

Vermont law ([18 V.S.A. 4351](#)) requires that a person obtain a license from the Department of Health to operate a food manufacturing facility, retail food establishment, or other place in which food is prepared and served. There are exemptions from the licensing requirements, but 18 V.S.A. 4358(c) and Section 6 of the [Manufactured Food Rule](#) require that people claiming a licensing exemption provide the Health Department with information about their operations. This is done by filing a license exemption in the [online portal](#).

Home Bakery with Annual Sales Less Than \$6500

[18 V.S.A. § 4358\(b\)](#) exempts an individual manufacturing and selling bakery products from their own home kitchen whose average gross retail sales do not exceed \$125.00 per week (or \$6500 per year) from getting a license.

The definition of “bakery” in state law describes bakery products as “bread, cakes, pies, or other food products made either wholly or partially with flour.” If you make baked goods containing ingredients that require refrigeration or temperature controls, such as meat pies or quiches, they are not considered bakery products and you would not qualify for the license exemption. In this case you must apply for a home caterer license from the Department of Health.

Food Manufacturing Establishment with Annual Sales Less Than \$10,000

[18 V.S.A. § 4353](#) provides a licensing exemption for non-bakery food manufacturing establishments that process food for resale and have gross annual sales of less than \$10,000.00.

You must be prepared to submit documentation of a [Process Authority Review](#) as required in the [Manufactured Food Rule](#) Section 5.2.2.4 for low-acid canned foods, acidified foods and other foods that may pose a risk of biological hazards. A process authority review is a complete evaluation of how a food product is made, including all the steps of preparation, ingredients, and packaging, to ensure product safety.

Requirements for a License Exemption

If you claim a licensing exemption, you must meet the following requirements:

Label Your Products: You must label products for sale with the following information as required by Section 6.2.1 of the [Manufactured Food Rule](#):

1. The name and address of your operation
2. The name of the food product

3. The ingredients of the food product, in descending order of predominance by weight, which means the ingredients used in the greatest amount are listed first, followed by those in smaller amounts
4. The net weights or net volumes of the food product
5. Allergen information as specified by federal labeling requirements
6. If any nutrient content claim, health claim, or other nutritional information is provided, nutritional labeling as specified by federal labeling requirements is required
7. The following statement, in at least 10-point type in a contrasting color to the background label: **“Made in a home kitchen not inspected by the Vermont Department of Health.”**

Labeling Example of Chocolate Chip Cookies with Allergens:

Chocolate Chip Cookies

Establishment Name, Establishment Address

Ingredients: Enriched flour (wheat flour, niacin, reduced iron, thiamine, riboflavin, folic acid), butter (milk, salt), chocolate chips (sugar, chocolate liquor, cocoa butter, soy lecithin), sugar, eggs, baking soda.

Contains wheat, eggs, milk, and soy.

Net Wt. 17 OZ (485g)

Made in a home kitchen not inspected by the Vermont Department of Health.

Do Not Sell to Licensed Food Service Establishments: If you sell food products to restaurants or other licensed food service establishments then you do not qualify for the home bakery exemption. Food products from unlicensed establishments are not considered an “acceptable source” of food by the [Health Regulations for Food Service Establishments](#) §5-204. Food products for use by licensed establishments must be sourced from a licensed food manufacturer. If you prepare or offer meat products for resale to restaurants or stores you may need a license from the [Vermont Agency of Agriculture](#).

Meet Sanitation Requirements: Claiming an exemption from the licensing requirements does not exempt you from complying with the food safety and sanitation requirements in the [Manufactured Food Rule](#). A public health inspector may inspect your establishment to make sure you are meeting requirements and to investigate potential public health hazards.

If you meet the license exemption requirements, you can [file the self-certification online](#). If you do not meet the requirements, or have exceeded the limits for gross annual sales, you must [apply for a license](#) from the Health Department.