? For example, wash with a specified detergent, rinse, sanitize (list sanitizer), air-dry work area and equipment. This can be a Standard Operating Procedure.</li> <li>▪ Keep cleaners, sanitizers, and pesticides, etc., in a secure storage area away from food.</li> <li>▪ See sample processing flowcharts for tomato sauce, herb drying and pepper jelly.</li> </ul>

## APPENDIX A: CHECKLIST FOR COMPLETING A MARYLAND ON-FARM HOME PROCESSING PLAN

<input type="checkbox"/>	<b>3. Documentation for the source of potable water.</b>	<p>Do you have your potable water source test results? (potable means water is drinkable, and contains no measurable <i>E. coli</i>)</p> <ul style="list-style-type: none"> <li>» If you use well water, water test results should be recent (less than six months old) and from a certified testing laboratory.</li> <li>» If you use municipal water, have you obtained your municipality's water quality report showing no <i>E. coli</i>?</li> </ul>
<input type="checkbox"/>	<b>4. Documentation for the method of sewage disposal.</b>	<p>Do you have any documentation of the sewage disposal method?</p> <ul style="list-style-type: none"> <li>» Is the processing area connected to the municipal sewage system?</li> <li>» If using a private septic system, check with the Maryland Department of Health that the system is adequate for the intended use of your business.</li> <li>» Consider creating a plumbing map/list that includes location of floor drains, floor sinks, water supply lines, overhead wastewater lines, backflow prevention, and wastewater line connections.</li> </ul>
<input type="checkbox"/>	<b>5. Provide a floor plan or diagram of food processing and food storage areas and handwashing facility.</b>	<ul style="list-style-type: none"> <li>▪ May be hand drawn or copy of blueprints of the processing and storage areas.</li> <li>▪ Review <a href="#">Guidelines for Food Establishment Construction Sanitary Practices</a> for details on potential floor plan considerations.</li> </ul>
<input type="checkbox"/>	<b>6. Provide a complete list of the proposed food equipment that will be utilized during manufacture or processing.</b>	<p>Make a numbered list of all the equipment needed to make the product(s). The list should be specific.</p> <ul style="list-style-type: none"> <li>» Include a set of equipment manuals available/on file for each piece of equipment, numbered according to your provided list.</li> <li>» Consider having a regular cleaning and maintenance schedule written and available, including records of your cleaning</li> </ul>
<input type="checkbox"/>	<b>7. Provide a sample of the food label.</b>	<p>Refer to the Labeling Decision Tree for help identifying label content requirements.</p> <ul style="list-style-type: none"> <li>» Label your product according to Code of Maryland Regulations (COMAR) 10.15.04.16.</li> <li>» Avoid unverified health claims</li> <li>» Consider including a lot number or tracking number to identify field of origin and harvest/dry date. This is helpful for traceability and recall events.</li> </ul>



## APPENDIX A: CHECKLIST FOR COMPLETING A MARYLAND ON-FARM HOME PROCESSING PLAN

<input type="checkbox"/>	<p><b>8. Provide an operations manual or standard operating procedure (SOP) that address manufacturing practices, employee training and facility sanitation.</b></p>	<p>An SOP is like writing a recipe with very clear step-by-step instructions.</p> <ul style="list-style-type: none"> <li>▪ Each activity needs its own SOP. For example, cooking jam needs an SOP, while cleaning equipment would need another, and checking the freezer temperature would need another.</li> <li>▪ Consider having someone unfamiliar with your process look over the list for clarity and completeness</li> </ul>
<input type="checkbox"/>	<p><b>9. Effective controls shall be taken to control rodents and vermin in and around food processing facilities.</b></p>	<p>Keep records of what you do and when! Prepare a recordkeeping sheet for employees to use.</p> <ul style="list-style-type: none"> <li>▪ No pest control poison in the building</li> <li>▪ Check traps regularly</li> <li>▪ Scan for pest intrusion regularly (feces, oily markings)</li> <li>▪ Seal doors and windows/screens well</li> <li>▪ Caulk where electrical cords and plumbing comes through walls</li> <li>▪ Avoid leaving food and standing water, which attracts pests</li> <li>▪ Clean under places that pests would use for nesting and leave no materials that could be used for nesting lying around</li> <li>▪ Consider a professional Pest Control Operator</li> </ul>
<input type="checkbox"/>	<p><b>10. Be prepared for a field visit from the Department of Health. Additional information may be required based on future findings.</b></p>	<p>Be prepared for the field visit by considering the following:</p> <ul style="list-style-type: none"> <li>▪ Do you have adequate ventilation so that excessive grease vapors, steam, condensation, heat and odors are removed?</li> <li>▪ Are the floor, walls and ceiling smooth and easily cleanable?</li> <li>▪ Is there a handwashing sink in the process area?</li> <li>▪ Are the light bulbs over work surfaces shatterproof or have shields against breakage?</li> <li>▪ Is there an accessible toilet room?</li> <li>▪ Is there a waste container, preferably covered?</li> </ul>