

COTTAGE FOOD LAW REPORT

Herkimer County

New York · Herkimer · FIPS 36043 · Population 60,293 ·
Crosodo Index #1955*

STATE BASELINE

N.Y. Agric. & Mkts. Law §251-z-4; 1 CRR-NY 276.4

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

Herkimer County, New York — 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?

Conditional

INSPECTION

No

PETS

No specific pet restriction in NY Home Processor rules.

BEFORE YOU SELL FROM THIS ADDRESS

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

CONTINUE ONLINE

[Open the live county page →](#)

[New York label one-pager →](#)

[Local notes & questions →](#)

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

NEW YORK: HERKIMER COUNTY

CROSODO INDEX #1955* · FIPS 36043 · Herkimer

Herkimer County

Population 60,293 · State baseline: N.Y. Agric. & Mkts. Law §251-z-4; 1 CRR-NY 276.4 · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (NY Home Processor Exemption requires free registration with NY Ag & Markets. All products must be baked (pathogen kill step required). Shelf-stable, non-TCS only. Sales within NY State only. No sales cap.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific pet restriction in NY Home Processor rules.

HOME OCCUPATION PERMIT?

Varies (Herkimer County and individual towns/villages have zoning authority. Operators should verify with their local town or village zoning office.)

ON-SITE / PORCH PICKUP?

Conditional

INSPECTION REQUIRED?

No (No routine inspection; complaint-based investigation possible.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — NY Home Processor Exemption requires free registration with NY Ag & Markets. All products must be baked (pathogen kill step required). Shelf-stable, non-TCS only. Sales within NY State only. No sales cap.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No specific pet restriction in NY Home Processor rules.
WATER SUPPLY	No specific state cottage food water testing requirement.
HANDWASHING	No specific state cottage food handwashing mandate beyond general GMP.
FOOD STORAGE	Products must be shelf-stable, non-refrigerated, pre-packaged in the home.

Inspection & permitting

INSPECTION REQUIRED	No — No routine inspection; complaint-based investigation possible.
HOME OCCUPATION PERMIT	Varies — Herkimer County and individual towns/villages have zoning authority. Operators should verify with their local town or village zoning office.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Conditional
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Sales at farms, farm stands, farmers markets, green markets, craft fairs, flea markets, home delivery, online within NY State. Wholesale permitted.
MAX EMPLOYEES IN HOME	Not specified in state rules.

Relevant county code

Herkimer County and local town/village zoning (home occupation provisions); no specific cottage food county code identified.

RESEARCH NOTES

No county-specific cottage food ordinance found for Herkimer County. State baseline (NY Home Processor Exemption) applies. All products must be baked — a distinguishing NY restriction. Registration is free and location-specific. Herkimer County is a rural Mohawk Valley county; local zoning at town/village level.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.herkimercounty.gov>

<https://agriculture.ny.gov/food-safety/home-processing>

<https://agriculture.ny.gov/system/files/documents/2019/12/HomeProcessor.pdf>

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

Bordering counties — cottage food law

Regulation	Herkimer County	Otsego County	Fulton County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No specific pet restriction in NY Home Processor rules.	No specific pet restriction in NY Home Processor rules.	No specific NY or Fulton County restriction identified.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Conditional	Conditional	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Sales at farms, farm stands, farmers markets, green markets, craft fairs, flea markets, home delivery, online within NY State. Wholesale pe...	Sales at farms, farm stands, farmers markets, green markets, craft fairs, flea markets, home delivery, and online within NY State. Wholesal...	Sales permitted at farms, farm stands, farmers markets, green markets, craft fairs, flea markets, via home delivery, and online within NY S...
HOME OCCUPATION PERMIT	Varies	Varies	Conditional
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	NY Home Processor Exemption requires free registration with NY Ag & Markets. All products must be baked (pathogen kill step required). Shel...	NY Home Processor Exemption requires free registration with NY Ag & Markets. All products must be baked (pathogen kill step required). Shel...	Shelf-stable, non-potentially hazardous baked goods (must be baked), specific jams/jellies/preserves, snack mixes, and similar low-risk foo...
FOOD STORAGE	Products must be shelf-stable, non-refrigerated, pre-packaged in the home.	Products must be shelf-stable, non-refrigerated, pre-packaged in the home.	Shelf-stable products only. No refrigerated items, no no-bake items. All products must be pre-packaged in the home.
POPULATION	60,293	59,678	53,280

State context — New York cottage food law

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

STATUTE

N.Y. Agric. & Mkts. Law §251-z-4; 1 CRR-NY 276.4

ANNUAL SALES CAP

—

REGISTRATION REQUIRED

Yes

FOOD HANDLER CERT

No

KITCHEN INSPECTION

No

DIRECT SALES ONLY

No

INDIRECT SALES

Yes — Wholesale to restaurants, cafes, and grocery stores within New York State is explicitly permitted. Products may also be sold online (NY residents only) and via delivery. Shipping out of state is not permitted. Registration is free, location-specific, and has no expiration date.

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

STATE-LEVEL REFERENCES

State statute: <https://www.nysenate.gov/legislation/laws/AGM/251-Z-4>

State dept cottage food page: <https://agriculture.ny.gov/food-safety/home-processing>

Forrager.com: <https://forrager.com/law/new-york/>

Questions about Herkimer 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/new-york/herkimer-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 Herkimer County, New York. 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/new-york/herkimer-county-discuss

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