

Oregon Department of Agriculture Food Safety Division - Domestic Kitchens

Licensing

ORS 616.706 states “No person shall operate a food establishment without first obtaining a license.” ORS 616.95 defines a food establishment as “ any room, building, structure or place used or intended for use, or operated for storing, preparing, compounding, manufacturing, processing, freezing, packaging, distributing, handling, salvaging, or displaying food.” If your activity is making a food product and offering it for sale, for your personal profit, then you must be licensed. Licenses for domestic kitchen operations are issued for bakeries or food processors.

If you are considering the operation of a domestic kitchen, the following features will be required of your home according to OAR 603-025-0200:

- Doors – any domestic kitchen doors must be kept closed during operation of the domestic kitchen.
- People – No one other than the licensee and employees directly under his/her supervision are permitted to directly engage in the processing, preparing, packaging, or handling of commercial food and no other person than the licensee and employees are allowed in the domestic kitchen during operating hours.
- Children – No infants or children allowed in kitchen during domestic kitchen processing activity.
- Pets – No pets allowed – ever – in the same building that houses the domestic kitchen.
- Domestic Activity – All domestic activities must be completed before any commercial processing or baking takes place.
- Storage – Separate closed storage facilities are required for ingredients, finished products, cleaning materials, labels and packaging materials, as well as a separate refrigerated storage for perishable materials. Storage of medical supplies is not permitted in the domestic kitchen. A separate storage area must be provided for household cleaning materials and other chemicals or toxic substances.
- Domestic Kitchens shall be available for inspection between 8 am & 5 pm weekdays or other production times.

Activities that cannot be done in a licensed domestic kitchen include low acid food canning, dairy processing (like homemade ice cream or yogurt) and some meat processing. Catering activities cannot be done in a domestic kitchen. Preparation of acidified foods might be permitted, but requires an analysis of the product from a process authority and an operator that has been certified by attending Better Process Control School. For more information on process authorities and Better Process Control School, contact the Food Science Department at Oregon State University at 541-737-3131. Additional licensing information can be found on the Food Safety Division web page- <http://egov.oregon.gov/ODA/FSD/>.

Water Systems

All licensed establishments must have a potable water supply. If an establishment is on a private system (well or spring) it must comply with construction and water sampling test requirements. Samples must be submitted to an approved lab and results submitted to ODA as part of the license approval process.

Labeling

Packaged foods are required to be labeled. The required information includes name of the product, net weight, ingredient statement, and the name and address of the producer. If the item is perishable, an expiration date is required. It is a good idea to submit this label to the Division for review before having a quantity printed. There is a handout available that further explains the labeling requirements (electronically available on the website).

If you have questions or need more information, you may contact the Food Safety Division office in Salem at 503-986-4720.