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Homemade foods for sale? 2 bills to OK it today

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Do you get raving reviews from teachers and other parents about that homemade cake you provided for the school bake sale?

Are family and friends who have tasted your raspberry jam always asking when you are going to make some more?

You might want to consider selling your homemade goods for profit.

This afternoon, Gov. Jennifer Granholm is to sign into law two cottage food operation bills that will allow individuals to make or package certain foods in their kitchens instead of having to use a commercial food operation as they do now.

Baked goods, jam and jellies, candy, vinegar, dried fruit, herbs and mixes made in your kitchen could all be sold publicly provided they are properly labeled to reflect that they are homemade and identify all ingredients under guidelines provided by the state.

The new measures will allow people to sell their goods publicly at farmers markets, roadside stands, county fairs, flea markets and festivals without a state Department of Agriculture license. An individual residence could make up to \$15,000 gross annually from such sales, which could help some families with good bakers and cooks make ends meet or spur the creation of entrepreneurs.

Granholm is to sign the bills during a ceremony at 12:45 p.m. today at the Growing Hope Center in Ypsilanti, spokeswoman Liz Boyd said. They will take effect immediately.

"The legislation will promote the production and sale of Michigan-made food products and promote Michigan agriculture," she said. "It will be a boost to small- and medium-size farms, farmers markets and entrepreneurs throughout the state."

Foods include jams and candy

Claire Urban wants to supplement her family's income and she knows how to do it -- by baking cookies and pies.

Two bills that Granholm will sign into law today may make that possible for the Richmond resident. The measures deal with cottage food operations, allowing residents to make and package certain foods in home kitchens -- rather than commercial settings -- and without a license from the Michigan Department of Agriculture, provided the items sold are properly labeled.

The foods include homemade baked goods, jams, jellies, candy, vinegar and dried fruit, herbs and mixes. They can be sold to consumers at farmers markets, roadside stands, county fairs, festivals and flea markets.

A third bill dealing with honey and maple syrup has passed the Michigan House and is in the state Senate.

Urban's husband took a pay cut at his job with the state corrections department. His second job serving court papers has slowed. Urban wants to use the new law to help out during these tight economic times.

"I want to take advantage of this to help my family survive, and do something I really love doing," Urban said.

Though she has taken food orders from family and friends for 15 years, the new law would allow her to get a business -- Cookies By Claire -- off the ground without a lot of red tape.

Although the law only allows a gross \$15,000 annually in sales from any one residence, Urban said any extra money made after food costs would be welcome to help pay bills or allow her to do something for her three teenage children.

"That might not seem like a lot of money to big business, but to a family that could mean the difference to just make it or have a little bit of breathing space," she said.

Changes in the law

State law to this point has allowed only food made in kitchens that are inspected and approved by the state Agriculture Department to be sold to the public. For residents who want to start up a food business, that means building a separate kitchen or working in a licensed facility, plus a \$70 license from the state.

The new law would allow residents to use their home kitchens without a state license. Gross earnings above \$15,000 annually in sales would require the operation move into the licensed kitchen category, said Byron Beerbower, compliance manager for the food and dairy division of the state agriculture department.

He said there are 17,000 licensed facilities in Michigan ranging from grocery and party stores to food processors. Health departments inspect an additional 45,000 restaurants and there are 10,000 temporary events, such as fairs and festivals, local health departments and the state agriculture department have to monitor.

The new law requires food packages to be labeled with the name and address of the operation, and the food product and ingredients listed on the label in descending order of predominance by weight. The net weight or net volume of the product, allergen information and "Made in a home kitchen that has not been inspected by the Michigan department of agriculture" also must be on the label.

Beerbower said although residents can sell their goods at farmers markets and roadside stands, they cannot sell them at grocery stores or restaurants unless they have a license. He said enforcement of the new law will be based on complaints investigated by the state agriculture department. He said officials probably will have to work with county prosecutors or the agriculture office if an operation needs to be shut down.

A taste of possibilities

State Rep. Pam Byrnes, D-Lyndon Township, who introduced one of the approved bills, said the new food sales law will give some people a taste of operating a small business that could someday expand.

"People are using the fresh produce available and want to try their products without having to spend a lot of money in a certified kitchen," Byrnes said. "This allows them to take the first step to find out if their product is sellable, then they can go the certified kitchen route."

Randall Fogelman, vice president of business development for Eastern Market Corp. in Detroit, said the new law "opens the door" to farmers markets, small-time producers and budding food entrepreneurs.

"As the state tries to diversify our economy, it shows we care about all entrepreneurs and will do whatever we can to help them," he said.

He said Eastern Market's nearly three dozen, weekly specialty food vendors may not be affected by the new law because they are required to have a state agriculture department-approved kitchen and liability insurance. But, he said, the new law will be good for smaller farmers markets, which are on the uptick statewide.

John Heiney, executive director for the Birmingham Principal Shopping District, which oversees the Birmingham Farmers Market, said people with homemade baked goods have been turned away before because the market has to comply with state and local rules.

Assuming vendor space is available, he said the new law may open the door to these folks, especially those with specialty or niche foods.

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