

## COTTAGE FOOD LAW REPORT

# Marion County

Texas · Jefferson · FIPS 48315 · Population 10,200 · Crosodo Index #995\*

## 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

Marion 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 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: MARION COUNTY

CROSODO INDEX #995\* · FIPS 48315 · Jefferson

## Marion County

Population 10,200 · 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. No registration, permit, or inspection required. Annual gross income cap of \$150,000 (raised by SB 541, 2025). Health departments have no authority to inspect 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?

Varies (Marion County includes Jefferson, a historic tourism town that may have home occupation provisions under city zoning. Unincorporated areas have no county zoning. Texas cottage food law preempts local health regulations.)

## 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. No registration, permit, or inspection required. Annual gross income cap of \$150,000 (raised by SB 541, 2025). Health departments have no authority to inspect 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               | All products must be shelf-stable, non-TCS. Proper storage to prevent contamination required.                                                                                                                                                                                                                                                         |

## Inspection &amp; 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 — Marion County includes Jefferson, a historic tourism town that may have home occupation provisions under city zoning. Unincorporated areas have no county zoning. Texas cottage food law preempts local health regulations. |
| LOCAL BUSINESS LICENSE | Varies                                                                                                                                                                                                                               |

### 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. SB 541 (2025) also allows sales through nonprofit organizations. No wholesale to retailers. |
| MAX EMPLOYEES IN HOME   | Not restricted by state cottage food law; local zoning may apply.                                                                                                                             |

### Relevant county code

Tex. Health & Safety Code §437.001 et seq.

#### RESEARCH NOTES

East Texas county with historic Jefferson tourism. State baseline governs. Texas has strong preemption of local health rules for cottage food. No Marion County-specific cottage food code identified. Texas SB 541 (2025) raised cap to \$150,000.

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#### SOURCES VERIFIED AT RESEARCH TIME

<https://www.marioncounty.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/marion-county-discuss](https://crosodo.com/nb/texas/marion-county-discuss)

## Bordering counties — cottage food law

| Regulation                 | Marion County                                                                                                                                   | Cass County                                                                                                                                    | Morris County                                                                                                                                   |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| HOME KITCHEN ALLOWED       | Yes                                                                                                                                             | Yes                                                                                                                                            | Yes                                                                                                                                             |
| SEPARATE DEDICATED KITCHEN | No                                                                                                                                              | 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.                                                                                         | No specific state restriction on pets in home for cottage food operations.                                                                      |
| INSPECTION REQUIRED        | No                                                                                                                                              | No                                                                                                                                             | No                                                                                                                                              |
| ON-SITE CUSTOMER PICKUP    | Yes                                                                                                                                             | Yes                                                                                                                                            | Yes                                                                                                                                             |
| ON-SITE SIGNAGE            | Conditional                                                                                                                                     | Yes                                                                                                                                            | Conditional                                                                                                                                     |
| DELIVERY / PICKUP          | Sales allowed direct-to-consumer, at farmers markets, online (statewide), fairs, roadside stands. SB 541 (2025) also allows sales through n...  | 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. SB 541 (2025) also allows sales through n...  |
| HOME OCCUPATION PERMIT     | Varies                                                                                                                                          | Varies                                                                                                                                         | No                                                                                                                                              |
| LOCAL BUSINESS LICENSE     | Varies                                                                                                                                          | Varies                                                                                                                                         | No                                                                                                                                              |
| RESTRICTIONS               | Texas allows cottage food from residential home kitchens. No registration, permit, or inspection required. Annual gross income cap of \$150,... | 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. No registration, permit, or inspection required. Annual gross income cap of \$150,... |
| FOOD STORAGE               | All products must be shelf-stable, non-TCS. Proper storage to prevent contamination required.                                                   | Non-TCS foods or TCS foods held at proper temperatures required. No refrigeration mandate for shelf-stable products.                           | All products must be shelf-stable, non-TCS. Proper storage to prevent contamination required.                                                   |
| POPULATION                 | 10,200                                                                                                                                          | 28,637                                                                                                                                         | 12,400                                                                                                                                          |

## State context — Texas cottage food law

Marion 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](https://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 Marion 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/marion-county-discuss](https://crosodo.com/nb/texas/marion-county-discuss)

## Classifieds

Resources for cottage food & home bakers · [crosodo.com/advertise](https://crosodo.com/advertise)

### NATIONAL

#### SUPPLIES

##### Advertise here — Supplies

Reach home bakers across the country. [crosodo.com/advertise](https://crosodo.com/advertise)

#### COURSES

##### Advertise here — Courses

Reach home bakers across the country. [crosodo.com/advertise](https://crosodo.com/advertise)

#### INSURANCE

##### Advertise here — Insurance

Reach home bakers across the country. [crosodo.com/advertise](https://crosodo.com/advertise)

### LOCAL

#### Advertise here

Reach home bakers in Marion County, Texas. Supply stores, farmers markets, kitchen rentals, and bakery services welcome.

[crosodo.com/advertise](https://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/marion-county-discuss](https://crosodo.com/nb/texas/marion-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](https://crosodo.com/advertise)