



MT Food Freedom

A brief guide to producing under SB199/MT Food Freedom/
MT Local Food Choice Act

What CAN I do?

- Make and sell certain homemade food products from your domestic kitchen-this includes but is not limited to baked goods, canned and pickled goods, perishable goods, freeze dried goods
- Sell these products at a traditional community event, such as a farmer's market, vendor show, or other event
- Make sales directly to an informed end consumer in the state of Montana

What CAN'T I do?

- Sell outside the state of Montana
- Sell from a store front, or through a licensed store or restaurant
- Sell meat or any products containing meat
- Prepare products for sale outside of your domestic kitchen
- Sell products containing alcohol or marijuana, or other dietary supplements

What SHOULD I do?

- Label products with your name, phone number, and an informed end consumer statement
- Maintain liability insurance for your operation
- Include common allergens on your label
- Ensure you are following best practices for food production, storage and sanitation



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Frequently Asked Questions

- **Is this document an exhaustive list of what is permissible under Food Freedom?**
 - Unfortunately, no, this document is not exhaustive. For more information, please read Senate Bill 199 from the 2021 Legislative Session at leg.mt.gov
- **What qualifies as informing the consumer?**
 - Food Freedom requires that you sell to an informed end consumer. While you are free to determine how you will best accomplish this, the consumer must know that the homemade food products have not been licensed, permitted, certified, packaged, labeled, or inspected under any official regulations. This could be easily included on a product label.
- **Will I be financially liable if someone gets sick from my products?**
 - Yes, you will be held personally and financially liable for illness caused by your products. Maintaining liability insurance for your operation is a good idea.
- **Can I sell to people from North Dakota?**
 - Your sales must be made in the state of Montana. Out-of-staters must meet you in Montana to make their purchase.
- **Can I sell online and ship my products?**
 - You must make personal sales. You cannot sell online and you cannot ship products.



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- **Is SB199/Food Freedom/MT Local Food Choice Act permanent?**
 - SB199 was enacted by the 2021 Legislative Session and signed into law. Expect that changes may be made in subsequent Legislative sessions. The Montana Legislature meets every other year. Track potential bill updates at leg.mt.gov.
- **Can the Health Department provide documentation certifying that my operation is in compliance? I've been asked for certification to participate in a vendor show.**
 - The Health Department and other governmental organizations are prohibited from developing any additional regulations relating to these products, and cannot enter your premises aside from conducting an illness investigation. Therefore, there is no certification or other documentation available.
- **I have more questions-who do I contact?**
 - Please contact Stephanie Ler at the Health Department for additional questions, via phone at 406-433-2207 or via email at stephanie.ler@richland.org . While the local health department does not regulate these products, we can help interpret the legislation and provide additional resources.