



Introduction

# **Why is home cooking and local food production important? Why now?**

## 1. Introduction

The past two tumultuous years have been rife with challenge and paradox. A global pandemic and climate disasters have kept many confined to their homes while many others have been forced to move. Protests for racial, labor, and political justice have yielded visible progress while ongoing shortcomings and atrocities remind us how far we have yet to come. Large portions of human life and livelihood have shifted online, but our longing for physical intimacy and connection to the natural world have only grown stronger.

The home cooking movement has not escaped this whiplash. Adoption of our first home restaurant “Microenterprise Kitchen Operation” legalization bills stalled during covid despite unprecedented demand from home cooks and their communities. Ghost kitchens and food delivery services boomed on one hand, while mutual aid and calls for more localized resiliency grew on the other.

**Throughout all of this is a clear wakeup call.** The interruption (personally and globally) of our habitual patterns and momentum seems to demand that we begin living with more respect for the earth and for each other. Home cooking and other local food production and consumption aren’t going anywhere. We need new post-industrial food system policies more than ever.

The COOK Alliance hopes this model legislation and code will provide a useful guide for legalizing and regulating home-based food businesses in the 21st century. We have created these as open-source, living documents in the hopes that they continue to evolve alongside the growing home cooking legalization movement.

## 2. Model Legislation & Code Summary

Currently, there are no standardized regulations to help guide states or regulatory officials in allowing cooks to prepare and sell meals from their homes. While several states have passed or are in the process of passing home cooking legislation (such as [California](#), [Utah](#), and [Wyoming](#)), the [FDA model food code](#) is silent on the activity.

The COOK Alliance is initially releasing two different documents, a model bill and a model regulatory code. Every state has different rules and regulations so these documents must be amended to integrate into relevant state and municipal laws:

- **[Model Legislation](#)** - this model bill creates a framework for the inspection and permitting of Home Cooking Operations and the regulation of Online Food Platforms that serve as marketplaces for home cooks.
- **[Model Code](#)** - based on the FDA Model Food Code, this is a detailed set of regulations for safely allowing meal sales from the home kitchen. It adds detail to the model legislation that can be used by state and regulatory agencies to ensure appropriate safeguards.

## 3. Acknowledgements

### Original Author

The first version of this model legislation and code was written by COOK Alliance staff, primarily Liz Allen, Matthew Jorgensen, and Peter Ruddock with

substantial feedback from dozens of home cooks and other movement allies.

## License

These documents are offered under [Creative Commons Attribution-ShareAlike 4.0 International](#) license so that they can be used and edited by advocates and legislators.

## Input

These documents represent the best thinking of many home cooks, lawyers, public health officials, and movement advocates. In particular, this would not have been possible without the help of:

- Allison Condra, Davis Wright Tremain
- Lauren Handel, Handel Law
- Emily Broad Leib, Clinical Law Professor, Food Law & Policy Clinic, Harvard Law School
- Larry Fay, retired public health official
- Amy Radding Hoover, Student at University of Oregon
- Min Jeon, Student at Harvard Law School
- Many, many cooks and their allies

Special thanks to University of Oregon's Environmental and Natural Resource Center, Havard's Food Law & Policy Clinic, the Small Business Association, Airbnb, and Shef for their monetary or in-kind support.

Website, printable legislation and publishing system built by [Andy Ayrey](#).

## 4. Contribute

We hope to release new versions of these model documents periodically as the legislative landscape evolves and we continue to learn from early states' experiences with implementation. Additional input is welcome and can be shared with us at any time by emailing [advocacy@cookalliance.org](mailto:advocacy@cookalliance.org) with "Model Legislation Feedback" in the subject line.

**Published by the [COOKAlliance](#)**

[The COOK Alliance](#) is a nonprofit whose mission is to establish just & people-powered food systems. We believe that legalizing home restaurants in the United States creates more economic access for cooks, healthy food options for customers, and cultural exchange for communities.

As the primary sponsor behind the first home restaurants bills in the US, we are now working to ensure equitable, accessible implementation in early adopting states and to extend the same opportunity to more home cooks across the nation. We are also increasingly active in supporting new Cottage Food policies and other local food movement initiatives.

We can be reached for technical assistance, partnership, or philanthropic inquiries at [hello@cookalliance.org](mailto:hello@cookalliance.org)

Website, downloadable legislation and publishing system built by [Andy Ayrey](#)

**License & Feedback**

These documents are offered under [Creative Commons Attribution-ShareAlike 4.0 International license](#) so that they can be used and edited by advocates and legislators.

We hope to release new versions of these model documents periodically as the legislative landscape evolves and we continue to learn from early states' experiences with implementation. Additional input is welcome and can be shared with us at any time by emailing [advocacy@cookalliance.org](mailto:advocacy@cookalliance.org) with "Model Legislation Feedback" in the subject line.