

COTTAGE FOOD LAW REPORT

Flathead County

Montana · Kalispell · FIPS 30029 · Population 105,950 ·
Crosodo Index #732*

STATE BASELINE

Mont. Code §50-50-116 and §50-50-117; Mont. Code §§50-49-201 et seq. (Local Food Choice Act)

STATE TIER	ANNUAL SALES CAP (STATE)	CONFIDENCE	LAST VERIFIED
Freedom	—	MEDIUM	2026-05-05

IMPORTANT — NOT LEGAL ADVICE

This report compiles publicly-available statutes, regulations, and county zoning rules into a research reference. It is **not legal advice** and is provided **without warranty** as to accuracy, completeness, or current applicability.

Cottage food law changes frequently. Counties may amend zoning, health departments may issue new permits, and state legislatures may update statutes after the publication date shown above.

Always verify rules directly with your state department of health/agriculture and your county health and planning offices before relying on them for any business or regulatory decision. Consult a licensed attorney for advice specific to your situation.

How to start — 60-second path

Flathead County, Montana — permit, pickup, and label steps before the full county rules.

HOME KITCHEN ALLOWED?

Yes

STATE SALES CAP

—

HOME OCCUPATION PERMIT?

Conditional

ON-SITE / PORCH PICKUP?

Yes

INSPECTION

Upon-complaint

PETS

No specific state restriction for cottage food operations.

BEFORE YOU SELL FROM THIS ADDRESS

- ☐ **1. Menu** — Confirm each product under Montana cottage food rules (county cannot expand a state ban).
- ☐ **2. Pickup & zoning** — Home occupation and porch pickup cells above; HOA/lease may still block customer traffic.
- ☐ **3. Local tax / license** — Business license or sales tax certificate if your city/parish requires it (common even with no state food permit).
- ☐ **4. Training** — Food handler or state registration before market day.
- ☐ **5. Labels** — Disclaimer, allergens, ingredients, net quantity, producer info.
- ☐ **6. Call if unclear** — County health and planning for your exact address.

LABEL FIELDS TO INCLUDE

- ☐ Product name · producer name · address (or allowed alternative)
- ☐ Ingredients by weight · major allergens · net weight/quantity
- ☐ Montana home-kitchen disclaimer (see live label one-pager)

CONTINUE ONLINE

[Open the live county page →](#)

[Montana label one-pager →](#)

[Local notes & questions →](#)

Planning path only — not legal advice. Rules change. Always verify with state and local offices before selling.

MONTANA: FLATHEAD COUNTY

CROSODO INDEX #732* · FIPS 30029 · Kalispell

Flathead County

Population 105,950 · State baseline: Mont. Code §50-50-116 and §50-50-117; Mont. Code §§50-49-201 et seq. (Local Food Choice Act) · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Montana has two tracks: (1) Standard cottage food (§50-50-116): Non-potentially hazardous foods prepared in domestic residence, local health authority registration required, labeling required, no consignment; (2) Montana Local Food Choice Act (§50-49-201 et seq., 2021): Broad exemption for direct producer-to-consumer transactions including potentially hazardous foods — no licensing, inspection, or labeling required, but producer must inform consumers food is unlicensed/uninspected. No sales cap under either track.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific state restriction for cottage food operations.

HOME OCCUPATION PERMIT?

Conditional (Flathead County may have home occupation zoning requirements in its unincorporated areas. The City of Kalispell has its own zoning regulations. No specific Flathead County cottage food ordinance identified, but operators should verify with Flathead County Planning Department.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

Upon-complaint (Standard cottage food track: complaint-based inspection possible. Local Food Choice Act track: producers not considered 'retail food establishments' — no routine inspections.)

Home kitchen rules

HOME KITCHEN ALLOWED

Yes — Montana has two tracks: (1) Standard cottage food (§50-50-116): Non-potentially hazardous foods prepared in domestic residence, local health authority registration required, labeling required, no consignment; (2) Montana Local Food Choice Act (§50-49-201 et seq., 2021): Broad exemption for direct producer-to-consumer transactions including potentially hazardous foods — no licensing, inspection, or labeling required, but producer must inform consumers food is unlicensed/uninspected. No sales cap under either track.

SEPARATE DEDICATED KITCHEN

No

PET RESTRICTIONS

No specific state restriction for cottage food operations.

WATER SUPPLY

No specific state requirement for cottage food operations.

HANDWASHING

Standard food safety practices required.

FOOD STORAGE

Standard cottage food: non-potentially hazardous foods only. Local Food Choice Act: allows potentially hazardous foods in direct producer-to-consumer transactions. Meat, poultry, seafood must comply with applicable food safety laws.

Inspection & permitting

INSPECTION REQUIRED	Upon-complaint — Standard cottage food track: complaint-based inspection possible. Local Food Choice Act track: producers not considered 'retail food establishments' — no routine inspections.
HOME OCCUPATION PERMIT	Conditional — Flathead County may have home occupation zoning requirements in its unincorporated areas. The City of Kalispell has its own zoning regulations. No specific Flathead County cottage food ordinance identified, but operators should verify with Flathead County Planning Department.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Standard cottage food: direct-to-consumer sales at farmers markets, events, from home. No consignment. Local Food Choice Act: any direct producer-to-consumer transaction including home pickup, farmers markets, events. No indirect/retail sales without license under MLFCA.
MAX EMPLOYEES IN HOME	Not specified in state statute.

Relevant county code

No specific Flathead County code section identified. State law governs: Mont. Code §50-50-116; §50-49-201 et seq.

RESEARCH NOTES

Flathead County was flagged as 'verified-large' in the input and has county govt and health URLs. Montana has a very permissive two-track cottage food system. The Local Food Choice Act (2021) allows even potentially hazardous foods in direct consumer transactions. Flathead County Health Department URL provided but no specific cottage food override page found. Confidence medium — county health URL exists but no county-specific cottage food rules identified.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.flatheadcounty.gov/health>

<https://www.flathead.mt.gov>

<https://dphhs.mt.gov/publichealth/fcs/foodsafety/cottagefoods>

https://leg.mt.gov/bills/mca/title_0500/chapter_0500/part_0010/section_0160/0500-0500-0010-0160.html

Questions about this county? Local notes and a place to leave a question: crosodo.com/nb/montana/flathead-county-discuss

Bordering counties — cottage food law

Regulation	Flathead County	Missoula County	Lewis and Clark County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No specific state restriction for cottage food operations.	No specific prohibition; standard food safety sanitation practices. Eating or drinking establishments are prohibited as home occupations un...	Pets must be excluded from kitchen during production
INSPECTION REQUIRED	Upon-complaint	Upon-complaint	Upon-complaint
ON-SITE CUSTOMER PICKUP	Yes	Conditional	Yes
ON-SITE SIGNAGE	Conditional	No	Conditional
DELIVERY / PICKUP	Standard cottage food: direct-to-consumer sales at farmers markets, events, from home. No consignment. Local Food Choice Act: any direct pr...	Deliveries/pickups associated with home occupation allowed 8 AM–7 PM per Missoula County Zoning \$5.17. No semi-tractor trailers. Montana st...	Face-to-face transaction required. Online advertising allowed but actual sale must be in-person. No third-party delivery services. Delivery...
HOME OCCUPATION PERMIT	Conditional	Conditional	Varies
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Montana has two tracks: (1) Standard cottage food (\$50-50-116): Non-potentially hazardous foods prepared in domestic residence, local healt...	Montana has two tracks: (1) Standard cottage food: requires registration with local health authority (Missoula City-County Health Departmen...	Must produce in primary residence kitchen. Pets must be excluded during production. No routine inspection. One-time \$40 registration fee wi...
FOOD STORAGE	Standard cottage food: non-potentially hazardous foods only. Local Food Choice Act: allows potentially hazardous foods in direct producer-t...	Standard track: non-PHF shelf-stable products. MLFCA track: any homemade food; producer must disclose unlicensed/uninspected status.	Products stored appropriately; temporary vehicle storage for transport only
POPULATION	105,950	118,541	71,487

State context — Montana cottage food law

Flathead County's rules sit on top of Montana's state cottage food framework. The state law sets the floor — counties can add but cannot remove protections.

STATUTE

Mont. Code §50-50-116 and §50-50-117 (cottage food); Mont. Code §§50-49-201 et seq. (Local Food Choice Act)

ANNUAL SALES CAP

—

REGISTRATION REQUIRED

Yes

FOOD HANDLER CERT

No

KITCHEN INSPECTION

Upon-complaint

DIRECT SALES ONLY

Yes

INDIRECT SALES

No — Consignment sales at retail food establishments or through wholesale establishments are explicitly prohibited under §50-50-116(3). The Montana Local Food Choice Act also requires direct producer-to-informed-end-consumer transactions only; retail locations require a wholesale food license.

For the full state-level analysis including the verbatim statute text, see the [Montana cottage food law report](#) on Crosodo, or open the live guide: crosodo.com/states/montana.

STATE-LEVEL REFERENCES

State statute: https://leg.mt.gov/bills/mca/title_0500/chapter_0500/part_0010/section_0160/0500-0500-0010-0160.html

State dept cottage food page: <https://dphhs.mt.gov/publichealth/fcs/foodsafety/cottagefoods>

Forrager.com: <https://forrager.com/law/montana/>

Questions about Flathead County? Local notes and a place to leave a question are on Crosodo. We monitor new threads — start with zoning, permits, or porch pickup.

crosodo.com/nb/montana/flathead-county-discuss

Classifieds

Resources for cottage food & home bakers · crosodo.com/advertise

NATIONAL

SUPPLIES

Advertise here — Supplies

Reach home bakers across the country. crosodo.com/advertise

COURSES

Advertise here — Courses

Reach home bakers across the country. crosodo.com/advertise

INSURANCE

Advertise here — Insurance

Reach home bakers across the country. crosodo.com/advertise

LOCAL

Advertise here

Reach home bakers in Flathead County, Montana. Supply stores, farmers markets, kitchen rentals, and bakery services welcome.

crosodo.com/advertise

Your business here

Local cottage food listings, kitchen rentals, co-packer referrals, and community events — post yours on Crosodo.

crosodo.com/nb/montana/flathead-county-discuss

Free ad space available

Let us know if you're a non-profit or community organization. Farmers markets, kitchen rentals, and cottage food events near you welcome.

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