

COTTAGE FOOD LAW REPORT

Minnehaha County

South Dakota · Sioux Falls · FIPS 46099 · Population 197,742
· Crosodo Index #785*

STATE BASELINE	STATE TIER	ANNUAL SALES CAP (STATE)	CONFIDENCE	LAST VERIFIED
SDCL §34-18-35	Good	—	MEDIUM	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

Minnehaha County, South Dakota — 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 explicit state-level pet restriction for South Dakota cottage food operations.

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: MINNEHAHA COUNTY

CROSODO INDEX #785* · FIPS 46099 · Sioux Falls

Minnehaha County

Population 197,742 · State baseline: SDCL §34-18-35 · MEDIUM

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

Yes (South Dakota cottage food law (SDCL §34-18-35, significantly amended 2022) exempts non-temperature-controlled foods, home-processed canned goods, and baked goods from licensure. No registration required. No sales cap. Indirect sales (retail stores) permitted. Home-canned goods producers must complete a state-certified online training once every five years (~\$40). Minnehaha County is home to Sioux Falls, South Dakota's largest city.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No explicit state-level pet restriction for South Dakota cottage food operations.

HOME OCCUPATION PERMIT?

Conditional (South Dakota state law preempts county/municipal ordinances restricting homemade food sales. However, Minnehaha County and City of Sioux Falls may have general home occupation zoning requirements for business registration. Contact Minnehaha County Planning & Zoning or Sioux Falls Planning for home occupation permit requirements.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (No routine inspection required for South Dakota cottage food operations. County/municipal ordinances restricting homemade food sales are preempted by state law.)

Home kitchen rules**HOME KITCHEN ALLOWED**

Yes — South Dakota cottage food law (SDCL §34-18-35, significantly amended 2022) exempts non-temperature-controlled foods, home-processed canned goods, and baked goods from licensure. No registration required. No sales cap. Indirect sales (retail stores) permitted. Home-canned goods producers must complete a state-certified online training once every five years (~\$40). Minnehaha County is home to Sioux Falls, South Dakota's largest city.

SEPARATE DEDICATED KITCHEN

No

PET RESTRICTIONS

No explicit state-level pet restriction for South Dakota cottage food operations.

WATER SUPPLY

No specific water testing requirement for South Dakota cottage food operations.

HANDWASHING

Standard food safety practices; no specific statutory handwashing requirement.

FOOD STORAGE

Non-temperature-controlled (shelf-stable) foods only under the cottage food exemption. Standard safe storage practices.

Inspection & permitting**INSPECTION REQUIRED**

No — No routine inspection required for South Dakota cottage food operations. County/municipal ordinances restricting homemade food sales are preempted by state law.

HOME OCCUPATION PERMIT

Conditional — South Dakota state law preempts county/municipal ordinances restricting homemade food sales. However, Minnehaha County and City of Sioux Falls may have general home occupation zoning requirements for business registration. Contact Minnehaha County Planning & Zoning or Sioux Falls Planning for home occupation permit requirements.

LOCAL BUSINESS LICENSE

Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	South Dakota cottage food law allows sales through any channel including retail stores. Home pickup, delivery, farmers markets, events all permitted. No sales cap.
MAX EMPLOYEES IN HOME	No explicit employee cap in South Dakota cottage food statute. Home occupation zoning may restrict non-resident employees.

Relevant county code

SDCL §34-18-35; §34-18-36; §34-18-36.1; §34-18-38; Minnehaha County zoning ordinances

RESEARCH NOTES

South Dakota state baseline applies. Minnehaha County (county seat: Sioux Falls) is the most populous county in South Dakota. The 2022 amendment (SL 2022, ch 106) significantly expanded allowable foods. State law preempts local restrictions on homemade food sales. Home-canned goods producers need the \$40 DOH-certified online training every 5 years.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.minnehahacounty.gov>

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

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

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

Bordering counties — cottage food law

Regulation	Minnehaha County	Lincoln County	Lake County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No explicit state-level pet restriction for South Dakota cottage food operations.	No specific state prohibition; good manufacturing practice applies	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	South Dakota cottage food law allows sales through any channel including retail stores. Home pickup, delivery, farmers markets, events all ...	Direct and indirect sales allowed; sales at home, farmers markets, fairs, roadside stands permitted. State statute preempts county/municipa...	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state sh...
HOME OCCUPATION PERMIT	Conditional	Varies	No
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	South Dakota cottage food law (SDCL §34-18-35, significantly amended 2022) exempts non-temperature-controlled foods, home-processed canned ...	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, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked g...
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only under the cottage food exemption. Standard safe storage practices.	Non-temperature-controlled foods; proper storage required	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.
POPULATION	197,742	65,801	11,207

State context — South Dakota cottage food law

Minnehaha 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 Minnehaha 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/minnehaha-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 Minnehaha 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/minnehaha-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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