

## COTTAGE FOOD LAW REPORT

# Elko County

Nevada · Elko · FIPS 32007 · Population 53,600 · Crosodo  
Index #1680\*

## STATE BASELINE

NRS §446.866 (repealed 2025); superseded by AB352/chapters 420 & 512, Statutes of Nevada 2025 (cap raised to \$100,000)

| STATE TIER | ANNUAL SALES CAP (STATE) | CONFIDENCE | LAST VERIFIED |
|------------|--------------------------|------------|---------------|
| Okay       | 35000                    | HIGH       | 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

Elko County, Nevada — permit, pickup, and label steps before the full county rules.

HOME KITCHEN ALLOWED?

Yes

STATE SALES CAP

35000

HOME OCCUPATION PERMIT?

Yes

ON-SITE / PORCH PICKUP?

Yes

INSPECTION

No

PETS

**No specific NV state or Elko County restriction; production must be by the individual in private home (groups not permitted).**

### BEFORE YOU SELL FROM THIS ADDRESS

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

### CONTINUE ONLINE

[Open the live county page →](#)

[Nevada label one-pager →](#)

[Local notes & questions →](#)

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

## NEVADA: ELKO COUNTY

CROSODO INDEX #1680\* · FIPS 32007 · Elko

# Elko County

Population 53,600 · State baseline: NRS \$446.866 (repealed 2025); superseded by AB352/chapters 420 & 512, Statutes of Nevada 2025 (cap raised to \$100,000) · **HIGH**

**QUICK VIEW FOR BAKERS IN THIS COUNTY****HOME KITCHEN ALLOWED?**

Yes (Under pre-2025 law: non-potentially hazardous foods, \$35,000 annual cap, in-person sales only, DPBH registration required (Elko is in DPBH jurisdiction). Under new AB352 (2025): \$100,000 annual cap, acidified foods allowed, internet/phone sales permitted with delivery/mail fulfillment, license required from State Dept. of Agriculture instead of health authority. DPBH handles Elko County registrations under old framework; check new SDA framework status.)

**SEPARATE KITCHEN REQUIRED?**

No

**PETS ALLOWED?**

No specific NV state or Elko County restriction; production must be by the individual in private home (groups not permitted).

**HOME OCCUPATION PERMIT?**

Yes (State registration required with DPBH (Elko County is in DPBH jurisdiction for cottage food). Online registration at [nvdpbh.aithent.com](https://nvdpbh.aithent.com). Nevada State Business License also required. A Home Occupation Permit or Special Use Permit may be required for home-based businesses in City of Elko or Elko County — contact City Clerk for requirements and fees. Additional county business license requirements vary; check with county officials.)

**ON-SITE / PORCH PICKUP?**

Yes

**INSPECTION REQUIRED?**

No (No routine inspections; DPBH or SDA may investigate on complaint.)

**Home kitchen rules**

|                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| HOME KITCHEN ALLOWED       | Yes — Under pre-2025 law: non-potentially hazardous foods, \$35,000 annual cap, in-person sales only, DPBH registration required (Elko is in DPBH jurisdiction). Under new AB352 (2025): \$100,000 annual cap, acidified foods allowed, internet/phone sales permitted with delivery/mail fulfillment, license required from State Dept. of Agriculture instead of health authority. DPBH handles Elko County registrations under old framework; check new SDA framework status. |
| SEPARATE DEDICATED KITCHEN | No                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| PET RESTRICTIONS           | No specific NV state or Elko County restriction; production must be by the individual in private home (groups not permitted).                                                                                                                                                                                                                                                                                                                                                    |
| WATER SUPPLY               | No specific requirement; production in private home.                                                                                                                                                                                                                                                                                                                                                                                                                             |
| HANDWASHING                | Standard sanitation practices required.                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| FOOD STORAGE               | Non-potentially hazardous foods only (under old law). Allowed: nuts/nut mixes, hard candies, candies made with commercial chocolate, jams/jellies/preserves, vinegar (with restrictions), dry herbs, dried fruits, cereals/trail mixes/granola, non-TCS baked goods (no cream/custard/meringue/cream cheese/low-sugar frostings).                                                                                                                                                |

## Inspection & permitting

|                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| INSPECTION REQUIRED    | No — No routine inspections; DPBH or SDA may investigate on complaint.                                                                                                                                                                                                                                                                                                                                                                                                                           |
| HOME OCCUPATION PERMIT | Yes — State registration required with DPBH (Elko County is in DPBH jurisdiction for cottage food). Online registration at <a href="https://nvdpbh.aithent.com">nvdpbh.aithent.com</a> . Nevada State Business License also required. A Home Occupation Permit or Special Use Permit may be required for home-based businesses in City of Elko or Elko County — contact City Clerk for requirements and fees. Additional county business license requirements vary; check with county officials. |
| LOCAL BUSINESS LICENSE | Yes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

## Customer-facing rules

|                         |                                                                                                                                                                                                                                                                                   |
|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ON-SITE CUSTOMER PICKUP | Yes                                                                                                                                                                                                                                                                               |
| ON-SITE SIGNAGE         | Conditional                                                                                                                                                                                                                                                                       |
| DELIVERY / PICKUP RULES | Under old law: in-person sales only at private home, farmers markets, flea markets, swap meets, church bazaars, garage sales, craft fairs. Under AB352 (2025): internet/phone sales with delivery or mail fulfillment permitted. No sales to restaurants, stores, or wholesalers. |
| MAX EMPLOYEES IN HOME   | Groups/organizations not permitted; must be individual producer only.                                                                                                                                                                                                             |

## Relevant county code

NRS §446.866 (pre-2025); AB352/2025 Nevada Statutes; DPBH Cottage Foods Guide for Elko County; Nevada SBDC Elko County Licensing Guide

### RESEARCH NOTES

Elko County is specifically named in DPBH cottage food jurisdiction (along with Esmeralda, Humboldt, Lander, Lincoln, Lyon, Nye, Storey, White Pine). State registration required at [nvdpbh.aithent.com](https://nvdpbh.aithent.com). Nevada SB 206 (2013) established the original program. NRS 446.866 was repealed by AB352 (2025) which reorganizes cottage food under the State Dept. of Agriculture, raises cap to \$100,000, expands to acidified foods, and allows internet/phone orders. Nevada SBDC confirms Home Occupation Permit or Special Use Permit required for home-based businesses in City of Elko. State Business License required (\$200 annual). County business license requirements vary by city. Good documented sources for both state and county-level requirements.

### SOURCES VERIFIED AT RESEARCH TIME

[https://dpbh.nv.gov/reg/cottage/cottage\\_food\\_registration\\_-\\_home/](https://dpbh.nv.gov/reg/cottage/cottage_food_registration_-_home/)

<https://www.elkocounty.gov>

[https://dpbh.nv.gov/reg/cottage/cottage\\_food\\_registration\\_-\\_home/](https://dpbh.nv.gov/reg/cottage/cottage_food_registration_-_home/)

<https://www.dpbh.nv.gov/siteassets/regulatory/environmental-health/cottage-food/cottage-foods-guide-2023-branded.pdf>

<https://nevadasbdc.org/elko-county-licensing-and-permits/>

[https://dpbh.nv.gov/Reg/CottageFood/Cottage\\_Food\\_Operations/](https://dpbh.nv.gov/Reg/CottageFood/Cottage_Food_Operations/)

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

## Bordering counties — cottage food law

| Regulation                 | Elko County                                                                                                                                     | Eureka County | Humboldt County |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----------------|
| HOME KITCHEN ALLOWED       | Yes                                                                                                                                             | —             | —               |
| SEPARATE DEDICATED KITCHEN | No                                                                                                                                              | —             | —               |
| PETS ALLOWED               | No specific NV state or Elko County restriction; production must be by the individual in private home (groups not permitted).                   | —             | —               |
| INSPECTION REQUIRED        | No                                                                                                                                              | —             | —               |
| ON-SITE CUSTOMER PICKUP    | Yes                                                                                                                                             | —             | —               |
| ON-SITE SIGNAGE            | Conditional                                                                                                                                     | —             | —               |
| DELIVERY / PICKUP          | Under old law: in-person sales only at private home, farmers markets, flea markets, swap meets, church bazaars, garage sales, craft fairs. ...  | —             | —               |
| HOME OCCUPATION PERMIT     | Yes                                                                                                                                             | —             | —               |
| LOCAL BUSINESS LICENSE     | Yes                                                                                                                                             | —             | —               |
| RESTRICTIONS               | Under pre-2025 law: non-potentially hazardous foods, \$35,000 annual cap, in-person sales only, DPBH registration required (Elko is in DPBH ... | —             | —               |
| FOOD STORAGE               | Non-potentially hazardous foods only (under old law). Allowed: nuts/ nut mixes, hard candies, candies made with commercial chocolate, jams/j... | —             | —               |
| POPULATION                 | 53,600                                                                                                                                          | 1,622         | 17,266          |

## State context — Nevada cottage food law

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

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| <b>STATUTE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>ANNUAL SALES CAP</b>  |
| NRS §446.866 (repealed 2025; superseded by AB352/chapter 420 & 512, Statutes of Nevada 2025)                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 35000                    |
| <b>REGISTRATION REQUIRED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>FOOD HANDLER CERT</b> |
| Yes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | No                       |
| <b>KITCHEN INSPECTION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>DIRECT SALES ONLY</b> |
| No                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Yes                      |
| <b>INDIRECT SALES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                          |
| No — Under the pre-2025 law (NRS 446.866), sales must be in-person transactions only — no internet or phone sales. Products may not be sold to wholesalers, brokers, distributors, or retail establishments for resale. AB352 (2025) amends this to allow phone and internet transactions with delivery via mail or food delivery service, but product relinquishment must still occur in Nevada. Local rules vary significantly: Clark County (Las Vegas), Washoe County, Carson City, and Douglas County have separate health authority requirements. |                          |

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

### STATE-LEVEL REFERENCES

State statute: <https://www.leg.state.nv.us/nrs/NRS-446.html#NRS446Sec866>

State dept cottage food page: [https://dphh.nv.gov/Reg/CottageFood/Cottage\\_Food\\_Operations/](https://dphh.nv.gov/Reg/CottageFood/Cottage_Food_Operations/)

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

**Questions about Elko 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/nevada/elko-county-discuss](https://crosodo.com/nb/nevada/elko-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 Elko County, Nevada. 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/nevada/elko-county-discuss](https://crosodo.com/nb/nevada/elko-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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