

COTTAGE FOOD LAW REPORT

Waller County

Texas · Hempstead · FIPS 48473 · Population 57,463 ·
Crosodo Index #1055*

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

Waller 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: WALLER COUNTY

CROSODO INDEX #1055* · FIPS 48473 · Hempstead

Waller County

Population 57,463 · 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 is highly permissive. No registration, no license, no inspection required. \$150,000 annual gross income cap (raised by SB 541, 2025). Almost all non-TCS foods allowed. No local health department inspection authority.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific pet restriction in state cottage food law.

HOME OCCUPATION PERMIT?

Varies (Waller County is partially suburban (near Houston metro); county zoning is limited in Texas. City of Hempstead and other incorporated areas may have home occupation rules. Operators in unincorporated areas generally 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 is highly permissive. No registration, no license, no inspection required. \$150,000 annual gross income cap (raised by SB 541, 2025). Almost all non-TCS foods allowed. No local health department inspection authority.
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, non-refrigerated products 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	Varies — Waller County is partially suburban (near Houston metro); county zoning is limited in Texas. City of Hempstead and other incorporated areas may have home occupation rules. Operators in unincorporated areas generally face minimal local restrictions.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Yes
DELIVERY / PICKUP RULES	Almost all channels permitted including direct to consumer, indirect sales, farmers markets, online, delivery, and through a 'cottage food vendor' intermediary (SB 541, 2025). No wholesale to restaurants or distributors.
MAX EMPLOYEES IN HOME	Not specified in state statute.

Relevant county code

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

RESEARCH NOTES

No county-specific cottage food ordinance found for Waller County. Texas cottage food law applies. Waller County is northwest of Houston in the rapidly growing Houston metro area (Prairie View A&M University is in this county). The proximity to Houston means some suburban incorporated areas may have home occupation rules. Prohibited items: meat, poultry, seafood, ice/ice cream products, CBD/THC foods, raw milk.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.wallercounty.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/waller-county-discuss

Bordering counties — cottage food law

Regulation	Waller County	Montgomery County	Fort Bend County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No specific pet restriction in state cottage food law.	No specific state cottage food pet restriction; general sanitation standards apply	Not specified; standard sanitation applies
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Yes	Conditional	Conditional
DELIVERY / PICKUP	Almost all channels permitted including direct to consumer, indirect sales, farmers markets, online, delivery, and through a 'cottage food ...	Non-TCS foods: direct sales at home, farmers markets, online, mail/delivery, roadside stands. Third-party online platforms (Goldbelly, Amaz...	Direct-to-consumer including online with personal delivery within Texas. SB 541 (2025): wholesale to registered cottage food vendors permit...
HOME OCCUPATION PERMIT	Varies	Conditional	Conditional
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Texas cottage food law is highly permissive. No registration, no license, no inspection required. \$150,000 annual gross income cap (raised ...	No TCS foods without registration (as of SB 541, 2025). Non-TCS foods: no license, permit, or inspection required. Food handler certificati...	Texas strong state preemption applies. No local permit, fee, or inspection for cottage food. Must be private home kitchen. Food handler cer...
FOOD STORAGE	Non-TCS, non-refrigerated products required.	Standard home kitchen storage; products must not be adulterated	Standard food storage practices
POPULATION	57,463	629,989	832,607

State context — Texas cottage food law

Waller 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 Waller 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/waller-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 Waller 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/waller-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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