

**PROPOSED REGULATION OF THE
DIRECTOR OF THE STATE DEPARTMENT OF AGRICULTURE**

LCB FILE NO. R174-26I

**The following document is the initial draft regulation proposed
by the agency submitted on 09/9/2026**

**ADOPTED REGULATION OF THE
NEVADA DEPARTMENT OF AGRICULTURE**

LCB FILE NO. Rxxx-xx

EXPLANATION – Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

AUTHORITY: §§1-469, NRS 439.200 and 446.940.

A REGULATION relating to cottage food operating; revising provisions related to the processing of cottage food operations NRS 580.60 (Effective through June 30, 2027) to NRS 585.700 (Effective July 1, 2027)

Section 1. *“Domestic Residence” means a single-family dwelling or an area within a rental unit where a single person or family resides. A domestic residence does not include any group or communal residential setting or within any type of structure, or outbuilding, garage, shed, barn or other similar structure.*

Section 2 *“Home Processing” means an area designed and intended for use by the residents of a home but that is also used by a resident for the production of cottage cosmetics products.*

Section 3 *Requirements*

1. *A cottage cosmetics operation must comply with the requirements of this chapter which are applicable to its operation.*
2. *The Department may impose additional requirements or restrictions when needed to protect against substantial health hazards.*
3. *A cottage cosmetic operation license is not transferable from one person to another.*
4. *A cottage cosmetic operator must be over 18 years of age.*
5. *A cottage cosmetic operator must be a Nevada Resident.*
6. *Cottage Cosmetic products must be safe.*
7. *A cottage cosmetic operator must pay all applicable fees.*

Section 6 *Approval of cottage cosmetic products, application*

Any person desiring to operate a food establishment must make written application for a permit on forms provided by the health authority. The application must include:

- (a) The applicant's full name and address. An applicant may include on the application an electronic mail address by which the health authority may communicate with the applicant and send any inspection report form or other notice.*
- (b) A statement whether the applicant is a natural person, the name of the partners, together with their addresses.*
- (c) Location of preparation and primary sales locations*
- (d) The cottage cosmetic operation must submit to the Department the list of cosmetic products and preparation procedures.*
- (e) Types of packaging material used for cosmetic preparation.*

Section 7 *Source of potable water*

- 1. All cottage cosmetic products must be made with potable water as per NAC 585.735.*
- 2. It is recommended that water be tested to ensure safety of the cottage cosmetic products.*

Section 8 *Packaging*

- 1. Packaging must be made from safe and appropriate materials to minimize the risk of contamination and confusion between different components, materials in process, packaging materials or labeling materials.*

Section 9 *Labels*

- 1. The regulatory statement must be printed in a least 10-point type in a color that provides a clear contrast to the background.*
- 2. Labeled with "MADE IN A COTTAGE COSMETIC OPERATION THAT IS NOT SUBJECT TO GOVERNMENT SAFETY INSPECTION" printed prominently on the label for the item;*
- 3. Hand printed labels are acceptable if they are legible, written in durable permanent ink.*
- 4. A cottage cosmetic business may request from the Department a permit number or unique identification number to use on the label as an alternative to a physical address. If a permit number or unique identification number is used, the label must also include the name and phone number of the cottage cosmetic operator.*

Section 10 *Enforcement*

- 1. The Department may issue a stop sale, seize, or hold order for any cottage cosmetic suspected of causing illness or are otherwise adulterated.*
- 2. Repeat complaints regarding the sales of non-cottage cosmetic products may serious violations, repeat substantiated violations in a cosmetic may initiate a corrective action plan or suspension of the license.*
- 3. The Department may suspend a permit for repeated violations for the production of cosmetic not approved by law.*

Section 11: *Lab Testing*

- 1. A cottage cosmetic operator may use lab to confirm that the product meets all regulatory requirements.*

Section 12: *Prohibited items*

- 1. A cottage cosmetic must be offered for application in a way that does not mislead or misinform the consumer.*
- 2. Food additives, color additives, colored overwraps or lights must not be used to misrepresent the true appearance, color or quality of any cottage cosmetic.*
- 3. The following specific care items cannot be produced as a cottage cosmetic: baby products (1 day to 4 years), Children's eye make-up, hair coloring, deodorants, suntan lotion, tattoo inks (permanent or temporary), henna, essential oils, acne treatments.*
- 4. Any product that makes a medical or health related claim.*

Section 13: *Prohibited methods of application*

A cottage cosmetic shall not be produced for any of the following types of applications.

- 1. Products that regularly come into contact with mucus membrane of the eye under customary or usual conditions of use;*
- 2. Products that are injected;*
- 3. Products that are intended for internal use;*
- 4. Products that are intended to alter appearance for more than 24 hours under customary or usual conditions of use and removal by the consumer is not part of such conditions of use;*

5. *Products and facilities that are subject to requirements for drugs and devices otherwise considered "cosmeceuticals."*

Section 13: Prohibited ingredients

A cottage cosmetic may not be produced with any of the following ingredients as they are prohibited for use in cosmetics as described in the U.S. Food and Drug Administrations Code of Federal Regulations.

1. *Bithional, as described in 21 CFR 700.11;*
2. *Vinyl chloride, as described in 21 CFR 700.14;*
3. *Certain halogenated salicylanilides, as described in 21 CFR 700.15;*
4. *Zirconium in aerosol products, as described in 21 CFR 700.16;*
5. *Chloroform, as described in 21 CFR 700.18;*
6. *Methylene chloride, as described in 21 CFR 700.19;*
7. *Chlorofluorocarbon propellant, as described in 21 CFR 700.23;*
8. *Prohibited cattle material, as described in 21 CFR 700.27;*
9. *Color additives, as described in 21 CFR which require pre-market approval;*
10. *Mercury compounds, as described in 21 CFR 700.13;*
11. *Hexachlorophene, as described in 21 CFR 250.250.*

Section 14 *Report on adverse effects.*

A cottage cosmetic operator shall report to the Department any conditions that may have an adverse effect on any cosmetic or person

Section 15 *Fees; renewal of license*

Processing of this section is currently pending final administrative review.

1. *An applicant must pay licensing fees, and determined by the Director; before a license will be issued or renewed. The fee will reflect the actual costs incurred by the Department for staff time and activities required to carry out all duties associated with licensing a cottage cosmetic product.*
2. *The fees collected pursuant to this section will not be refunded.*