

COTTAGE FOOD LAW REPORT

Gaines County

Texas · Seminole · FIPS 48165 · Population 21,492 · Crosodo Index #93*

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

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

HOME KITCHEN ALLOWED?

Yes

STATE SALES CAP

150000

HOME OCCUPATION PERMIT?

No

ON-SITE / PORCH PICKUP?

Yes

INSPECTION

No

PETS

No specific state restriction on pets in home for cottage food operations.

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: GAINES COUNTY

CROSODO INDEX #93* · FIPS 48165 · Seminole

Gaines County

Population 21,492 · State baseline: Tex. Health & Safety §437.001 et seq. · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Texas allows cottage food from residential home kitchens. Annual gross income cap of \$150,000 (SB 541, 2025). No registration, permit, or inspection required for non-TCS foods. TCS food sellers must register with DSHS. Health departments cannot regulate cottage food operations. Strong state preemption — local governments cannot add licensing or inspection requirements.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific state restriction on pets in home for cottage food operations.

HOME OCCUPATION PERMIT?

No (Gaines County is a rural West Texas county in the Permian Basin. Unincorporated areas have no county zoning. Texas cottage food law preempts local governments from requiring permits or licenses for cottage food production or direct sales.)

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 allows cottage food from residential home kitchens. Annual gross income cap of \$150,000 (SB 541, 2025). No registration, permit, or inspection required for non-TCS foods. TCS food sellers must register with DSHS. Health departments cannot regulate cottage food operations. Strong state preemption — local governments cannot add licensing or inspection requirements.

SEPARATE DEDICATED KITCHEN

No

PET RESTRICTIONS

No specific state restriction on pets in home for cottage food operations.

WATER SUPPLY

No specific requirement under Texas cottage food law.

HANDWASHING

Good manufacturing practices apply; adequate handwashing expected.

FOOD STORAGE

Non-TCS products must be shelf-stable. TCS foods allowed under SB 541 with registration. Proper storage to prevent contamination required.

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

No — Gaines County is a rural West Texas county in the Permian Basin. Unincorporated areas have no county zoning. Texas cottage food law preempts local governments from requiring permits or licenses for cottage food production or direct sales.

LOCAL BUSINESS LICENSE

No

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Sales allowed direct-to-consumer, at farmers markets, online (statewide), fairs, roadside stands, and through nonprofit organizations (SB 541, 2025). Non-TCS cottage foods may also be sold wholesale to registered cottage food vendors.
MAX EMPLOYEES IN HOME	Not restricted by state cottage food law.

Relevant county code

Tex. Health & Safety Code §437.001 et seq. (SB 541, 2025)

RESEARCH NOTES

Rural West Texas county, pop. ~21,492. No county-specific cottage food or zoning ordinance identified. State baseline governs. Texas SB 541 (2025) raised cap to \$150,000. County URL not verified; standard format used.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.co.gaines.tx.us>

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

<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/gaines-county-discuss

Bordering counties — cottage food law

Regulation	Gaines County	Andrews County	Dawson County
HOME KITCHEN ALLOWED	Yes	—	Yes
SEPARATE DEDICATED KITCHEN	No	—	No
PETS ALLOWED	No specific state restriction on pets in home for cottage food operations.	—	No specific pet restriction in state cottage food law.
INSPECTION REQUIRED	No	—	No
ON-SITE CUSTOMER PICKUP	Yes	—	Yes
ON-SITE SIGNAGE	Conditional	—	Yes
DELIVERY / PICKUP	Sales allowed direct-to-consumer, at farmers markets, online (statewide), fairs, roadside stands, and through nonprofit organizations (SB 5...	—	All channels permitted including direct to consumer, indirect sales, farmers markets, online, delivery, and through a registered cottage fo...
HOME OCCUPATION PERMIT	No	—	Varies
LOCAL BUSINESS LICENSE	No	—	Varies
RESTRICTIONS	Texas allows cottage food from residential home kitchens. Annual gross income cap of \$150,000 (SB 541, 2025). No registration, permit, or i...	—	Texas cottage food law (SB 541, 2025) is highly permissive. No registration required for most operators (registration optional for address ...
FOOD STORAGE	Non-TCS products must be shelf-stable. TCS foods allowed under SB 541 with registration. Proper storage to prevent contamination required.	—	Non-TCS foods or TCS foods held at proper temperatures required. No refrigeration mandate for shelf-stable products.
POPULATION	21,492	18,362	12,342

State context — Texas cottage food law

Gaines 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 Gaines 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/gaines-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 Gaines 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/gaines-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