

## COTTAGE FOOD LAW REPORT

# Cherry County

Nebraska · Valentine · FIPS 31031 · Population 5,689 ·  
Crosodo Index #1426\*

## STATE BASELINE

Neb. Rev. Stat. §81-2,280

## STATE TIER

Good

## ANNUAL SALES CAP (STATE)

—

## CONFIDENCE

MEDIUM

## LAST VERIFIED

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

Cherry County, Nebraska — permit, pickup, and label steps before the full county rules.

HOME KITCHEN ALLOWED?

**Yes**

STATE SALES CAP

—

HOME OCCUPATION PERMIT?

**Varies**

ON-SITE / PORCH PICKUP?

**Yes**

INSPECTION

**No**

PETS

**Not specified in state law; good sanitation practices required**

### BEFORE YOU SELL FROM THIS ADDRESS

- ☐ **1. Menu** — Confirm each product under Nebraska 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
- ☐ Nebraska home-kitchen disclaimer (see live label one-pager)

### CONTINUE ONLINE

[Open the live county page →](#)

[Nebraska label one-pager →](#)

[Local notes & questions →](#)

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

NEBRASKA: CHERRY COUNTY

CROSODO INDEX #1426\* · FIPS 31031 · Valentine

Cherry County

Population 5,689 · State baseline: Neb. Rev. Stat. §81-2,280 · MEDIUM

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (State law permits cottage food production from a private home kitchen. Registration required with Nebraska Department of Agriculture. Direct-to-consumer sales only (farmers markets, fairs, festivals, craft shows, home pickup/delivery). No annual sales cap. As of LB262 (July 2024), some TCS foods permitted with additional requirements.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Not specified in state law; good sanitation practices required

HOME OCCUPATION PERMIT?

Varies (Cherry County is the largest county by area in Nebraska but sparsely populated, mostly ranchland in the Sandhills. Unincorporated areas very likely have minimal or no county zoning. City of Valentine has its own municipal zoning.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (No routine inspection required; complaint-driven investigation possible)

Home kitchen rules

|                            |                                                                                                                                                                                                                                                                                                                                                        |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| HOME KITCHEN ALLOWED       | Yes — State law permits cottage food production from a private home kitchen. Registration required with Nebraska Department of Agriculture. Direct-to-consumer sales only (farmers markets, fairs, festivals, craft shows, home pickup/delivery). No annual sales cap. As of LB262 (July 2024), some TCS foods permitted with additional requirements. |
| SEPARATE DEDICATED KITCHEN | No                                                                                                                                                                                                                                                                                                                                                     |
| PET RESTRICTIONS           | Not specified in state law; good sanitation practices required                                                                                                                                                                                                                                                                                         |
| WATER SUPPLY               | Standard residential water supply                                                                                                                                                                                                                                                                                                                      |
| HANDWASHING                | Good sanitation practices required                                                                                                                                                                                                                                                                                                                     |
| FOOD STORAGE               | Appropriate storage to maintain product safety                                                                                                                                                                                                                                                                                                         |

Inspection & permitting

|                        |                                                                                                                                                                                                                                                |
|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| INSPECTION REQUIRED    | No — No routine inspection required; complaint-driven investigation possible                                                                                                                                                                   |
| HOME OCCUPATION PERMIT | Varies — Cherry County is the largest county by area in Nebraska but sparsely populated, mostly ranchland in the Sandhills. Unincorporated areas very likely have minimal or no county zoning. City of Valentine has its own municipal zoning. |
| LOCAL BUSINESS LICENSE | Varies                                                                                                                                                                                                                                         |

Customer-facing rules

|                         |                                                                           |
|-------------------------|---------------------------------------------------------------------------|
| ON-SITE CUSTOMER PICKUP | Yes                                                                       |
| ON-SITE SIGNAGE         | Conditional                                                               |
| DELIVERY / PICKUP RULES | Direct delivery to consumer permitted in-state; no wholesale to retailers |
| MAX EMPLOYEES IN HOME   | Not specified at county level                                             |

## Relevant county code

Cherry County zoning regulations if adopted; check with county office

### RESEARCH NOTES

Nebraska Good-tier state. State law (§81-2,280 as amended by LB262, July 2024) is the primary framework. Cherry County is Nebraska's largest county by area but sparsely populated (pop. ~5,689) Sandhills ranch country. No county-specific cottage food ordinance found. State registration with NDA required. Direct sales only; no wholesale.

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### SOURCES VERIFIED AT RESEARCH TIME

<https://www.cherrycountyne.gov>

<https://nda.nebraska.gov/fscp/foods/cottagefood>

<https://cottagefoodlaw.unl.edu/faq/>

**Questions about this county?** Local notes and a place to leave a question: [crosodo.com/nb/nebraska/cherry-county-discuss](https://crosodo.com/nb/nebraska/cherry-county-discuss)

## Bordering counties — cottage food law

| Regulation                 | Cherry County                                                                                                                                  | Blaine County | Brown County |
|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------|
| HOME KITCHEN ALLOWED       | Yes                                                                                                                                            | —             | —            |
| SEPARATE DEDICATED KITCHEN | No                                                                                                                                             | —             | —            |
| PETS ALLOWED               | Not specified in state law; good sanitation practices required                                                                                 | —             | —            |
| INSPECTION REQUIRED        | No                                                                                                                                             | —             | —            |
| ON-SITE CUSTOMER PICKUP    | Yes                                                                                                                                            | —             | —            |
| ON-SITE SIGNAGE            | Conditional                                                                                                                                    | —             | —            |
| DELIVERY / PICKUP          | Direct delivery to consumer permitted in-state; no wholesale to retailers                                                                      | —             | —            |
| HOME OCCUPATION PERMIT     | Varies                                                                                                                                         | No            | No           |
| LOCAL BUSINESS LICENSE     | Varies                                                                                                                                         | —             | —            |
| RESTRICTIONS               | State law permits cottage food production from a private home kitchen. Registration required with Nebraska Department of Agriculture. Direc... | —             | —            |
| FOOD STORAGE               | Appropriate storage to maintain product safety                                                                                                 | —             | —            |
| POPULATION                 | 5,689                                                                                                                                          | 384           | 2,691        |

## State context — Nebraska cottage food law

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

### STATUTE

Neb. Rev. Stat. §81-2,280 (producer of food at private home); §81-2,239 et seq. (Nebraska Pure Food Act)

### ANNUAL SALES CAP

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### REGISTRATION REQUIRED

Yes

### FOOD HANDLER CERT

Yes

### KITCHEN INSPECTION

No

### DIRECT SALES ONLY

Yes

### INDIRECT SALES

No — Sales must be direct-to-consumer. Wholesale to restaurants, grocery stores, or distributors is not permitted under the cottage food framework. Non-TCS foods may be mailed; TCS foods must be delivered in person by the producer within 2 hours.

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

### STATE-LEVEL REFERENCES

State statute: <https://nebraskalegislature.gov/laws/statutes.php?statute=81-2,239.05>

State dept cottage food page: [https://nda.nebraska.gov/foods/processed\\_food/cottage\\_foods.html](https://nda.nebraska.gov/foods/processed_food/cottage_foods.html)

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

**Questions about Cherry 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/nebraska/cherry-county-discuss](https://crosodo.com/nb/nebraska/cherry-county-discuss)

## Classifieds

Resources for cottage food & home bakers · [crosodo.com/advertise](https://crosodo.com/advertise)

### NATIONAL

#### SUPPLIES

##### Advertise here — Supplies

Reach home bakers across the country. [crosodo.com/advertise](https://crosodo.com/advertise)

#### COURSES

##### Advertise here — Courses

Reach home bakers across the country. [crosodo.com/advertise](https://crosodo.com/advertise)

#### INSURANCE

##### Advertise here — Insurance

Reach home bakers across the country. [crosodo.com/advertise](https://crosodo.com/advertise)

### LOCAL

#### Advertise here

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

[crosodo.com/advertise](https://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/nebraska/cherry-county-discuss](https://crosodo.com/nb/nebraska/cherry-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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