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† Herbal Products

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tarting an herbal business can bring both added fulfilment, joy, and extra cash to your homestead. Growing or foraging for natural herbal ingredients to create salves, tinctures, infusions, chapstick, deodorant, cleaning products, soaps, cosmetics, and candles can be quite lucrative.

Cottage industry is now becoming big business all across the United States. Thanks to high speed internet service even in deeply rural areas and the growth of farmers markets in urban areas, every type of homesteader can become an herbal entrepreneur.

Starting a small business can seem like a daunting task. But, turning a beloved hobby or a new homesteading skill into a money-making opportunity can be done from the comfort of your own kitchen with little to no overhead and no more than a \$100 investment in supplies.

Far too often concerns about business taxes and legalities deter a crafty and clever homesteader from launching a cottage business with goods derived from their land – especially when natural home remedies are involved.

The rules for tracking business expenses and following the letter of the law to avoid even a smidgen of a possibility that the herbalist is claiming to be a medical professional or selling “medicine” are finite. But, neither aspect of creating a home-based business involves any type of rocket scientist levels smarts.

This article is not legal advice. Neither I nor the publisher behind it shall be held liable for any actual legal advice, consult a lawyer.

For more information, please contact me at [info@ad.com](mailto:info@ad.com).

This article is for informational purposes only. Please read and research thoroughly before starting your homestead.

- Are you going to sell the natural herbal products locally only, online only, or a mixture of the two?
- What is the local herbal market like? Find out what is selling and what is not – as well as the average price of products.
- How many farmers' markets exist within X miles from my home that allow the sell of herbals?
- How much does a table or booth at the farmers' markets cost?
- Are the farmers markets already saturated with natural herbal products?
- Where else can I sell my products locally with little to no overhead costs? Flea markets and community events may also be viable selling options.
- How much does it cost to open an ETSY store and sell products on that website or similar ones?
- How will local laws impact what I can sell? Federal, state, and local laws vary, and can sometimes contradict each other. For example, a natural herbal product containing citronella essential oil as a base ingredient may be legally allowed to be dubbed a bug repellent by federal EPA guidelines, but state law might prohibit such wording on a label.
- Will I need a vendor's license to sell goods off the premises of my homestead?
- If selling natural herbal products from a booth on my property, will homeowner's insurance cover any accident or injury involving a customer?
- Should I create a limited liability company (LLC) for my natural herbal products business?

How much money it costs to start a natural herbal products business depends on  
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nse involves the space you plan on both  
ou have no space to store your inventory  
inter will help keep costs to a bare

T  
b  
n  
be stored in some type of container  
You can find “blanks” for making DIY  
on both Amazon and Etsy.

Both of the retailers mentioned above, and others, like Hobby Lobby, sell attractive tins and similar containers to hold natural herbal products and dried herbs. I always check the local Dollar Tree store for salve and lotion containers.

I recently stocked up on small 10 for \$1 per bag. These were plastic containers. On ETSY and Amazon you can find more upscale glass, bamboo, or tin containers, but while they are priced affordably, do start at a higher price point. Expect to pay between \$10 to \$25 for about a dozen non-plastic natural herbal product containers.

While it is far cheaper to grow or forage your own herbs, you can purchase dried herbs, roots, and flowers online. I prefer to forage and grow my own medicinal plants, herbs, and roots, but garnering every ingredient you need for a natural herbal recipe might require purchasing some dried natural material – especially when you are first starting out.

If you must purchase seeds and/or dried herbs to make you home remedies and DIY natural cleaners, expect to spend at least \$50 on enough supplies to make multiple batches to begin creating an inventory.

In addition to purchasing the items noted above, here are a sampling of **commonly used carrier oils** and supplies often used in herbal natural product making:

Olive Oil	Coconut Oil
Joboba Oil	Almond Oil

Vegetable Glycerin AD	Mason Jars
	Funnel
:	Distilled White Vinegar
	Aloe Vera Juice or Gel
	Baking Sheet
	Vitamin E
	Apple Cider Vinegar
Cocoa Butter	Beeswax
Soap making supplies	Shea Butter
Gel capsule maker and supplies	Candle making supplies

If you build or buy a greenhouse or low tunnel to enhance your growing operation, expect to spend between \$200 to \$1,500 depending upon the size of the structure, and the amount of materials needed to construct that are not already stockpiled on your homestead.

If you grow your own herbs, roots, and medicinal plants it is possible to earn about \$25 per square foot of growing space after the harvest. A 30% markup on bulk medicinal herbs is fairly commonplace.

You will also need to purchase adhesive labels for the products you are making. Review both state and federal laws regarding labeling guidelines for specific products. This is a general overview of labeling, see a more detailed list in the legal section below, and always check state and local laws for additional dictates that must be followed.

## What Should Go on a Label

1. Natural Herbal Product Name
  2. Weight in either ounces or grams – or both
-

AD 3 Company name, logo, contact information i.e. website or phone number  
per of weight or percentage used  
"This natural herbal product is not

N marketing materials. This term is legally  
p and is typically regulated via the United  
St  
L: to use include: "natural," "All Natural,"  
G ."

## General Business Expenses

Before selling a single product or launching a website, I cannot recommend highly enough to importance of getting a limited liability company – LLC legal designation. This process is not too time consuming and typically costs between \$200 to \$350, depending upon what attorney or online service you use to create and then file the paperwork.

Working through an LLC will help protect your assets if you are ever sued, and also helps to distinguish allowable business tax deductions from personal expenses.

## Common Business Tax Deductions

- Purchase of any necessary supplies, tools, and materials used in the business.
  - Mileage to conduct any type of activity associated with business activity.
  - Home office deduction.
  - Internet service deduction.
  - Cell phone deduction.
  - Portion of household utilities if the work for the business is conducted inside the home.
  - Technology tools and supplies: computer, tablet, printer, copy paper, ink, poster board, wood for displays, etc.
  - Cleaning supplies for home office
  - Furniture and storage items for home office
  - General office and marketing supplies: pencils, markers, etc.
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- Website, domain, and online retail store service and usage fees.

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ing them (including a stamp with your  
in for customers.

lonated to a designated non-profit  
ing or educational effort they are

B, payments while selling your natural herbal remedies at farmers markets, flea markets, and community events should help foster more sales. A credit card reader designed to fit a smartphone or tablet can typically be purchased for less than \$100 – or be a free perk when opening a PayPal Business account.

You will be charged a processing fee for each sale, and should incorporate the fee into both your price point on the products you are selling and on your daily log of business expenses that can be deducted on your annual taxes.

Secure the services of a good local accountant when starting the business so he or she can guide you through the record keeping process of both profits and expenses as well as offer tips about securing a business credit or debit card and opening a business checking account.

## Marketing Expenses

Promoting your natural herbal remedies business will require an investment of both time and money. Even if you are only going to sell locally and not online, establishing an online presence via social media, is almost always vital to your success.

Building Facebook, Pinterest, and Instagram accounts and tending to them regularly, as well as learning what keyword searches and hashtags are popular, will make your sales goals and dreams of success come true. These social media platforms will only cost you time, unless you choose to purchase ads – which may be a really good idea once your budget allows it.

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Starting a blog or website to promote your business and to accrue online sales will  
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V: gger service by Google is both free and  
ai in to attach your online store hosted by  
E

W urchasing a domain name to garner a  
r ould your brand is highly advised. In  
r ime for between \$10 to \$20 per year.

C siness name exactly is ideal, but that  
n. l to alter the URL name slightly or to  
choose something other than a .com ending.

## Online Store

There are multiple online retail service providers on the internet. Some are far better, cheaper, and easier to use than others. ETSY is likely the most frequently used because it is focused on cottage industry by makers of only natural items, homemade items, vintage items, and craft supplies.

There is currently no fee to open an ETSY store, but the website provider does charge \$.20 for each listing posted or renewed after 30 days, and a small percentage of each completed sale. The format on ETSY is very similar to the one on Ebay – where you could also sell natural herbal products.

Opening a Shopify store is another option. But, the basic store opening plan the service offers is \$29 per month. There is no item listing fee on Shopify but there is a small fee charged to process each transaction.

In addition to exposing your natural herbal products to a nationwide of global audience, you can also begin developing an email database and have the capability to send newsletters and coupons to attract new customers and encourage repeat sales from existing customers.

## Legal Dos and Don'ts

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In the United States of America, you do not need a license or certification of any type to conduct business. But, practicing medicine without a license in many states.

The way a products maker gets into legal hot water is by claiming to be a health care professional and offering treatment for a specific disease or injury. Simply saying that you are selling a "medicine," "herbal product," or "device," will almost certainly get you both in trouble and in court.

You can sell herbs, teas, tinctures, and the like without a license, but you can not prescribe them. In some states, California is one prime example, existing acupuncture and naturopathic licensing laws include clauses that define some specific natural herbal remedies and related natural remedies under their state certification guidelines.

But, these laws do not preclude the ability of lay persons or other types of licensed health professionals from recommending or dispensing herbs.

You can take courses either in person or online to become a registered herbalist or earn certificates of professional course completion in the field. These classes can lend extra credibility to your business and increase your online profile and sales.

The American Herbalist Guild (AHG) is not urging licensure in their field, but instead offers voluntary and peer reviewed credentials that permit someone who successfully completes the course to refer to themselves as a registered herbalist.

## Herbalist Language

Familiarize yourself with the acceptable language that can be used under federal, state, and local law when having any type of communication with a customer or client. ONLY doctors and specified other types of licensed medical professionals can:

1. Cure Disease
  2. Treat Medical Conditions
  3. Prescribe medications of any type
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#### 4 Diagnose medical conditions

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entials or lack thereof when speaking in  
saging, during an herbal walk, workshop,  
presentation, via email, on paper, in a  
with a customer, potential customer,

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ce in their mentoring handbook to help  
the public.

**Never, ever, under any circumstances use language that could reasonably be construed as offering prevention, treatment, diagnosis, or disease curing tips to a client.** Doing so could be a violation of Food and Drug Administration (FDA) and Federal Trade Commission (FTC) regulations. This type of behavior could legally be construed as peddling an unapproved drug.

If you choose to operate even a small scale apothecary or herb shop, you will have to also adhere to the Good Manufacturing Practice as outlined by the FDA. These rules govern both the advertising and labeling of natural herbal products. In some restrictive states, it is illegal to deem your shop as an "apothecary," "medicine shop," or "pharmacy."

### Cross-Over Restrictions

If you are an herbal products maker engaging in related hobbies or a for profit activity that is linked to herbs or natural remedies you are, legally speaking, on the clock.

You can teach an herbal workshop, lead tours to teach others how to forage for healing natural matter, and instruct an herbal gardening class, BUT even though in doing so you are not actively promoting your business in the moment, and can talk about the historical and therapeutic uses of natural matter, the lines can get blurred quickly and you could be accused of offering a medical clinical instead of the innocent learning experience you intended.

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First Amendment protections only go so far. Get used to speaking and writing using  
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y, shape, or form.

*(‘by’ is always good to include) for...  
e studies or specific scientist, doctor, CDC,*

is, acids, in the herb and note what those  
compounds are used in the treatment of in modern medicine, citing medical,  
health, or scientific studies.

- Note how, when applicable, this natural healing matter has been used in modern medicine or medication only when that information can be substantiated by a reputable source.
- You can share your personal experience using the herb yourself and in home remedies created for you family. The key here is to note how you have used it and the response it generated WITHOUT claiming it is a medicine and that the member of the public you are communicating with will achieve the same results.

To help share the healing properties a product may contain, cite studies and official government or medical reports when dealing with the public, on your website, in your store, and in related promotional materials. Posting a link to the sources to allow the public to review the information for themselves is highly recommended.

Doing so allows you to share educational and research material to help answer the questions you legally cannot. Feel free to say something like:

*“While I cannot answer that question due to legal constraints, I can share this report that will help shed more light on...”*

## Dietary Supplement Health and Education Act

The DSHEA was passed in 1994. It is the primary piece of legislation that governs the manufacture and dispensing of all dietary supplements – including herbs. The

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legislation caused the creation of a new dietary supplement category, which already  
with herbs still reside in limbo between  
agencies and regulations.

The Dietary Supplement and Health Education Act covers herbs, vitamins, amino acids, minerals, metabolites, and glandulars in capsules, tablets, softgel tablets, liquids, and other forms that are derived from herbs.

Even though the law that must be followed, it did protect the freedom of the public to gain access to healing herbs to a far stronger degree than in multiple other first world countries.

The Good Manufacturing Practices (GMPs) outline in the DSHEA guide natural herbal product makers through the rules that must be complied with to remain out of legal trouble.

The GMPs cover:

- Purity Assurance
- Positive Identification of ingredients used
- Source materials tracking
- Personnel training
- Hygiene
- Comprehensive documentation of the manufacturing process

Whether you are a business of one working out of your own kitchen, or are operating an herb shop with 50 to 100,000 employees, the Good Manufacturing Practices apply to you.

Even if you are merely buying herbs or extracts, etc. from other well established manufacturers to repackage and sell, the GMPs are still governing all of your actions. If you only open up a packet, place the contents in another container and slap your label on it, you are indeed now a dietary supplement manufacturer.

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If you are an herbalist with a consultation practice and want to give or sell what you make, the GMPs still apply. The FDA allows this, as long as you do not engage in medicine without a license.

Generally, you can sell either in a fresh or dried not processing usage claims on the label your possibly USDA guidelines, as well as state or local GSHEA rules.

Any natural herbal product you make for topical use only, like a salve, lotion, liquid foundation, etc. falls under government cosmetics guidelines. These are far less stringent than either the GSHEA or FDA regulations.



Labeling Rules

All natural herbal products that fall under FDA or GSHEA regulations must provide  
th<sup>AD</sup>

predominance

effects that have caused death,  
ment, persistent or serious disability,  
defect, or congenital anomaly.

If the label contains a claim regarding the use of the natural herbal product the manufacturer must be certain the claim remains in compliance with the GSHEA definition of a function or structure claim rules.

Any claim that the natural herbal product prevents, treats, mitigates, or cures a disease could be construed by the FDA as an unapproved drug claim. This type of claim applies not only to labeling, but to verbal communication and information shared in any type of brochure, store, website, poster, or social media post created by the manufacturer.

Potentially, even sharing a link on your business website or social media accounts that makes such a medical treatment claim, could spark legal problems.

If a function or claim is made about a natural herbal product, the following statement must also be included as a disclaimer:

***"This statement has not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure, or prevent any disease."***

Before a manufacturer makes a function or structure claim about a product, her or she must have "substantiated evidence" that supports the claim. Exactly what constituted an appropriate level of evidence has not yet been defined by the United States Food and Drug Administration, but the government agency does offer a document of guidance on the issue.

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If the studies cited when making or implying the claim are pre-clinical in nature (s<sup>AD</sup>ng to why the same reaction is to be e: present.

Tr re not currently recognized by the FDA  
o ncy would typically view such usage  
cl

Tl ake action and levy fines against  
tr roducts as long as the personal making  
the claim does not also make false or misleading claims or imply they are addressing serious medical problems.

## Site Registration

The FDA requires all manufacturers, regardless of how small they are, to register with them. The registration is quick and can be conducted via the agency's website.

If the FDA catches an unregistered manufacturer, the business will be ordered to stop making natural herbal products that fall under their purview until the registration process is completed – and can take legal action for the failure to register.

## Ethyl Alcohol

If this type of alcohol is used in your manufacturer of natural herbal products, you may need to request an exemption for the making of the alcohol or pay a tax on its use. This varies by state.

## Permits and Zoning Regulations

In our incredible rural area there are absolutely no zoning laws or permits required to do anything but put in a septic tank. I fear there are few places left in America like this, so check local laws where you live to determine if any regulations, permits, or inspections are required to launch a home based business.

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In our area, the only thing that is needed to launch a business is a vendor's permit  
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that permits are issued on demand without any  
type of auditor.

That is, if you are selling. In most states, these  
type of products must be refrigerated or those which  
have special requirements.

What about the other products?

A vendor or herbal consultant should have a solid  
background of experience growing, harvesting, preserving, and using herbs, roots,  
and flowers.

A solid working knowledge of medicinal herbs, how to make tinctures, essential oils,  
etc. is essential. Gardening knowledge is not a must, but understanding the  
cultivation process is.

This will enhance your ability to differentiate between quality and mediocre natural  
matter when purchasing it, and of course will keep overhead down if you can cut out  
the middleman and grow your own natural herbal product ingredients.

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# HOW TO START A NATURAL HERBAL PRODUCTS HOMESTEADING BUSINESS



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### Tara Dodrill

Tara lives on a 56 acres farm in the Appalachian Mountains, where she faces homesteading and farming challenges every single day. her homesteading skills are unmatched, she raises chickens, goats, horses, a wide variety of vegetables, not to mention she's an expert is all sorts of homesteading skills such as hide tanning, doll making, tree tapping and many, many more.

**105**  
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browser for the next time I comment.



*"Hi! I'm Kendra. I'm a wife, mother, and homesteader. I love everything that has to do with simple living. I'm a canning instructor, an avid gardener, and a constant learner of old-fashioned skills. Here is where I share it all. Welcome to the adventure!"*

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