

COTTAGE FOOD LAW REPORT

Malheur County

Oregon · Vale · FIPS 41045 · Population 31,313 · Crosodo
Index #711*

STATE BASELINE	STATE TIER	ANNUAL SALES CAP (STATE)	CONFIDENCE	LAST VERIFIED
ORS \$616.723	Good	50000	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

Malheur County, Oregon — permit, pickup, and label steps before the full county rules.

HOME KITCHEN ALLOWED?

Yes

STATE SALES CAP

50000

HOME OCCUPATION PERMIT?

Conditional

ON-SITE / PORCH PICKUP?

Yes

INSPECTION

No

PETS

Pets not allowed in food preparation area during food production per ORS 616.723 / ODA rules. Label must note presence of pets in home if applicable.

BEFORE YOU SELL FROM THIS ADDRESS

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

CONTINUE ONLINE

[Open the live county page →](#)

[Oregon label one-pager →](#)

[Local notes & questions →](#)

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

OREGON: MALHEUR COUNTY

CROSODO INDEX #711* · FIPS 41045 · Vale

Malheur County

Population 31,313 · State baseline: ORS §616.723 · MEDIUM

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Residential dwelling allowed. Only non-potentially-hazardous foods permitted. Annual sales cap \$50,000 (CPI-adjusted; \$51,200 in 2025). Cannabis-containing foods excluded. May not sell to institutions (caterers, schools, day care, hospitals, nursing homes, correctional facilities, restaurants). Pets not allowed in food preparation area during production.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Pets not allowed in food preparation area during food production per ORS 616.723 / ODA rules. Label must note presence of pets in home if applicable.

HOME OCCUPATION PERMIT?

Conditional (Malheur County is a large, rural eastern Oregon county bordering Idaho and Nevada. Home occupations in unincorporated Malheur County subject to county land use ordinances. City of Ontario (larger population center) has its own zoning. Producers should verify home occupation standards with Malheur County Planning Department.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (No routine inspection required. ODA may respond to complaints.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Residential dwelling allowed. Only non-potentially-hazardous foods permitted. Annual sales cap \$50,000 (CPI-adjusted; \$51,200 in 2025). Cannabis-containing foods excluded. May not sell to institutions (caterers, schools, day care, hospitals, nursing homes, correctional facilities, restaurants). Pets not allowed in food preparation area during production.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	Pets not allowed in food preparation area during food production per ORS 616.723 / ODA rules. Label must note presence of pets in home if applicable.
WATER SUPPLY	Potable water supply required.
HANDWASHING	Food handler certification required (ORS 624.570); proper handwashing is part of food handler training.
FOOD STORAGE	Non-potentially-hazardous shelf-stable foods must be stored appropriately. Separate storage for cottage food ingredients, packaging, and labels from household foods required.

Inspection & permitting

INSPECTION REQUIRED	No — No routine inspection required. ODA may respond to complaints.
HOME OCCUPATION PERMIT	Conditional — Malheur County is a large, rural eastern Oregon county bordering Idaho and Nevada. Home occupations in unincorporated Malheur County subject to county land use ordinances. City of Ontario (larger population center) has its own zoning. Producers should verify home occupation standards with Malheur County Planning Department.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct sales to end users permitted from home, online, through the mail, and at events. Sales to retailers permitted under specific conditions with required placard. Cannot sell to institutions.
MAX EMPLOYEES IN HOME	Not specified at county level; state law applies to producer operating from dwelling.

Relevant county code

ORS §616.723; Malheur County Zoning Ordinance

RESEARCH NOTES

Malheur County is in far eastern Oregon. Oregon cottage food law (ORS 616.723, as amended by SB 643, 2023) is the operative framework. Food handler certification required. No county-specific cottage food rules identified. Ontario is the largest city and serves as a regional center; city-level rules would apply within city limits.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.malheurco.org/planning>

<https://www.malheurco.org>

<https://www.oregon.gov/oda/food-safety/fs-licensing/pages/without-license.aspx>

<https://extension.oregonstate.edu/catalog/em-9192-oregons-cottage-food-exemption>

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

Bordering counties — cottage food law

Regulation	Malheur County	Baker County	Grant County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Pets not allowed in food preparation area during food production per ORS 616.723 / ODA rules. Label must note presence of pets in home if a...	Pets not allowed in food preparation area during food production per ORS 616.723 / ODA rules. Label must note presence of pets in home if a...	Pets not allowed in food preparation area during food production per ORS 616.723 / ODA rules. Label must note presence of pets in home if a...
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Direct sales to end users permitted from home, online, through the mail, and at events. Sales to retailers permitted under specific conditi...	Direct sales to end users permitted from home, online, through the mail, and at events. Sales to retailers permitted under specific conditi...	Direct sales to end users permitted from home, online, through the mail, and at events. Sales to retailers permitted under specific conditi...
HOME OCCUPATION PERMIT	Conditional	Conditional	Conditional
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Residential dwelling allowed. Only non-potentially-hazardous foods permitted. Annual sales cap \$50,000 (CPI-adjusted; \$51,200 in 2025). Can...	Residential dwelling allowed. Only non-potentially-hazardous foods permitted. Annual sales cap \$50,000 (CPI-adjusted; \$51,200 in 2025). Can...	Residential dwelling allowed. Only non-potentially-hazardous foods permitted. Annual sales cap \$50,000 (CPI-adjusted; \$51,200 in 2025). Can...
FOOD STORAGE	Non-potentially-hazardous shelf-stable foods must be stored appropriately. Separate storage for cottage food ingredients, packaging, and la...	Non-potentially-hazardous shelf-stable foods must be stored appropriately. Separate storage for cottage food ingredients, packaging, and la...	Non-potentially-hazardous shelf-stable foods must be stored appropriately. Separate storage for cottage food ingredients, packaging, and la...
POPULATION	31,313	16,346	7,483

State context — Oregon cottage food law

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

STATUTE	ANNUAL SALES CAP
ORS §616.723	50000
REGISTRATION REQUIRED	FOOD HANDLER CERT
Depends	Yes
KITCHEN INSPECTION	DIRECT SALES ONLY
No	No

INDIRECT SALES

Limited (see notes) — Direct sales to end users are permitted in any manner including online, mail, and at events. Sales to retailers (including coffee shops but not restaurants) are permitted if the retailer agrees to store/display the foods separately and clearly indicate they are homemade and not prepared in an inspected food establishment. Sales to institutions (restaurants, schools, hospitals, caterers, day care centers, nursing homes, correctional facilities) are prohibited. A Domestic Kitchen Bakery License (~\$50/year) is required for establishments wishing to sell to retailers under licensed status rather than using the residential-dwelling exemption. The department may provide a unique identification number for use on labels. Annual records must be maintained for 3 years.

For the full state-level analysis including the verbatim statute text, see the **Oregon cottage food law report** on Crosodo, or open the live guide: crosodo.com/states/oregon.

STATE-LEVEL REFERENCES

State statute: https://oregon.public.law/statutes/ors_616.706

State dept cottage food page: <https://www.oregon.gov/oda/programs/foodsafety/pages/dkb-licensing.aspx>

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

Questions about Malheur 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/oregon/malheur-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 Malheur County, Oregon. 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/oregon/malheur-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.

Ads are paid placements. Crosodo does not endorse listed vendors. Verify all information independently. · To advertise: crosodo.com/advertise