

COTTAGE FOOD LAW REPORT

Madison County

Montana · Virginia City · FIPS 30057 · Population 9,753 ·
Crosodo Index #760*

STATE BASELINE

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

STATE TIER	ANNUAL SALES CAP (STATE)	CONFIDENCE	LAST VERIFIED
Freedom	—	MEDIUM	2026-05-06

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

Madison 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

Not specified in state cottage food law; individual county health departments may have additional requirements.

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: MADISON COUNTY

CROSODO INDEX #760* · FIPS 30057 · Virginia City

Madison County

Population 9,753 · State baseline: Mont. Code §50-50-116 and §50-50-117 (cottage food); Mont. Code §§50-49-201 et seq. (Local Food Choice Act) · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Cottage food operations must register with local health authority under Mont. Code §50-50-117. Non-potentially-hazardous foods only under standard cottage food track (§50-50-116). Products sold direct-to-consumer at farmers markets, events, and from home; no consignment/retail/wholesale. The Montana Local Food Choice Act (Mont. Code §§50-49-201 et seq.) provides an additional pathway for direct producer-to-consumer sales of virtually any homemade food without licensing or inspection requirements, provided the sale is in-state and consumers are informed the food is unlicensed and uninspected. No sales cap under either track.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Not specified in state cottage food law; individual county health departments may have additional requirements.

HOME OCCUPATION PERMIT?

Conditional (No specific Madison County cottage food or home occupation rules found. City of Virginia City may have business license requirements. Recommend verifying with Madison County planning/zoning department.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

Upon-complaint (No routine inspection under standard cottage food law. Local health authority access may be granted upon complaint. Under MLFCA track, no inspection required.)

Home kitchen rules

HOME KITCHEN ALLOWED

Yes — Cottage food operations must register with local health authority under Mont. Code §50-50-117. Non-potentially-hazardous foods only under standard cottage food track (§50-50-116). Products sold direct-to-consumer at farmers markets, events, and from home; no consignment/retail/wholesale. The Montana Local Food Choice Act (Mont. Code §§50-49-201 et seq.) provides an additional pathway for direct producer-to-consumer sales of virtually any homemade food without licensing or inspection requirements, provided the sale is in-state and consumers are informed the food is unlicensed and uninspected. No sales cap under either track.

SEPARATE DEDICATED KITCHEN

No

PET RESTRICTIONS

Not specified in state cottage food law; individual county health departments may have additional requirements.

WATER SUPPLY

Not specified in state cottage food law.

HANDWASHING

Standard food safety sanitation practices required; products must comply with applicable food standards.

FOOD STORAGE

Products must be non-potentially hazardous (standard cottage food track) or properly disclosed as unlicensed/uninspected (MLFCA track). Proper storage to prevent contamination required.

Inspection & permitting

INSPECTION REQUIRED	Upon-complaint — No routine inspection under standard cottage food law. Local health authority access may be granted upon complaint. Under MLFCA track, no inspection required.
HOME OCCUPATION PERMIT	Conditional — No specific Madison County cottage food or home occupation rules found. City of Virginia City may have business license requirements. Recommend verifying with Madison County planning/zoning department.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct-to-consumer sales permitted at farmers markets, events, and from home. Under standard cottage food (§50-50-116), no consignment, retail, or wholesale sales. Under MLFCA, any direct producer-to-consumer in-state transaction is permissible if consumer is informed food is unlicensed/uninspected.
MAX EMPLOYEES IN HOME	Not specified in state cottage food law.

Relevant county code

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

RESEARCH NOTES

No county-specific cottage food or home occupation ordinances found for Madison County. County seat Virginia City is a historic gold-rush era town. Governance follows state law. Recommend verifying with Madison County Planning and local health department for any local registration or business license requirements.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.madisoncounty.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/madison-county-discuss

Bordering counties — cottage food law

Regulation	Madison County	Beaverhead County	Jefferson County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Not specified in state cottage food law; individual county health departments may have additional requirements.	Not specified in state cottage food law; individual county health departments may have additional requirements.	Not specified in state cottage food law; individual county health departments may have additional requirements.
INSPECTION REQUIRED	Upon-complaint	Upon-complaint	Upon-complaint
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Direct-to-consumer sales permitted at farmers markets, events, and from home. Under standard cottage food (§50-50-116), no consignment, ret...	Direct-to-consumer sales permitted at farmers markets, events, and from home. Under standard cottage food (§50-50-116), no consignment, ret...	Direct-to-consumer sales permitted at farmers markets, events, and from home. Under standard cottage food (§50-50-116), no consignment, ret...
HOME OCCUPATION PERMIT	Conditional	Conditional	Conditional
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Cottage food operations must register with local health authority under Mont. Code §50-50-117. Non-potentially-hazardous foods only under s...	Cottage food operations must register with local health authority under Mont. Code §50-50-117. Non-potentially-hazardous foods only under s...	Cottage food operations must register with local health authority under Mont. Code §50-50-117. Non-potentially-hazardous foods only under s...
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POPULATION	8,742	9,469	12,273

State context — Montana cottage food law

Madison 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 Madison 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/madison-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 Madison 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/madison-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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