



Homemade Texas
2655 Ranch Road 1869
Box 408
Liberty Hill, TX 78642-9998

September 24, 2025

Teresa Wills
Environmental Health Manager
Waco-McLennan County
Public Health District
225 W. Waco Drive
Waco, Texas 76707
By email: TeresaW@wacotx.gov

Dear Ms. Wills:

I am writing on behalf of Homemade Texas, an organization that supports cottage food producers across the state through training, advocacy, and community outreach. I have been closely involved in the development and passage of the Texas Cottage Food Law since its inception in 2011 and have continued to advocate for its fair implementation statewide.

Recently, during a seminar in Red Oak, a cottage food producer shared a concerning experience that occurred at an event in McLennan County earlier this year. According to her account, a representative from the Waco-McLennan County Public Health District visited her booth and claimed that only jams and jellies made using recipes from the University of Georgia Cooperative Extension's publication "*So Easy to Preserve*" were permitted under the Texas Cottage Food Law. **The representative allegedly proceeded to confiscate and dispose of all her products.**

If accurate, this incident reflects a serious misinterpretation and misapplication of the Texas Cottage Food Law. Since 2011, jams and jellies have been explicitly permitted as cottage food items, with no requirement to use a specific recipe or source.

The rules regarding **pickled, fermented, or acidified canned foods** are indeed more stringent. In such cases, producers must comply with one of the following:

- Use a recipe from a source approved by the Texas Department of State Health Services (DSHS);

- Use a recipe that has been tested by a certified laboratory confirming the product has an equilibrium pH of 4.6 or lower;
- Use a recipe approved by a qualified process authority; or
- Test each batch using a calibrated pH meter to confirm the product has an equilibrium pH of 4.6 or lower.

While the *So Easy to Preserve* book is listed as one approved source by DSHS, it is not the **only** approved source. Additionally, producers of pickled, fermented, or acidified canned foods are not required to use any specifically sourced recipe if they meet the testing or approval criteria outlined above.

It is critical that local health departments enforce the Texas Cottage Food Law as written, ensuring consistency and fairness for producers across the state. A misapplication of the law - especially one that involves discarding a producer's inventory - represents a serious overreach and can have a significant negative impact on small businesses.

If there is any uncertainty within your department regarding recipe or testing requirements for these types of products, I would welcome the opportunity to provide clarification or support. Our goal is for local health authorities and cottage food producers to collaborate as partners in upholding public health while supporting lawful entrepreneurship.

Thank you for your attention to this matter. Please don't hesitate to reach out with any questions.

Warm regards,

Kelley Masters
President and Founder
Homemade Texas
(737) 312-8444

Cc: Texas State Senator Brian Birdwell
Texas State Representative Angelia Orr
Texas State Representative Pat Curry
McLennan County Judge Scott Felton
Precinct 1 Commissioner Jim Smith
Precinct 2 Commissioner Donis "D.L." Wilson
Precinct 3 Commissioner Will Jones
Precinct 4 Commissioner Ben Perry