

COTTAGE FOOD LAW REPORT

Douglas County

Nebraska · Omaha · FIPS 31055 · Population 582,638 ·
Crosodo Index #746*

STATE BASELINE

Neb. Rev. Stat. §81-2,280

STATE TIER

Good

ANNUAL SALES CAP (STATE)

—

CONFIDENCE

MEDIUM

LAST VERIFIED

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

Douglas County, Nebraska — 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

No

PETS

No specific state cottage food pet restriction; general sanitation standards apply

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: DOUGLAS COUNTY

CROSODO INDEX #746* · FIPS 31055 · Omaha

Douglas County

Population 582,638 · State baseline: Neb. Rev. Stat. §81-2,280 · MEDIUM

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Non-TCS foods only (LB 262 of 2024 expanded allowed foods but still excludes: animal products/byproducts, raw milk/milk products, raw eggs, unpasteurized juice, infused oils/honey, sprouts, low-acid canned/hermetically sealed foods, tofu/tempeh/meat substitutes, kimchi/kombucha). All products must be prepared in private home per LB 262 (2024). Registration with Nebraska Dept of Agriculture required. Accredited food safety course required.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific state cottage food pet restriction; general sanitation standards apply

HOME OCCUPATION PERMIT?

Conditional (Nebraska §81-2,280(8) explicitly preempts local government ordinances regarding food safety and handling that are not in conformance with state law. However, this preemption covers food safety regulations — general home occupation/zoning permits from Douglas County/Omaha may still be required. City of Omaha has home occupation permit requirements under its zoning code. Douglas County (unincorporated areas) may also have home occupation rules. Contact Douglas County Planning or City of Omaha Planning for zoning-specific requirements.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (No routine inspection; Nebraska state law preempts local ordinances for cottage food operations (§81-2,280(8): state provisions supersede and preempt any political subdivision ordinance not in conformance))

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Non-TCS foods only (LB 262 of 2024 expanded allowed foods but still excludes: animal products/byproducts, raw milk/milk products, raw eggs, unpasteurized juice, infused oils/honey, sprouts, low-acid canned/hermetically sealed foods, tofu/tempeh/ meat substitutes, kimchi/kombucha). All products must be prepared in private home per LB 262 (2024). Registration with Nebraska Dept of Agriculture required. Accredited food safety course required.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No specific state cottage food pet restriction; general sanitation standards apply
WATER SUPPLY	Private well water: must be tested for nitrates and bacteria and results included in registration. Municipal water: no testing required.
HANDWASHING	Required via accredited food safety course compliance
FOOD STORAGE	Standard home kitchen storage; safe handling to prevent adulteration

Inspection & permitting

INSPECTION REQUIRED	No — No routine inspection; Nebraska state law preempts local ordinances for cottage food operations (§81-2,280(8): state provisions supersede and preempt any political subdivision ordinance not in conformance)
HOME OCCUPATION PERMIT	Conditional — Nebraska §81-2,280(8) explicitly preempts local government ordinances regarding food safety and handling that are not in conformance with state law. However, this preemption covers food safety regulations — general home occupation/zoning permits from Douglas County/Omaha may still be required. City of Omaha has home occupation permit requirements under its zoning code. Douglas County (unincorporated areas) may also have home occupation rules. Contact Douglas County Planning or City of Omaha Planning for zoning-specific requirements.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct consumer sales: farmers markets, fairs, festivals, craft shows, other public events, home pickup/delivery. Online/mail order within Nebraska and to states where legal. Non-TCS foods may be delivered via mail/commercial courier. TCS foods must be delivered in person by producer.
MAX EMPLOYEES IN HOME	Not specified in state cottage food law

Relevant county code

Neb. Rev. Stat. §81-2,280 (cottage food preemption clause in subsection 8). Local: City of Omaha Zoning Code home occupation provisions.

RESEARCH NOTES

Nebraska §81-2,280(8) has a strong preemption clause for food safety/handling ordinances. LB 262 (2024) updated the law to expand allowed foods and clarify that all products must be made in private home. State registration required (free, online). Accredited food safety course required. Private well water testing required. No sales cap. Douglas County/Omaha: state preemption covers food safety ordinances but general home occupation/zoning rules from City of Omaha or Douglas County unincorporated zoning may still apply. City of Omaha-specific home occupation permit details not confirmed from direct source. Confidence medium.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.douglascounty-ne.gov>

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

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

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

Bordering counties — cottage food law

Regulation	Douglas County	Sarpy County	Dodge County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No specific state cottage food pet restriction; general sanitation standards apply	No explicit state-level pet restriction in Nebraska cottage food statute. Standard GMP practices apply.	Not specified in state law; good sanitation practices required
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Direct consumer sales: farmers markets, fairs, festivals, craft shows, other public events, home pickup/delivery. Online/mail order within ...	Nebraska cottage food allows direct-to-consumer sales at farmers markets, fairs, festivals, craft shows, events, home pickup, and delivery....	Direct delivery to consumer permitted in-state; no wholesale to retailers
HOME OCCUPATION PERMIT	Conditional	Conditional	Varies
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Non-TCS foods only (LB 262 of 2024 expanded allowed foods but still excludes: animal products/byproducts, raw milk/milk products, raw eggs,...	Nebraska cottage food law (§81-2,280, significantly amended by LB262 effective July 19, 2024) allows non-TCS foods from a private home kitc...	State law permits cottage food production from a private home kitchen. Registration required with Nebraska Department of Agriculture. Direc...
FOOD STORAGE	Standard home kitchen storage; safe handling to prevent adulteration	Non-TCS foods standard; some TCS foods now allowed (LB262, 2024) with specific handling requirements. Prohibited: animal parts, raw milk, r...	Appropriate storage to maintain product safety
POPULATION	582,638	191,272	36,565

State context — Nebraska cottage food law

Douglas 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 —
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.

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

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

Questions about Douglas 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/douglas-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 Douglas County, Nebraska. 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/nebraska/douglas-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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