

COTTAGE FOOD LAW REPORT

Lincoln County

South Dakota · Canton · FIPS 46083 · Population 65,801 ·
Crosodo Index #1582*

STATE BASELINE

SDCL §34-18-35; §34-18-36; §34-18-36.1

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

Lincoln County, South Dakota — 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

No specific state prohibition; good manufacturing practice applies

BEFORE YOU SELL FROM THIS ADDRESS

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

CONTINUE ONLINE

[Open the live county page →](#)

[South Dakota label one-pager →](#)

[Local notes & questions →](#)

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

SOUTH DAKOTA: LINCOLN COUNTY

CROSODO INDEX #1582* · FIPS 46083 · Canton

Lincoln County

Population 65,801 · State baseline: SDCL §34-18-35; §34-18-36; §34-18-36.1 · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Non-temperature-controlled foods prepared at a residence are exempt from licensure. Home-processed canned goods require online training every 5 years. No license or inspection required.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific state prohibition; good manufacturing practice applies

HOME OCCUPATION PERMIT?

Varies (Lincoln County is in a fast-growing area near Sioux Falls. No specific Lincoln County cottage food home occupation permit identified. County planning ordinance may apply. Contact Lincoln County Planning & Zoning at (605) 764-2516.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (No routine inspection required; SD DOH may inspect if complaint received)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Non-temperature-controlled foods prepared at a residence are exempt from licensure. Home-processed canned goods require online training every 5 years. No license or inspection required.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No specific state prohibition; good manufacturing practice applies
WATER SUPPLY	Potable water required
HANDWASHING	Standard handwashing facilities recommended
FOOD STORAGE	Non-temperature-controlled foods; proper storage required

Inspection & permitting

INSPECTION REQUIRED	No — No routine inspection required; SD DOH may inspect if complaint received
HOME OCCUPATION PERMIT	Varies — Lincoln County is in a fast-growing area near Sioux Falls. No specific Lincoln County cottage food home occupation permit identified. County planning ordinance may apply. Contact Lincoln County Planning & Zoning at (605) 764-2516.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct and indirect sales allowed; sales at home, farmers markets, fairs, roadside stands permitted. State statute preempts county/municipal ordinances restricting homemade food sales.
MAX EMPLOYEES IN HOME	No specific limit

Relevant county code

Lincoln County zoning — contact Planning & Zoning for applicable section

RESEARCH NOTES

South Dakota HB 1322 (2022) significantly expanded cottage food to include many products beyond baked goods. State statute preempts local restrictions. Lincoln County is rapidly growing near Sioux Falls (Minnehaha County border). County Planning & Zoning page found but no specific cottage food rules published. Online training every 5 years required for home-processed canned goods. No sales cap.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.lincolncountysd.gov/186/Planning-Zoning>

<https://www.lincolncountysd.org>

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

https://sdlegislature.gov/Statutes/Codified_Laws/2050018

<https://www.lincolncountysd.gov/186/Planning-Zoning>

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

Bordering counties — cottage food law

Regulation	Lincoln County	Minnehaha County	Clay County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No specific state prohibition; good manufacturing practice applies	No explicit state-level pet restriction for South Dakota cottage food operations.	No specific pet restriction in South Dakota cottage food law.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Direct and indirect sales allowed; sales at home, farmers markets, fairs, roadside stands permitted. State statute preempts county/municipa...	South Dakota cottage food law allows sales through any channel including retail stores. Home pickup, delivery, farmers markets, events all ...	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state sh...
HOME OCCUPATION PERMIT	Varies	Conditional	No
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Non-temperature-controlled foods prepared at a residence are exempt from licensure. Home-processed canned goods require online training eve...	South Dakota cottage food law (SDCL §34-18-35, significantly amended 2022) exempts non-temperature-controlled foods, home-processed canned ...	South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked g...
FOOD STORAGE	Non-temperature-controlled foods; proper storage required	Non-temperature-controlled (shelf-stable) foods only under the cottage food exemption. Standard safe storage practices.	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.
POPULATION	65,801	197,742	14,953

State context — South Dakota cottage food law

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

STATUTE	ANNUAL SALES CAP
SDCL §34-18-35	—
REGISTRATION REQUIRED	FOOD HANDLER CERT
No	Recommended
KITCHEN INSPECTION	DIRECT SALES ONLY
No	No
INDIRECT SALES	
Yes — The statute does not restrict sales to direct-to-consumer channels only. Items are subject to sales tax. Local governments (counties, townships, municipalities) may not pass ordinances restricting, prohibiting, or imposing licensure on homemade food item sales under SDCL §34-18-1 definitions.	

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

STATE-LEVEL REFERENCES

State statute: https://sdlegislature.gov/Statutes/Codified_Laws/2050018

State dept cottage food page: <https://doh.sd.gov/topics/food-protection/cottage-foods/>

Forrager.com: <https://forrager.com/law/south-dakota/>

Questions about Lincoln 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/south-dakota/lincoln-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 Lincoln County, South Dakota. 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/south-dakota/lincoln-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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