Business Resources

We’re here to help. From financial support to help navigating requirements, we want to help make your business a success.

City of Toledo
Business Services
Sandy Spang
sandy.spang@toledo.oh.gov
419-245-1614

Toledo-Lucas County
Health Department
lucascountyhealth.com
419-213-4096

University of Toledo
Minority Business Development Center
utoledo.edu/incubator/mbdc
419-530-3344

Chamber of Commerce
Small Business Development Center
sbdc@toledochamber.com
419-243-8191

Assets Toledo
Small Business Owner Support
assetstoledo.com
419-251-9870

Jumpstart
For Entrepreneurs
jumpstartinc.org
567-218-1717

Toledo Bar Association
Lawyer Referral Line
419-242-2000

Score
Small Business Mentors
score.org

Doing Business in Toledo
Find more information at toledo.oh.gov/business
Food on the Go

Anyone selling from food from a truck, trailer, cart, or other mobile rigs must follow state, county, and city regulations regarding mobile food.

More info toledo.oh.gov/mobile-food
Questions 419-936-2020

Things to Remember

Location
Operate anywhere you can park legally, in the direction of curbside.
Obtain permission to sell in a City park.
Use proper flashing lights and signage when stopping temporarily.
Keep the public right-of-way clear and allow for ADA compliant access.
Don’t sell to someone in a vehicle that is stopped in traffic.

Setup
Obtain permission to use City electrical outlets.

Cleanup
Keep the area 15 feet around your truck clean.
Provide a trash receptacle for customers and keep it from overflowing.
Remove all your waste before leaving a location.

Licenses and Inspections

State of Ohio
Transient Vendor License*

TLC Health Department
Temp. or Mobile Food License

Fire Prevention Bureau
Fire Safety Inspection

City of Toledo
Mobile Food Unit Registration**

* required only if taxable items will be sold

** tax registration, liability insurance, and all other requirements will be verified before your application will be accepted
Cottage Industry

Requirements
Exempt from being licensed or inspected
Produced at home
May only be sold from home, to a licensed establishment, or at a farmers market
Labeling is required
Must be items on the allowed list

Allowed Items
Baked goods that do not require refrigeration, including unfilled baked donuts
Candy
Fruit jams, jellies, chutneys (non-acidified), and fruit butters
Flavored honey produced by an exempt beekeeper
Granola, granola bars dipped in candy
Maple sugar produced by and exempt maple syrup producer
Popcorn, flavored popcorn, kettle corn, popcorn balls, caramel corn
Waffle cones and waffle cones dipped in candy
Pizelles
Dry cereal and nut snack mixes with seasonings
Roasted coffee, whole beans or ground, flavoring permitted
Dry baking mixes in a jar or other packaging
Dry herbs, herb blends, tea blends, soup mixes, or seasoning blends

Home Bakery

Requirements
Licensed and inspected by Dept. of Ag.
Produced at home
May only be sold from home, to a licensed establishment, or at a farmers market
Labeling is required
No pets in the home, no carpet in the kitchen, and mechanical refrigeration below 45° F.

State of Ohio
Vendor License*

TLC Health Department
Temporary Food License**

Ohio Dept. of Agriculture
Home Bakery Registration

* required only if taxable items will be sold
** required if home baker is selling potentially hazardous food to consumer
Cottage Food Production Operation

What is a Cottage Food Production Operation?
A “Cottage Food Production Operation” is defined in Chapter 3715 of the Ohio Revised Code to mean, a person who, in the person’s home, produces food items that are not potentially hazardous foods, including bakery products, jams, jellies, candy, fruit butter, and similar products specified in rules. These foods must be labeled properly, or they will be considered misbranded or adulterated.

“Home” means the primary residence occupied by the residence’s owner, on the condition that the residence contains only one stove or oven used for cooking, which may be a double oven, designed for common residence usage and not for a commercial usage, and that the stove or oven be operated in an ordinary kitchen within the residence.

What Foods are Permitted to be Manufactured for Sale or Distribution by a Cottage Food Production Operation?
Permitted foods are non-potentially hazardous bakery products (such as cookies, breads, brownies, cakes, fruit pies, etc.); candy (including no-bake cookies, chocolate covered pretzels or similar chocolate covered non-perishable items, jams; jellies; fruit butters; granola (including granola bars and granola bars dipped in candy); popcorn (including flavored popcorn, kettle corn, popcorn balls, caramel corn, but does not include unpopped popping corn); unfilled baked donuts; waffle cones; pizzelles; dry cereal and nut snack mixes with seasonings; roasted coffee (coffee may be whole beans or ground); dry baking mixes (for making items such as breads and cookies); dry herbs and dry herb blends; dry seasoning blends (such as dry barbecue rubs and seafood boil); dry tea blends; flavored honey; fruit chutney; maple syrup; and dry soup mixes containing commercially dried vegetables, beans grains, and seasoning.

What Foods are NOT Allowed to be Manufactured for Sale or Distribution by a Cottage Food Production Operation?
A “Cottage Food Production Operation” is not permitted to process acidified foods, low-acid canned foods, potentially hazardous foods or non-potentially hazardous foods not listed above. Low acid food means any food with a finished equilibrium pH greater than 4.6 and a water activity greater than 0.85. Acidified food means a low acid food to which acids or acid foods are added (Ex.: Beans, cucumbers, cabbage, puddings, etc.). Potentially hazardous food means it requires temperature control because it is in a form capable of supporting the rapid and progressive growth of infectious or toxigenic microorganisms (Ex. Raw or cooked animal products, cooked vegetables, garlic in oil, cheese cakes, pumpkin pies, custard pies, cream pies, etc.)

What are the Requirements for the Labeling of Cottage Food Products?
A “Cottage Food Production Operation” is required to label all of their food products properly, which include the following information on the label of each unit of food product offered or distributed for sale:

1. Statement of Identity - the name of the food product;
2. Net Quantity of Contents - the net weight, in both U.S. Customary System and International System
3. Ingredient List - ingredients of the food product, listed in descending order of predominance by weight;
4. Statement of Responsibility - the name and address of the business;
5. The following statement in ten-point type: “This Product is Home Produced.”

An ingredient that is or contains protein from a “major food allergen ” must have the presence of the allergen declared by common name in the ingredient statement or by placing the word “Contains” followed by the name of each major food allergen present in the food. The “Contains” statement must be immediately after or adjacent to the ingredient statement. The “major food allergens” are milk, eggs, fish, crustacean shellfish, tree nuts, peanuts, wheat, and soybeans. The type of tree nut (e.g., almonds, walnuts, pecans, etc.), fish (e.g., anchovies), and crustacean shellfish (e.g., crab, lobster, shrimp, etc.) must be declared.

Note: If nutrient content claims (i.e. low fat, salt free, etc.) or health claims (i.e. may reduce heart disease) are made, the product must bear all required nutritional information in the form of the Nutrition Facts panel. All labeling components are to comply with 21 CFR Part 101, food labeling. The FDA Food Labeling Guide is an excellent resource of the proper labeling of food products. The web-address for the FDA Food Labeling Guide is: https://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/LabelingNutrition/ucm2006828.htm

What does the Statement “This Product is Home Produced” Mean?
The statement means that the food product was produced in a private home that is not subject to inspection by a food regulatory authority.

Where may Cottage Food Production Operations Sell Their Food Products?
Cottage Food Products may only be sold in Ohio. Cottage Food Products that are properly identified and labeled may be sold directly to the consumer from the home where the products are produced. They may also be sold through licensed grocery stores, registered farm markets, registered farmers markets, and sold and/or used in preparing food in a licensed restaurant. Cottage food may also be sold at festivals or celebrations, on the condition that the festival or celebration is organized by a political subdivision of the state and lasts for a period not longer than seven consecutive days. Cottage Foods cannot be sold through a distributor.

Does a Cottage Food Production Operation Need to Acquire a License to Process and Package Food Products?
No. A “Cottage Food Production Operation” is exempt from inspection and licensing by the Ohio Department of Agriculture. However, all food products, including those produced and packaged by “Cottage Food Production Operations,” are subject to food sampling conducted by the Ohio Department of Agriculture to determine if a food product is misbranded or adulterated.

Questions? Contact ODA Division of Food Safety; 1-800-282-1955 Ext 4366; E-mail: foodsafety@agri.ohio.gov
BASIC REQUIRED FOOD LABELING COMPONENTS LABEL EXAMPLE
(COTTAGE FOOD PRODUCTION)

This label example is just one way to present the information required on a food product label. Information may be placed in different ways and may appear on more than one label. Labels must comply with all applicable regulations and all information must be accurate and not misleading.

Foods cannot be made with partially hydrogenated oils. Additional information can be found at https://www.fda.gov/Food/IngredientsPackagingLabeling/FoodAdditivesIngredients/ucm449162.htm

Ingredient List – Ingredients shall be listed by common or usual name in descending order of predominance by weight. Meaning, the ingredient that weighs the most is listed first, followed by the next heaviest ingredient, with the ingredient that weighs the least listed last. Any ingredient that is composed of two or more ingredients (sub-ingredients) must list those sub-ingredients parenthetically following the name of the ingredient. The label of any food that contains an ingredient that is or contains a protein derived from a “major food allergen” shall declare the presence of the allergen by its common or usual name either in the list of ingredients or placing the word “Contains” followed by the name of the food source from which the allergen is derived immediately after or adjacent to the list of ingredients (e.g. Contains: wheat, soy, milk, eggs, almonds).

Ref: ORC 3715.023; CFR 21, Part 101.4; FALCPA – Public Law 108-282, Title 2

Statement of Identity – The Statement of Identity is the name of the food. The name shall be the common or usual name of the food and shall accurately identify or describe the basic nature of the food or its characterizing properties or ingredients.

Ref: ORC 3715.023; CFR 21, Part 101.3

Statement of Responsibility – Shall include the:

- Business Name
- Street Address
- City, State, Zip Code

All information in the Statement of Responsibility shall be continuous.

Telephone numbers, web-site addresses, and e-mail addresses are permitted, but not required. This type of extra information shall not be placed between the Ingredient List and the Statement of Responsibility and cannot be used in lieu of listing the business name, street address, city, state, and/or zip code.

Ref: ORC 3715.023

ODA – Ohio Department of Agriculture
CFR – Code of Federal Regulations
ORC – Ohio Revised Code
FPLA – Fair Packaging and Labeling Act
FALCPA – Food Allergen Labeling and Consumer Protection Act

The principal display panel (PDP) is that portion of the package label that is most likely to be seen by the consumer at the time of purchase.

The 8 major food allergens are milk, eggs, tree nuts (e.g., almonds, walnuts, pecans), peanuts, wheat, soybeans, fish (e.g., anchovies) and Crustacean shellfish.

CHOCOLATE CHIP COOKIES

INGREDIENTS: ENRICHED FLOUR (BLEACHED WHEAT FLOUR, MALTED BARLEY FLOUR, NIAVIN, REDUCED IRON, THIAMINE MONONITRATE, RIBOFLAVIN, FOLIC ACID), BROWN SUGAR (MOLASSES, SUGAR), SEMI-SWEET CHOCOLATE CHIPS (SEMISWEET CHOCOLATE (SUGAR, CHOCOLATE LIQUOR, COCOA BUTTER), SOY LECITHIN, VANILLA), VEGETABLE SHORTENING (SOYBEAN AND COTTONSEED OIL, MONO- AND DIGLYCERIDES, ARTIFICIAL BUTTER FLAVOR, BETA CAROTENE (PRO VITAMIN A ADDED FOR COLOR), MILK CHOCOLATE CHUNKS (SUGAR, COCOA BUTTER, MILK, CHOCOLATE LIQUOR, SOY LECITHIN, VANILLIN), EGGS, MILK, BAKING POWDER (POTASSIUM BITARTRATE, CORN STARCH, BAKING SODA), NATURAL FLAVOR, SALT, BAKING SODA.

Agriculture Cookie Co.
8995 E. Main Street
Reynoldsburg, OH 43068

NET WT 8 OZ (227 g) This product is home produced.

Net Quantity of Contents – The term “NET WEIGHT” - or an appropriate abbreviation - shall be used when stating the Net Quantity of Contents in terms of weight. The Net Quantity of Contents shall be declared in both the U.S. Customary System and the SI (metric system). The second declaration shall be stated parenthetically.

The quantity of contents shall be placed on the principal display panel. It shall be within the bottom 30 percent of the area of the label panel in lines that are generally parallel to the bottom of the package as it is designed to be displayed.

Ref: ORC 3715.023; CFR 21, Part 101.7; FPLA, Title 15 – Chapter 39, 1453(a) (2)

Cottage Food Declaration – Food products that are manufactured in compliance with Ohio’s Cottage Food Rules, must be properly labeled and bear the statement, “This product is home produced.” In 10-point type font.

The statement means that the food product was produced in a private home that is not subject to inspection by a food regulatory authority.

Ref: ORC 3715.023
Home Bakeries

What is a Home Bakery?
A “Home Bakery” is defined in Chapter 911 of the Ohio Revised Code to mean, “Any person who owns or operates a home bakery with only one oven, in a stove of ordinary home kitchen design and located in a home, used for baking of baked goods to be sold.” “Home” means the primary residence occupied by the residence’s owner, on the condition that the residence contains only one stove or oven used for cooking, which may be a double oven, designed for common residence usage and not for a commercial usage, and that the stove or oven be operated in an ordinary kitchen within the residence.

What foods are permitted to be manufactured for sale or distribution by a Home Bakery?
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 cheese cakes, cream pies, custard pies, pumpkin pies, etc.) which require refrigeration. Potentially hazardous food means the food requires temperature control, because it is in a form capable of supporting the rapid and progressive growth of infectious or toxigenic microorganisms.

What are the requirements for the labeling of Home Bakery products?
A “Home Bakery” is required to label all of their food products properly, which includes the following information on the label of each unit of food product offered or distributed for sale:
1. Statement of Identity - the name of the food product;
2. Net Quantity of Contents - the net weight, in both U.S. Customary System and International System
3. Ingredient List - ingredients of the food product, listed in descending order of predominance by weight;
4. Statement of Responsibility - the name and address of the business.

The label of bakery items that require refrigeration must bear the declaration, “Keep Refrigerated” or other similar statement.

An ingredient that is or contains protein from a “major food allergen” must have the presence of the allergen declared by common name in the ingredient statement or by placing the word “Contains” followed by the name of each major food allergen present in the food. The “Contains” statement must be immediately after or adjacent to the ingredient statement. The “major food allergens” are milk, eggs, fish, crustacean shellfish, tree nuts, peanuts, wheat, and soybeans. The type of tree nut (e.g., almonds, walnuts, pecans, etc.), fish (e.g., anchovies), and crustacean shellfish (e.g., crab, lobster, shrimp, etc.) must be declared.

Note: If nutrient content claims (i.e. low fat, salt free, etc.) or health claims (i.e. may reduce heart disease) are made, the product must bear all required nutritional information in the form of the Nutrition Facts panel.

All labeling components are to comply with 21 CFR Part 101, food labeling. The FDA Food Labeling Guide is an excellent resource of the proper labeling of food products. The web-address for the FDA Food Labeling Guide is: https://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/LabelingNutrition/ucm2006828.htm

Where may Home Bakeries sell their food products?
Properly labeled Home Bakery products may be sold from your Home Bakery and through grocery stores, convenience stores, farm markets, farmers markets, and other retail establishments. Home Bakery products may also be served as a food item offered by restaurants. Retail establishments are subject to all applicable rules and regulations administered by local health departments, local zoning, and other agencies. Furthermore, Home Bakeries may distribute their products outside of the state of Ohio.

Does a Home Bakery need to acquire a license to process and package food products?
A “Home Bakery” must be licensed and inspected by the Ohio Department of Agriculture, Division of Food Safety.

Does my home kitchen meet the requirements for a “Home Bakery” license?
To be a “Home Bakery”, the household kitchen must have walls, ceilings, and floors that are in good repair, clean, and easily cleanable. The kitchen may not have carpeted floors. The home must be free of pests. No pets are permitted in the home. The kitchen must be maintained in a sanitary condition. Equipment and utensils must be maintained and be kept in sanitary condition. There must be a mechanical refrigerator, equipped with a properly located thermometer, capable of maintaining 45 degrees Fahrenheit or less. If the home is served by a private well, the well must be tested annually for coliform bacteria, having a negative test result within the past year. Proof of the well test result must be provided to the inspecting food safety specialist. Labels are to be available for review at the time of inspection.

Is there a license fee?
Yes. The annual fee for a Home Bakery license is $10.

To arrange for an inspection, contact: ODA Division of Food Safety; 1-800-282-1955 Ext 4366; E-mail: foodsafety@agri.ohio.gov
BASIC REQUIRED FOOD LABELING COMPONENTS

LABEL EXAMPLE

Labels must comply with all applicable state and federal regulations. Labeling regulations applied to a home bakery are the same as those applied to other food processors. All information on the label must be truthful and not misleading. This label example is just one way to present the required information.

Foods cannot be made with partially hydrogenated oils. Additional information can be found at https://www.fda.gov/Food/IngredientsPackagingLabeling/FoodAdditivesIngredients/ucm449162.htm

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**Ingredient List** – Ingredients shall be listed by common or usual name in descending order of predominance by weight. Meaning, the ingredient that weighs the most is listed first, followed by the next heaviest ingredient, with the ingredient that weighs the least listed last. Any ingredient that is composed of two or more ingredients (sub-ingredients) must list those sub-ingredients parenthetically following the name of the ingredient. The label of any food that contains an ingredient that is or contains a protein from a “major food allergen” shall declare the presence of the allergen by its common or usual name either in the list of ingredients or placing the word “Contains” followed by the name of the food source from which the allergen is derived immediately after or adjacent to the list of ingredients (e.g. Contains: milk, eggs, wheat, soy).

Ref: CFR 21, Part 101.4; FALCPA – Public Law 108-282, Title 2

**Statement of Responsibility**

– Shall include the:
  - Business Name
  - Street Address
  - City, State, Zip Code

All information in the Statement of Responsibility shall be continuous. If the business name is listed in the local telephone directory, the street address may be omitted. If the business name is listed in the local telephone directory, a Post Office Box may be used in place of the street address.

Telephone numbers, web-site addresses, and e-mail addresses are permitted, but not required. This type of extra information shall not be placed between the Ingredient List and the Statement of Responsibility.

Ref: CFR 21, Part 101.5

**Buttermilk Chess Pie**

INGREDIENTS: FILLING: BUTTERMILK (CULTURED PASTEURIZED SKIM MILK AND MILK, SODIUM CITRATE AND SALT), SUGAR, BUTTER (CREAM (MILK)), MOLASSES, EGG, EGG YOLK, CORNMEAL, CORNSTARCH, SALT, NATURAL FLAVOR, CRUST: ENRICHED FLOUR (BLEACHED WHEAT FLOUR, MALTED BARLEY FLOUR, NIAIN, REDUCED IRON, THIAMINE MONONITRATE, RIBOFLAVIN, FOLIC ACID), SUGAR, SALT, SOYBEAN OIL, BUTTER (CREAM (MILK)), WATER.

Agriculture Cookie Co.
8995 E. Main Street
Reynoldsburg, OH 43068

NET WT 8 OZ (227 g)

Best by APR 14 2019

Keep Refrigerated

**Net Quantity of Contents** – The term “NET WEIGHT” - or an appropriate abbreviation - shall be used when stating the Net Quantity of Contents in terms of weight. The Net Quantity of Contents shall be declared in both the U.S. Customary System and the SI (metric system). The second declaration shall be stated parenthetically.

The quantity of contents shall be placed on the principal display panel. It shall be within the bottom 30 percent of the area of the label panel in lines that are generally parallel to the bottom of the package as it is designed to be displayed.

Ref: CFR 21, Part 101.7
Ref: FPLA, Title 15 – Chapter 39, 1453(a) (2)

**ODA – Ohio Department of Agriculture**

**CFR – Code of Federal Regulations**

**ORC – Ohio Revised Code**

**FPLA – Fair Packaging and Labeling Act**

**FALCPA – Food Allergen Labeling and Consumer Protection Act**

The principal display panel (PDP) is that portion of the package label that is most likely to be seen by the consumer at the time of purchase.

The 8 major food allergens are milk, eggs, tree nuts (e.g., almonds, walnuts, pecans), peanuts, wheat, soybeans, fish and Crustacean shellfish.

**Perishable Food Sale and Date** - Home Bakery products that begin to diminish in quality in 30 days or less must be marked with a sale date that is easily understood by the consumer. The date indicates the period of peak quality. The period of peak quality is determined by the manufacturer. ORC 3715.171

**Keep Refrigerated** – ODA recommends any product requiring refrigeration for food safety or to maintain quality bear the declaration “Keep Refrigerated” or a similar declaration to that effect.