Summary of Updates to Home-Based Processing

House Bill 468 became law on March 27, 2019. The corresponding regulation, 902 KAR 45:090, has also been updated with an effective date of September 9, 2019. The below summary provides the most current, basic information relevant to home-based processing, including: required registration, list of products allowed, selling methods permitted, operating standards, and labeling requirements.

Registration Requirements

Registration for home-based processors is ongoing. To register, home-based processors should submit a DFS-250 Application for Home-Based Processors along with a $50.00 registration fee to the Food Safety Branch. Registrants will receive a physical proof of registration valid until March 31. Once you are registered, a renewal invoice will be mailed to you each year.

Applications are available here from the Food Safety Branch or from the UK Extension Service.

Allowable Items

Per HB 468 and 902 KAR 45:090, home-based processors will not have to grow a primary ingredient. A Kentucky resident may, in their home kitchen, produce only the following items as a home-based processor:

- dried herbs
- spices
- nuts
- candy (candy shall be produced without alcohol, and made with no bare-hand contact)
- dried grains
- granola that may be made with dried grains
- trail or snack mix that may be made with dried fruit, nuts or seeds
- whole fruits and vegetables
- dried or freeze dried fruits and vegetables
- mixed-greens
- jams & jellies (low-acid, low-sugar, and savory jams & jellies should be approved through the UK Microprocessing program)
- sweet sorghum syrup
- maple syrup
- preserves
- fruit butter
- bread
- fruit pies
- pecan pies
- cakes
- cookies
- popcorn that may be plain or have added seasonings.
Selling Rules & Restrictions

Home-based processors will have a gross income of no more than sixty thousand ($60,000) annually from the sale of these products. While home-based processors may advertise and accept orders and payments in person, electronically, or via internet or phone, all items shall be provided in person, directly to consumers within this state, including from the home-based processor’s home by pick-up or delivery, at a market (not a permitted retail market), a roadside stand, or community event. Home-based processors are not permitted to ship items.

Standards

Home-based processors must comply with the standards outlined in 902 KAR 45:090 to maintain basic hygiene, cleanliness, and sanitation while producing, packaging, and handling home-based products. Home-based processors shall:

- Regularly wash hands with soap and water;
- Keep kitchen equipment and utensils used for home-based processing clean and maintained in a good state of repair;
- Wash, rinse, and sanitize all food contact surfaces, equipment, and utensils used for food preparation before each use;
- Keep children under age twelve (12) and pets or other animals out of the kitchen during home-based processing related activities;
- Cease performing any domestic activities in the kitchen, such as family meal preparation, dishwashing, or washing and drying laundry; and
- Not produce, package, or handle any home-processed products while infected with a contagious disease or illness.

Labeling Guidelines

The following shall be included on the label: the name and address of the home-based processing operation; the common or usual name of the food product; the ingredients of the food product, in descending order of predominance by weight; the net weight or net volume of the food product; allergen information as specified by federal labeling requirements; nutritional labeling as specified by federal labeling requirements (required if any nutrient content claim, health claim or other nutritional information is provided); the following statement printed in at least 10-point type in color that provides a clear contrast to the background label: “This product is home-produced and processed”; and the date the product was processed.

See the Labeling Guidance document for examples of labeling and allergen requirements.

The home-based processing program is administered by the Food Safety Branch. If you have any questions, complaints, etc. related to home-based processing, please forward them directly to the Food Safety Branch.

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