



In New Jersey, there is an exemption in the food sanitation regulation that allows the sale of food items in a bake sale without obtaining a permit from the local health department.

The items offered for sale may be prepared for sale at kitchen in a private home, providing that the consumer is made aware by the posting of a sign at the bake sale table. Also, only foods that are not potentially hazardous may be sold.

### Bake Sale Requirements

1. There are a variety of home-baked goods that can be sold, including cookies, cupcakes, cakes, bars, and breads. However, the following list of items cannot be sold, because they are potentially hazardous:
  - a. Custard-filled items (including éclairs, cream puffs, cupcakes, muffins or doughnuts)
  - b. Egg based or custard pies (including, but not limited to pumpkin, meringue, custard pie, cheesecakes)
  - c. Cream or cream based products (whipped cream or cream cheese frosting).
  - d. Any food that must be kept hot or cold prior to sale.
2. Items that were purchased from a store and then resold during a bake sale would fall under the category of a "Retail food establishment" and will require a permit from Union Township. (N.J.A.C. 8:24- 1.5)
3. Sanitary conditions must be maintained at all times.
  - a. The table must be kept clean.
  - b. Food must not ever be touched or served with bare hands. There are two acceptable serving methods:
    - i. Each serving of food can be individually wrapped in plastic, foil, or waxed paper, or placed in sealed plastic bags, prior to the sale. OR
    - ii. The food is placed on trays and covered with plastic or foil AND deli tissue, spatulas, tongs, or single-use gloves are used to serve the items.
4. Keep a list of the name, address, and phone number of each person who prepared an item for the event along with what they prepared.
5. All baked goods should be labeled with product names and a list of ingredients. This is will help protect individuals with food allergies or sensitivities. The label can be on the individual item, a sign positioned near to the item or as a recipe that is available to the consumer.
6. The sales table must have a poster/placard reading:

#### Notice to Consumers

Food for sale at this function was not prepared in a kitchen subject to regulation and inspection by the Health Authority.



MIRON  
Student Center

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Food for sale at this bake sale was not prepared in a kitchen subject to regulation and inspection by the Health Authority.