

COTTAGE FOOD LAW REPORT

Polk County

Texas · Livingston · FIPS 48373 · Population 50,536 ·
Crosodo Index #490*

STATE BASELINE

Tex. Health & Safety §437.001 et seq.

STATE TIER

Great

ANNUAL SALES CAP (STATE)

150000

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

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

HOME KITCHEN ALLOWED?

Yes

STATE SALES CAP

150000

HOME OCCUPATION PERMIT?

Conditional

ON-SITE / PORCH PICKUP?

Yes

INSPECTION

No

PETS

Not specified 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: POLK COUNTY

CROSODO INDEX #490* · FIPS 48373 · Livingston

Polk County

Population 50,536 · State baseline: Tex. Health & Safety §437.001 et seq. · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Must produce in home kitchen. All non-TCS foods allowed. Annual gross income cap \$150,000 (SB 541, 2025). No meat/poultry/seafood, ice/ice cream, low-acid canned goods, CBD/THC products, or raw milk products.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Not specified in state cottage food law.

HOME OCCUPATION PERMIT?

Conditional (No specific Polk County cottage food ordinances found. City of Livingston and other municipalities may have local business license requirements. Recommend verifying with Polk County and City of Livingston.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (No license, inspection, or registration required. 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 — Must produce in home kitchen. All non-TCS foods allowed. Annual gross income cap \$150,000 (SB 541, 2025). No meat/poultry/seafood, ice/ice cream, low-acid canned goods, CBD/THC products, or raw milk products.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	Not specified in state cottage food law.
WATER SUPPLY	Not specified in state cottage food law.
HANDWASHING	Standard food safety practices; not specifically required.
FOOD STORAGE	Products must be non-TCS; proper storage implied.

Inspection & permitting

INSPECTION REQUIRED	No — No license, inspection, or registration required. DSHS or local health authority may only act to prevent an immediate and serious threat to human life or health.
HOME OCCUPATION PERMIT	Conditional — No specific Polk County cottage food ordinances found. City of Livingston and other municipalities may have local business license requirements. Recommend verifying with Polk County and City of Livingston.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Sales allowed directly to consumers in Texas, online, at farmers markets, through cottage food vendor intermediaries (SB 541, 2025), and by mail/delivery within Texas.
MAX EMPLOYEES IN HOME	Not specified in state cottage food law.

Relevant county code

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

RESEARCH NOTES

Texas has a highly permissive cottage food law. Polk County is in East Texas (Piney Woods region). No county-specific restrictions found.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.polkcounty.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/polk-county-discuss

Bordering counties — cottage food law

Regulation	Polk County	Hardin County	Angelina County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Not specified in state cottage food law.	No specific TX state or Hardin County restriction on pets; standard food safety practices apply.	No specific statutory restriction.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Sales allowed directly to consumers in Texas, online, at farmers markets, through cottage food vendor intermediaries (SB 541, 2025), and by...	Direct and some indirect sales allowed. Online orders with in-person delivery or pickup permitted. The 2025 SB 541 amendment created the 'c...	Direct sales from home, online, via mail, at farmers markets, and through indirect channels (to retailers who sell directly to consumers) a...
HOME OCCUPATION PERMIT	Conditional	Varies	Varies
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Must produce in home kitchen. All non-TCS foods allowed. Annual gross income cap \$150,000 (SB 541, 2025). No meat/poultry/seafood, ice/ice ...	All non-TCS foods allowed including most baked goods, candy, jams, pickles, dried herbs, vinegar, acidified foods, fermented vegetable prod...	Texas cottage food is highly permissive. No registration, permit, or inspection required. Production from home kitchen permitted. Annual gr...
FOOD STORAGE	Products must be non-TCS; proper storage implied.	Products must be non-TCS and not require refrigeration (with exceptions). Proper labeling required.	No specific statutory requirement.
POPULATION	50,536	56,576	86,608

State context — Texas cottage food law

Polk 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 Polk 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/polk-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 Polk 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/polk-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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