

**WAC 16-149-040 Limitations.** (1) If gross sales during a calendar year exceed the maximum annual gross sales allowance of \$35,000, the cottage food operator must cease operations for the remainder of that permit period or meet all the requirements and obtain a food processing plant license or cease operations for that calendar year. The department may request, in writing, documentation to verify the annual gross sales figure.

(2) Products produced by a cottage food operation must be sold by the cottage food operator directly to the consumer. Direct sales at venues such as farmers markets, craft fairs, and charitable organization functions are permitted. Cottage food operations are prohibited from shipping product, conducting mail order sales, selling products by consignment or wholesale, and selling product outside of the state. A cottage food operation may maintain an internet website displaying available products provided any sales arising from the website are completed as in-person transactions.

(3) A cottage food operation may only produce those specific food products listed on its permit. A copy of this permit shall be displayed at farmers markets, craft fairs, charitable organization functions and any other direct sale locations where cottage foods are sold.

(4) Each application is limited to no more than 50 recipes. A "master or base recipe" can include variations and still be counted as one recipe. The application must include labels corresponding to each product and each variation.

[Statutory Authority: RCW 69.22.020, 69.22.030, 69.22.050, and 2023 c 352. WSR 24-01-031, § 16-149-040, filed 12/11/23, effective 1/11/24. Statutory Authority: RCW 69.22.020, 2015 c 196, 2015 c 203, and chapter 34.05 RCW. WSR 16-06-014, § 16-149-040, filed 2/19/16, effective 3/21/16. Statutory Authority: RCW 69.22.020 and chapter 34.05 RCW. WSR 12-12-016, § 16-149-040, filed 5/24/12, effective 6/24/12.]