

COTTAGE FOOD LAW REPORT

Clay County

Texas · Henrietta · FIPS 48077 · Population 10,730 · Crosodo Index #1018*

STATE BASELINE

Tex. Health & Safety §437.001 et seq.

STATE TIER

Great

ANNUAL SALES CAP (STATE)

150000

CONFIDENCE

MEDIUM

LAST VERIFIED

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

Clay County, Texas — permit, pickup, and label steps before the full county rules.

HOME KITCHEN ALLOWED?

Yes

STATE SALES CAP

150000

HOME OCCUPATION PERMIT?

Varies

ON-SITE / PORCH PICKUP?

Yes

INSPECTION

No

PETS

No specific pet restriction in state cottage food law.

BEFORE YOU SELL FROM THIS ADDRESS

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

CONTINUE ONLINE

Open the live county page →

Texas label one-pager →

Local notes & questions →

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

TEXAS: CLAY COUNTY

CROSODO INDEX #1018* · FIPS 48077 · Henrietta

Clay County

Population 10,730 · State baseline: Tex. Health & Safety §437.001 et seq. · MEDIUM

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Texas cottage food law (SB 541, 2025) is highly permissive. No registration required for most operators (registration optional for address privacy or for TCS food sellers). \$150,000 annual gross income cap. Almost all non-TCS foods allowed, plus TCS foods under proper temperature control. No local health department inspection authority over cottage food.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific pet restriction in state cottage food law.

HOME OCCUPATION PERMIT?

Varies (Clay County is largely unincorporated; counties in Texas have very limited zoning authority. No county-level home occupation ordinance found. Operators within incorporated cities (e.g., Henrietta) may be subject to city home occupation rules. Unincorporated areas face minimal local restrictions.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (DSHS or local health authority may only act to prevent an immediate and serious threat to human life or health.)

Home kitchen rules

HOME KITCHEN ALLOWED

Yes — Texas cottage food law (SB 541, 2025) is highly permissive. No registration required for most operators (registration optional for address privacy or for TCS food sellers). \$150,000 annual gross income cap. Almost all non-TCS foods allowed, plus TCS foods under proper temperature control. No local health department inspection authority over cottage food.

SEPARATE DEDICATED KITCHEN

No

PET RESTRICTIONS

No specific pet restriction in state cottage food law.

WATER SUPPLY

No specific state cottage food water supply requirement.

HANDWASHING

No specific state cottage food handwashing mandate.

FOOD STORAGE

Non-TCS foods or TCS foods held at proper temperatures required. No refrigeration mandate for shelf-stable products.

Inspection & permitting

INSPECTION REQUIRED

No — DSHS or local health authority may only act to prevent an immediate and serious threat to human life or health.

HOME OCCUPATION PERMIT

Varies — Clay County is largely unincorporated; counties in Texas have very limited zoning authority. No county-level home occupation ordinance found. Operators within incorporated cities (e.g., Henrietta) may be subject to city home occupation rules. Unincorporated areas face minimal local restrictions.

LOCAL BUSINESS LICENSE

Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Yes
DELIVERY / PICKUP RULES	All channels permitted including direct to consumer, indirect sales, farmers markets, online, delivery, and through a registered cottage food vendor intermediary (SB 541, 2025). Wholesale of non-TCS foods to retail locations now allowed. No wholesale of TCS foods.
MAX EMPLOYEES IN HOME	Not specified in state statute.

Relevant county code

Clay County has no specific cottage food county code; state preemption limits local health authority.

RESEARCH NOTES

No county-specific cottage food ordinance found for Clay County. Texas cottage food law (Tex. Health & Safety §437.001 et seq., as amended by SB 541 effective Sept 1, 2025) applies statewide. North Texas rural county near Oklahoma border. Henrietta is a small town. No county zoning code; state law governs unincorporated areas. Prohibited items include meat, poultry, seafood, ice/ice cream products, CBD/THC foods, and raw milk.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.claycounty.gov>

<https://www.dshs.texas.gov/food-establishments/cottage-food-production-operations>

<https://statutes.capitol.texas.gov/Docs/HS/htm/HS.437.htm>

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

Bordering counties — cottage food law

Regulation	Clay County	Archer County	Jack County
HOME KITCHEN ALLOWED	Yes	—	Yes
SEPARATE DEDICATED KITCHEN	No	—	No
PETS ALLOWED	No specific pet restriction in state cottage food law.	—	No specific state restriction on pets in home for cottage food operations.
INSPECTION REQUIRED	No	—	No
ON-SITE CUSTOMER PICKUP	Yes	—	Yes
ON-SITE SIGNAGE	Yes	—	Conditional
DELIVERY / PICKUP	All channels permitted including direct to consumer, indirect sales, farmers markets, online, delivery, and through a registered cottage fo...	—	Sales allowed direct-to-consumer, at farmers markets, online (statewide), fairs, roadside stands, and through nonprofit organizations (SB 5...
HOME OCCUPATION PERMIT	Varies	—	No
LOCAL BUSINESS LICENSE	Varies	—	No
RESTRICTIONS	Texas cottage food law (SB 541, 2025) is highly permissive. No registration required for most operators (registration optional for address ...	—	Texas allows cottage food from residential home kitchens. Annual gross income cap of \$150,000 (SB 541, 2025). No registration, permit, or i...
FOOD STORAGE	Non-TCS foods or TCS foods held at proper temperatures required. No refrigeration mandate for shelf-stable products.	—	Non-TCS products must be shelf-stable. TCS foods allowed under SB 541 with registration. Proper storage to prevent contamination required.
POPULATION	10,290	8,649	8,763

State context — Texas cottage food law

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

STATUTE

Tex. Health & Safety §437.001 et seq.

ANNUAL SALES CAP

150000

REGISTRATION REQUIRED

No

FOOD HANDLER CERT

No

KITCHEN INSPECTION

No

DIRECT SALES ONLY

No

INDIRECT SALES

Limited (see notes) — Sales must be made directly to consumers or to a 'cottage food vendor' (a new category created by SB 541 in 2025 – a person with a contractual relationship who sells on behalf of the cottage food operation to consumers in-state). Cottage food products may not be sold as ingredients to a food service establishment. No retail grocery store or wholesale sales permitted under the pre-2025 framework; SB 541 (2025) adds the cottage food vendor intermediary option. Products must be delivered to consumer or vendor at point of sale or consumer-designated location.

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

STATE-LEVEL REFERENCES

State statute: <https://statutes.capitol.texas.gov/Docs/HS/htm/HS.437.htm>

State dept cottage food page: <https://www.dshs.texas.gov/food-establishments/cottage-food-production-operations>

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

Questions about Clay 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/texas/clay-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 Clay County, Texas. 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/texas/clay-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