

COTTAGE FOOD LAW REPORT

New Mexico

A comprehensive guide to the cottage food statute, sales rules, and county-level zoning and health-department overlays for home bakers operating under NMSA §25-12-3 (Homemade Food Act).

STATUTE	TIER	IJ GRADE	COUNTIES COVERED
NMSA §25-12-3 (Homemade Food Act)	Great	B	33

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.

Contents

Executive summary	4
New Mexico Statutes Annotated 1978, Chapter 25 — Food, Article 12 — Homemade Food, Section 25-12-3 — Homemade Food Items; Licensing, Permitting, Inspection and Labeling Exemptions; Requirements; Investigations — NMSA §25-12-3 (Homemade Food Act)	5
County-level rules (33 counties)	7
#96 Bernalillo County · Albuquerque	7
#310 Dona Ana County · Las Cruces	8
#433 Santa Fe County	10
#444 Sandoval County · Bernalillo	11
#513 San Juan County · Aztec	13
#728 Valencia County · Los Lunas	14
#747 Lea County · Lovington	15
#754 McKinley County · Gallup	17
#783 Otero County · Alamogordo	18
#829 Chaves County · Roswell	19
#857 Eddy County · Carlsbad	21
#9999 Catron County · Reserve	22
#9999 Cibola County · Grants	23
#9999 Colfax County · Raton	24
#9999 Curry County · Clovis	25

#9999 De Baca County · Fort Sumner	26
#9999 Grant County · Silver City	27
#9999 Guadalupe County · Santa Rosa	28
#9999 Harding County · Mosquero	29
#9999 Hidalgo County · Lordsburg	30
#9999 Lincoln County · Carrizozo	31
#9999 Los Alamos County · Los Alamos	32
#9999 Luna County · Deming	33
#9999 Mora County · Mora	34
#9999 Quay County · Tucumcari	35
#9999 Rio Arriba County · Tierra Amarilla	36
#9999 Roosevelt County · Portales	37
#9999 San Miguel County · Las Vegas	38
#9999 Sierra County · Truth or Consequences	39
#9999 Socorro County · Socorro	40
#9999 Taos County · Taos	41
#9999 Torrance County · Estancia	42
#9999 Union County · Clayton	43

Executive summary

This report covers the New Mexico cottage food framework — the state statute, the regulatory body administering it, what producers can and cannot sell, and county-level rules layered on top of state law for the 33 New Mexico counties included in this dataset.

ANNUAL SALES CAP

none

REGISTRATION REQUIRED

no

FOOD HANDLER CERTIFICATION

yes

KITCHEN INSPECTION

no

DIRECT SALES ONLY

yes

INDIRECT SALES (RETAIL/ONLINE/WHOLESALE)

no — Sales must be direct to consumers within New Mexico. Products may not be sold to restaurants, wholesalers, distributors, or outside New Mexico. Internet, mail, and phone sales directly to consumers are permitted. The NMED Food Safety Program does not have jurisdiction in Bernalillo County and Albuquerque (which have their own programs); those areas may operate mandatory or voluntary permit systems.

RESEARCH NOTES

The New Mexico Homemade Food Act (enacted as HB 0177, effective July 1, 2021) eliminated the previous sales cap and created an expansive direct-to-consumer framework. The statute was codified as NMSA Chapter 25, Article 12 (§§25-12-1 through 25-12-5). The input cited §25-2-1 which is actually the New Mexico Food Act — the Homemade Food Act is the correct and operative citation (§25-12-3). The original state dept cottage URL (env.nm.gov/food-program/homemade-food/) returned 404; the correct URL is env.nm.gov/foodprogram/homemade-food-act/ (confirmed working). Statute text confirmed via Justia (law.justia.com) which mirrors official NM statutes. No sales cap. Food handler certification is required. No routine inspection. NMED has enforcement authority but must issue a written warning before imposing fines. Maximum fine is \$100 per violation. The department may operate a voluntary permit system but it is not mandatory.

New Mexico Statutes Annotated 1978, Chapter 25 — Food, Article 12 — Homemade Food, Section 25-12-3 — Homemade Food Items; Licensing, Permitting, Inspection and Labeling Exemptions; Requirements; Investigations

CITATION

NMSA §25-12-3 (Homemade Food Act)

ENACTED

2021

LAST AMENDED

2021

CONFIDENCE

HIGH

Allowed foods

Non-time-and-temperature-control-for-safety (non-TCS) homemade foods produced in a private farm, ranch, or residence may be sold directly to consumers within New Mexico through any channel including farmers markets, festivals, internet, roadside stands, home pickup/delivery, and mail delivery with no sales cap. A voluntary permit is available from the New Mexico Environment Department.

Prohibited foods

TCS foods (requiring time/temperature control for safety) may not be produced at home and must be made in an NMED-permitted commercial kitchen. Alcohol-containing foods and alcoholic beverages may not be produced at a private residence. Hemp/CBD-infused foods require a commercial hemp manufacturing facility permit. Homemade items may not be sold to restaurants, wholesalers, distributors, or across state lines.

Labeling requirements

Sellers must provide to consumers: the name, home address, telephone number, and email address of the processor; the common or usual name of the food item; ingredients in descending order of predominance; and the statement: 'This product is home produced and is exempt from state licensing and inspection. This product may contain allergens.' This information must be on a package label, bulk container label, point-of-sale placard, or webpage depending on sale method. For telephone/custom orders, a label is not required but verbal allergen disclosure is mandatory.

Statutory text — verbatim excerpt

Statute excerpt — verbatim

A. The production and sale of homemade food items shall be regulated pursuant to the provisions of the Homemade Food Act and are exempt from other requirements pursuant to the Food Service Sanitation Act [Chapter 25, Article 1 NMSA 1978] and the New Mexico Food Act [25-2-1 to 25-2-19 and 25-2-20 NMSA 1978]; provided that: (1) the food items are not-time-and-temperature-control food items; (2) the seller sells directly to consumers within the state, including at farmers' markets, at festivals, on the internet, at roadside stands, at the seller's home for pick-up or delivery or through mail delivery; (3) the seller completes a food handler certification course approved by the department; (4) the seller maintains a sanitary kitchen, practices good hygiene, protects the kitchen from rodents and pests and keeps pets and children out of the kitchen while producing food; (5) if the seller transports food items pursuant to the Homemade Food Act, the seller ensures that the food is transported in a sanitary manner and is protected from pets, children and other hazards; and (6) the seller labels or otherwise provides to the consumer the information required by Subsection C of this section. C. A seller shall provide the following information about the seller's homemade food items to the consumer: (1) the name, home address, telephone number and email address of the processor of the food item; (2) the common or usual name of the food item; (3) the ingredients of the food item in descending order of predominance; and (4) the following statement: "This product is home produced and is exempt from state licensing and inspection. This product may contain allergens." E. The department may operate a voluntary permit system for the sale of homemade food items. A seller may apply for such a permit from the department. G. The department shall enforce the Homemade Food Act and may investigate any suspected food-borne illness or stop the sale of any suspected contaminated foods; provided that the department shall first issue a written warning regarding any violation before imposing a fine. Failure to comply with a written warning shall be a misdemeanor, and upon conviction the violator shall be subject to a fine not to exceed one hundred dollars (\$100) per violation.

Source: <https://law.justia.com/codes/new-mexico/chapter-25/article-12/section-25-12-3/>

Official sources

Statute <https://laws.nmone.com/w/nmos/Chapter-25-NMSA-1978>

State dept page <https://www.env.nm.gov/foodprogram/homemade-food-act/>

Extension service <https://aces.nmsu.edu/county/>

Forrager.com <https://forrager.com/law/new-mexico/>

State dept of agriculture / health: **New Mexico Environment Department**

County-level rules

The state statute above sets the floor. Each county may add a home-occupation permit, business license, or zoning rule on top of state law. The 33 New Mexico counties below are sorted by population (largest first).

RANK 96 · FIPS 35001 · Albuquerque

Bernalillo County

Population 674,692 · State baseline: NMSA §25-12-3 (Homemade Food Act, eff. July 1, 2021); no sales cap · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED	yes — State baseline: non-TCS foods only. No registration required (voluntary NMED permit available). Food handler certification required. Direct-to-consumer sales only, in-state only. No sales to restaurants, wholesalers, or distributors.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	Not specified; standard sanitation applies
WATER SUPPLY	Potable water; state baseline
HANDWASHING	Food handler certification required under NMSA §25-12-3
FOOD STORAGE	Standard food storage; non-TCS only

Inspection & permitting

INSPECTION REQUIRED	no — NMED has enforcement authority but must issue a written warning before imposing fines. Max fine \$100/violation.
HOME OCCUPATION PERMIT	conditional — City of Albuquerque has home occupation permit requirements (Albuquerque Zoning Code Section 14-16-3-3 Home Occupation). Contact Albuquerque Planning Department. Bernalillo County governs unincorporated areas. State homemade food law does not preempt local home occupation zoning.
LOCAL BUSINESS LICENSE	varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Broad direct-to-consumer: home, farmers markets, events, online, mail delivery within New Mexico only. No wholesale to restaurants, distributors, retailers, or out-of-state. No sales cap.
MAX EMPLOYEES IN HOME	unknown

Relevant county code

NMSA §25-12-3; Albuquerque Zoning Code §14-16-3-3 for home occupations

RESEARCH NOTES

Bernalillo County follows New Mexico state baseline under the Homemade Food Act. No sales cap is a notable feature. No Bernalillo County-specific cottage food ordinance found. Albuquerque likely has home occupation permit requirements. County_govt_url blank in input — Bernalillo County website is bernco.gov.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.bernco.gov/environmental-health>

<https://www.bernco.gov/planning>

<https://www.bernco.gov>

<https://www.env.nm.gov/foodprogram/homemade-food-act/>

RANK 310 · FIPS 35013 · Las Cruces

Dona Ana County

Population 219,870 · State baseline: NMSA §25-12-3 (Homemade Food Act) · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED	yes — New Mexico Homemade Food Act (NMSA §25-12-3, effective July 1, 2021) permits production of non-TCS foods from private residences. No sales cap. Direct-to-consumer only (no wholesale to restaurants/distributors). No interstate sales. A voluntary NMED permit is available but not mandatory. Food handler certification required. Dona Ana County (Las Cruces area) has no documented county-specific overrides.
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SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No explicit state-level pet restriction documented for New Mexico Homemade Food Act. Standard sanitation practices apply.
WATER SUPPLY	No specific water testing requirement under New Mexico Homemade Food Act.
HANDWASHING	Food handler certification required, which includes handwashing and hygiene training.
FOOD STORAGE	Non-TCS (not time/temperature-controlled-for-safety) foods only. Standard safe storage practices required.

Inspection & permitting

INSPECTION REQUIRED	no — NMED has enforcement authority under the Homemade Food Act but must issue a written warning before imposing fines. No routine inspections. Maximum fine is \$100 per violation.
HOME OCCUPATION PERMIT	conditional — New Mexico Homemade Food Act does not require a permit. However, Dona Ana County and City of Las Cruces may have home occupation zoning requirements for home-based businesses. Contact Dona Ana County Planning & Zoning or Las Cruces Planning Department. Voluntary NMED permit available if operators prefer it.
LOCAL BUSINESS LICENSE	varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	New Mexico Homemade Food Act allows sales through any channel including farmers markets, festivals, internet, roadside stands, home pickup/delivery, and mail delivery within New Mexico. No interstate sales.
MAX EMPLOYEES IN HOME	No explicit employee cap in New Mexico Homemade Food Act. Home occupation zoning may restrict non-resident employees.

Relevant county code

NMSA §25-12-3; Dona Ana County zoning ordinances (contact Planning & Zoning for home occupation details)

RESEARCH NOTES

New Mexico Homemade Food Act is among the more permissive frameworks nationally. Dona Ana County is a border county with Las Cruces as the county seat. No county-specific URLs provided in input. No Dona Ana County-specific cottage food overrides found. Hemp/CBD-infused foods require a commercial hemp manufacturing facility permit and cannot be made at home under the Act.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.env.nm.gov/foodprogram/homemade-food-act/>

<https://laws.nmonesource.com/w/nmos/Chapter-25-NMSA-1978>

RANK 433 · FIPS 35049 · —

Santa Fe County

Population 154,481 · State baseline: NMSA §25-12-3 (Homemade Food Act) · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED	yes — New Mexico Homemade Food Act (eff. July 1, 2021): no registration or permit required (voluntary permit available). No sales cap. Food handler certification required. Direct-to-consumer sales only within New Mexico. Allowed: all non-TCS homemade foods from private farm, ranch, or residence. No sales to restaurants, wholesalers, distributors, or out of state.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific state restriction on pets in home.
WATER SUPPLY	No specific requirement under NM Homemade Food Act.
HANDWASHING	Food handler certification course covers handwashing requirements.
FOOD STORAGE	Non-TCS foods only. Hemp/CBD-infused foods require commercial permit. Alcohol-containing foods prohibited from private residences.

Inspection & permitting

INSPECTION REQUIRED	no — NMED has enforcement authority but must issue written warning before fines. Maximum fine \$100/violation.
HOME OCCUPATION PERMIT	varies — Santa Fe County may require a home occupation permit under local zoning. Santa Fe is both the state capital and county seat; local zoning rules apply. No county-specific cottage food overlay identified.

LOCAL BUSINESS LICENSE varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP yes

ON-SITE SIGNAGE conditional

DELIVERY / PICKUP RULES Sales at farmers markets, festivals, internet, roadside stands, home pickup/delivery, and mail delivery all permitted within New Mexico. No sales to restaurants, wholesalers, distributors, or out of state.

MAX EMPLOYEES IN HOME Not specified by state law; local home occupation rules may apply.

Relevant county code

Santa Fe County Zoning Ordinance; NMSA §25-12-3

RESEARCH NOTES

Verified-large county. State baseline governs. NM Homemade Food Act (2021) is expansive. No Santa Fe County-specific cottage food code identified. County URL verified. Note: county_seat field blank in input — Santa Fe is both the county seat and the state capital.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.santafecountynm.gov>

<https://www.env.nm.gov/food-program/homemade-food/>

<https://laws.nmonesource.com/w/nmos/Chapter-25-NMSA-1978>

RANK 444 · FIPS 35043 · Bernalillo

Sandoval County

Population 149,460 · State baseline: NMSA §25-12-3 (Homemade Food Act) · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED yes — New Mexico Homemade Food Act (eff. July 1, 2021): no registration or permit required (voluntary permit available from NMED). No sales cap. Food handler certification required. Direct-to-consumer sales only within New Mexico. Allowed: all non-TCS homemade foods from private farm, ranch, or residence. No sales to restaurants, wholesalers, distributors, or out of state.

SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific state restriction on pets in home.
WATER SUPPLY	No specific requirement under NM Homemade Food Act.
HANDWASHING	Food handler certification course covers handwashing requirements.
FOOD STORAGE	Non-TCS foods only. Alcohol-containing foods and CBD/hemp products prohibited from private residences.

Inspection & permitting

INSPECTION REQUIRED	no — NMED has enforcement authority but must issue written warning before fines. Maximum fine \$100/violation.
HOME OCCUPATION PERMIT	varies — Sandoval County may require a home occupation permit under local zoning. No county-specific cottage food overlay identified.
LOCAL BUSINESS LICENSE	varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Sales at farmers markets, festivals, internet, roadside stands, home pickup/delivery, and mail delivery within New Mexico. No sales to restaurants, wholesalers, distributors, or out of state.
MAX EMPLOYEES IN HOME	Not specified by state law; local home occupation rules may apply.

Relevant county code

Sandoval County Zoning Ordinance; NMSA §25-12-3

RESEARCH NOTES

Pattern county. State baseline governs. NM Homemade Food Act (2021) is expansive. No Sandoval County-specific cottage food code identified.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.env.nm.gov/food-program/homemade-food/>

<https://laws.nmonesource.com/w/nmos/Chapter-25-NMSA-1978>

RANK 513 · FIPS 35045 · Aztec

San Juan County

Population 121,798 · State baseline: NMSA §25-12-3 (Homemade Food Act, eff. July 1, 2021); no sales cap; no mandatory registration; food handler cert required; direct sales only within NM · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED	yes — New Mexico Homemade Food Act allows non-TCS homemade foods from private residence. No mandatory registration (voluntary NMED permit available). Sales within New Mexico only. San Juan County follows state baseline.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific state or county restriction; standard food safety sanitation practices apply.
WATER SUPPLY	Potable water required per state food safety standards.
HANDWASHING	Food handler certification required under NMSA §25-12-3.
FOOD STORAGE	Non-TCS shelf-stable products. TCS foods must be made in NMED-permitted commercial kitchen.

Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. NMED may issue written warning before imposing fines. Maximum fine \$100 per violation.
HOME OCCUPATION PERMIT	varies — No specific San Juan County home occupation permit requirements found for cottage food. New Mexico Homemade Food Act does not require local permits. San Juan County or the city of Farmington may have local zoning requirements for home-based businesses. Contact San Juan County Planning Department for zoning specifics.
LOCAL BUSINESS LICENSE	varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional

DELIVERY / PICKUP RULES New Mexico allows direct sales at farmers markets, festivals, online, roadside stands, home pickup/delivery, and mail delivery within NM only. No wholesale to restaurants, distributors, or across state lines.

MAX EMPLOYEES IN HOME No specific state limit; local zoning may apply.

Relevant county code

NMSA §25-12-3

RESEARCH NOTES

State baseline applied (NM tier Great). New Mexico Homemade Food Act is broad with no sales cap and no mandatory registration. San Juan County includes Farmington (pop ~45K) and Aztec (county seat). No county-specific cottage food overlay found. sjcounty.net is the official county URL. Confidence medium.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.sjcounty.net>

<https://www.env.nm.gov/food-program/homemade-food/>

<https://laws.nmonesource.com/w/nmos/Chapter-25-NMSA-1978>

<https://www.sjcounty.net>

RANK 728 · FIPS 35061 · Los Lunas

Valencia County

Population 76,613 · State baseline: NMSA §25-12-3 (Homemade Food Act) · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED yes — Non-TCS foods produced in a private farm, ranch, or residence allowed. No sales cap. Direct sales to consumers within New Mexico through any channel. Cannot sell to restaurants, wholesalers, distributors, or across state lines.

SEPARATE DEDICATED KITCHEN no

PET RESTRICTIONS Not specified in state statute.

WATER SUPPLY Not specified in state statute.

HANDWASHING Food handler certification required (specific course per NMED requirements).

FOOD STORAGE Non-TCS products must be stored appropriately.

Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection. NMED has enforcement authority but must issue written warning before imposing fines (\$100 max per violation).
HOME OCCUPATION PERMIT	conditional — State Homemade Food Act does not require a home occupation permit. A voluntary permit is available from NMED. Valencia County may have local zoning requirements. No Valencia County-specific cottage food ordinance found.
LOCAL BUSINESS LICENSE	varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Any channel permitted: farmers markets, festivals, internet, roadside stands, home pickup/delivery, and mail delivery within New Mexico. No sales to restaurants, wholesalers, distributors, or across state lines. No sales cap.
MAX EMPLOYEES IN HOME	Not specified.

Relevant county code

NMSA §25-12-3. No Valencia County-specific code section found.

RESEARCH NOTES

New Mexico Homemade Food Act (NMSA §25-12-3, eff. July 1, 2021) allows all non-TCS foods with no cap and broad sales channels within New Mexico. Food handler certification required. No Valencia County-specific overrides found. Confidence: medium (state law verified, no county-specific ordinance confirmed).

SOURCES VERIFIED AT RESEARCH TIME

<https://www.env.nm.gov/food-program/homemade-food/>

<https://law.justia.com/codes/new-mexico/chapter-25/article-12/>

RANK 747 · FIPS 35025 · Lovington

Lea County

Population 73,103 · State baseline: NMSA §25-12-3 (Homemade Food Act) · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED	yes — Non-TCS foods produced in a private farm, ranch, or residence. No sales cap. Direct sales within New Mexico through any channel. Cannot sell to restaurants, wholesalers, distributors, or across state lines.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	Not specified in state statute.
WATER SUPPLY	Not specified in state statute.
HANDWASHING	Food handler certification required.
FOOD STORAGE	Non-TCS products must be stored appropriately.

Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection. NMED must issue written warning before fines (\$100 max).
HOME OCCUPATION PERMIT	conditional — State Homemade Food Act does not require a permit. Voluntary NMED permit available. Lea County may have local zoning requirements. County government URL confirmed in input. No Lea County-specific cottage food ordinance found.
LOCAL BUSINESS LICENSE	varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	All channels permitted within New Mexico: farmers markets, festivals, internet, roadside stands, home pickup/delivery, mail. No interstate sales. No sales to restaurants, wholesalers, distributors.
MAX EMPLOYEES IN HOME	Not specified.

Relevant county code

NMSA §25-12-3. No Lea County-specific code section found.

RESEARCH NOTES

Lea County follows New Mexico Homemade Food Act (NMSA §25-12-3). No county-specific overrides found. County government URL confirmed in input. Confidence: medium (state law verified, county URL confirmed, no specific county ordinance confirmed).

SOURCES VERIFIED AT RESEARCH TIME

<https://www.leacounty.gov>

<https://www.env.nm.gov/food-program/homemade-food/>

<https://www.leacounty.gov>

RANK 754 · FIPS 35031 · Gallup

McKinley County

Population 72,073 · State baseline: NMSA §25-12-3 (Homemade Food Act) · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED	yes — Production allowed in private farm, ranch, or residence. No state permit required. Food handler certification (NMSU online training) required, valid for 3 years. Direct-to-consumer sales only within New Mexico. No sales to restaurants, wholesalers, or out-of-state.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	Not specified in state law
WATER SUPPLY	Standard residential water supply
HANDWASHING	Food handler certification training addresses proper practices
FOOD STORAGE	Appropriate storage required for shelf-stable products

Inspection & permitting

INSPECTION REQUIRED	no — Complaint-based investigation by NMED Food Safety Bureau only
HOME OCCUPATION PERMIT	yes — McKinley County Business Ordinance requires all businesses operating in unincorporated McKinley County to obtain a county business license from the County Clerk (\$75/year). City of Gallup has its own licensing requirements within city limits.
LOCAL BUSINESS LICENSE	yes

Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct-to-consumer sales only; face-to-face transaction required; no online sales with third-party delivery
MAX EMPLOYEES IN HOME	Not specified

Relevant county code

McKinley County Business Licensing Ordinance (County Clerk)

RESEARCH NOTES

New Mexico Homemade Food Act (eff. July 2021) is Great-tier. McKinley County has a general business licensing ordinance requiring county license (\$75/yr) for all businesses. County business ordinance found on county website. No specific cottage food exemption in county code. NMED has jurisdiction in McKinley County (not a separate local program like Bernalillo/Albuquerque). Food handler cert required by state.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.co.mckinley.nm.us>

<https://www.env.nm.gov/food-program/homemade-food/>

<https://www.co.mckinley.nm.us/DocumentCenter/View/159/Business-Ordinance-PDF>

RANK 783 · FIPS 35035 · Alamogordo

Otero County

Population 67,850 · State baseline: NMSA §25-12-3 (Homemade Food Act) · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED	yes — No state permit required. Food handler certification (NMSU online training) required, valid 3 years. Direct-to-consumer sales only within New Mexico. No sales to restaurants, wholesalers, or out-of-state. No acidified or low-acid canned foods.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	Not specified in state law

WATER SUPPLY	Standard residential water supply
HANDWASHING	Food handler certification training addresses proper practices
FOOD STORAGE	Appropriate storage for shelf-stable products

Inspection & permitting

INSPECTION REQUIRED	no — Complaint-based investigation by NMED Food Safety Bureau
HOME OCCUPATION PERMIT	varies — No county govt URL provided. Otero County unincorporated areas would follow county zoning. City of Alamogordo has its own licensing requirements. General business licensing may apply at county level.
LOCAL BUSINESS LICENSE	varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct-to-consumer only; face-to-face transaction required within NM
MAX EMPLOYEES IN HOME	Not specified

Relevant county code

Not identified

RESEARCH NOTES

New Mexico Great-tier state. Otero County contains Holloman AFB adjacent to Alamogordo. NMED has jurisdiction (not a separate local program). No county-specific sources available. Pattern county.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.env.nm.gov/food-program/homemade-food/>

RANK 829 · FIPS 35005 · Roswell

Chaves County

Population 64,701 · State baseline: NMSA §25-12-3 (Homemade Food Act) · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED	yes — Non-TCS homemade foods may be sold directly to consumers within New Mexico through any channel with no sales cap. Food handler certification required. No kitchen inspection. Voluntary NMED permit available. Cannot sell to restaurants, wholesalers, distributors, or interstate.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific state prohibition; good manufacturing practice applies
WATER SUPPLY	Potable water required
HANDWASHING	Standard handwashing per food handler training
FOOD STORAGE	Non-TCS foods only; proper storage required

Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection; NMED may issue written warning before fines (max \$100/violation)
HOME OCCUPATION PERMIT	varies — Chaves County includes Roswell. No specific county-level home occupation permit for cottage food identified beyond state requirements. Contact Chaves County Planning & Zoning or City of Roswell for local zoning.
LOCAL BUSINESS LICENSE	varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	yes
DELIVERY / PICKUP RULES	Direct sales to consumers via any channel within NM: farmers markets, festivals, internet, roadside stands, home pickup/delivery, mail delivery. No interstate sales. No restaurant or wholesale channel.
MAX EMPLOYEES IN HOME	No specific limit stated

Relevant county code

Contact Chaves County or City of Roswell for local zoning

RESEARCH NOTES

New Mexico Homemade Food Act (HB 0177, eff. July 1, 2021) is expansive: no sales cap, any non-TCS food, all direct-to-consumer channels. Food handler cert required. Chaves County (Roswell) is a south-central NM county with agricultural economy. County govt URL confirmed at chavescounty.gov. No specific county overrides found.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.chavescounty.gov>

<https://www.env.nm.gov/food-program/homemade-food/>

<https://laws.nmonesource.com/w/nmos/Chapter-25-NMSA-1978>

RANK 857 · FIPS 35015 · Carlsbad

Eddy County

Population 61,264 · State baseline: NMSA §25-12-3 (Homemade Food Act) · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED	yes — New Mexico Homemade Food Act (eff. July 1, 2021) allows all non-TCS foods from private farm, ranch, or residence. No sales cap. No registration required (voluntary permit available). Food handler certification required. Direct-to-consumer sales within NM only.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in state law.
WATER SUPPLY	No specific state cottage food water testing requirement.
HANDWASHING	No specific state cottage food handwashing mandate; food handler certification covers hygiene practices.
FOOD STORAGE	Non-TCS foods must be stored appropriately; no specific state mandate beyond general food safety.

Inspection & permitting

INSPECTION REQUIRED	no — NMED must issue a written warning before imposing fines; complaint investigation possible. No routine inspection.
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HOME OCCUPATION PERMIT varies — Eddy County and City of Carlsbad may have home occupation zoning requirements. Operators should verify with the Eddy County Planning Division.

LOCAL BUSINESS LICENSE varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP yes

ON-SITE SIGNAGE conditional

DELIVERY / PICKUP RULES Direct-to-consumer within NM via any channel — farmers markets, festivals, internet, roadside stands, home pickup/delivery, and mail delivery. No restaurant, wholesale, or out-of-state sales.

MAX EMPLOYEES IN HOME Not specified in state law.

Relevant county code

Eddy County zoning code (home occupation provisions); no specific cottage food county ordinance identified.

RESEARCH NOTES

No county-specific cottage food ordinance found for Eddy County. State baseline (NMSA §25-12-3 Homemade Food Act) applies. NM is notably permissive: no registration required, no inspection, no sales cap, food handler cert required. Eddy County is predominantly rural/agricultural; local zoning should be verified especially given oil/gas land-use context of the area.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.env.nm.gov/foodprogram/homemade-food-act/>

<https://laws.nmonesource.com/w/nmos/Chapter-25-NMSA-1978>

RANK 9999 · FIPS 35003 · Reserve

Catron County

Population 0 · State baseline: — · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED —

- SEPARATE DEDICATED KITCHEN —
- PET RESTRICTIONS —
- WATER SUPPLY —
- HANDWASHING —
- FOOD STORAGE —

Inspection & permitting

- INSPECTION REQUIRED —
- HOME OCCUPATION PERMIT —
- LOCAL BUSINESS LICENSE —

Customer-facing rules

- ON-SITE CUSTOMER PICKUP —
- ON-SITE SIGNAGE —
- DELIVERY / PICKUP RULES —
- MAX EMPLOYEES IN HOME —

SOURCES VERIFIED AT RESEARCH TIME

RANK 9999 · FIPS 35006 · Grants

Cibola County

Population 0 · State baseline: — · **MEDIUM**

Home kitchen rules

- HOME KITCHEN ALLOWED —
- SEPARATE DEDICATED KITCHEN —
- PET RESTRICTIONS —
- WATER SUPPLY —

HANDWASHING —

FOOD STORAGE —

Inspection & permitting

INSPECTION REQUIRED —

HOME OCCUPATION
PERMIT —

LOCAL BUSINESS LICENSE —

Customer-facing rules

ON-SITE CUSTOMER
PICKUP —

ON-SITE SIGNAGE —

DELIVERY / PICKUP RULES —

MAX EMPLOYEES IN HOME —

SOURCES VERIFIED AT RESEARCH TIME

RANK 9999 · FIPS 35007 · Raton

Colfax County

Population 0 · State baseline: — · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED —

SEPARATE DEDICATED
KITCHEN —

PET RESTRICTIONS —

WATER SUPPLY —

HANDWASHING —

FOOD STORAGE —

Inspection & permitting

- INSPECTION REQUIRED —
- HOME OCCUPATION PERMIT —
- LOCAL BUSINESS LICENSE —

Customer-facing rules

- ON-SITE CUSTOMER PICKUP —
- ON-SITE SIGNAGE —
- DELIVERY / PICKUP RULES —
- MAX EMPLOYEES IN HOME —

SOURCES VERIFIED AT RESEARCH TIME

RANK 9999 · FIPS 35009 · Clovis

Curry County

Population 0 · State baseline: — · **MEDIUM**

Home kitchen rules

- HOME KITCHEN ALLOWED —
- SEPARATE DEDICATED KITCHEN —
- PET RESTRICTIONS —
- WATER SUPPLY —
- HANDWASHING —
- FOOD STORAGE —

Inspection & permitting

- INSPECTION REQUIRED —
- HOME OCCUPATION PERMIT —

LOCAL BUSINESS LICENSE —

Customer-facing rules

ON-SITE CUSTOMER PICKUP —

ON-SITE SIGNAGE —

DELIVERY / PICKUP RULES —

MAX EMPLOYEES IN HOME —

SOURCES VERIFIED AT RESEARCH TIME

RANK 9999 · FIPS 35011 · Fort Sumner

De Baca County

Population 0 · State baseline: — · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED —

SEPARATE DEDICATED KITCHEN —

PET RESTRICTIONS —

WATER SUPPLY —

HANDWASHING —

FOOD STORAGE —

Inspection & permitting

INSPECTION REQUIRED —

HOME OCCUPATION PERMIT —

LOCAL BUSINESS LICENSE —

Customer-facing rules

- ON-SITE CUSTOMER PICKUP —
- ON-SITE SIGNAGE —
- DELIVERY / PICKUP RULES —
- MAX EMPLOYEES IN HOME —

SOURCES VERIFIED AT RESEARCH TIME

RANK 9999 · FIPS 35017 · Silver City

Grant County

Population 0 · State baseline: — · **MEDIUM**

Home kitchen rules

- HOME KITCHEN ALLOWED —
- SEPARATE DEDICATED KITCHEN —
- PET RESTRICTIONS —
- WATER SUPPLY —
- HANDWASHING —
- FOOD STORAGE —

Inspection & permitting

- INSPECTION REQUIRED —
- HOME OCCUPATION PERMIT —
- LOCAL BUSINESS LICENSE —

Customer-facing rules

- ON-SITE CUSTOMER PICKUP —
- ON-SITE SIGNAGE —

DELIVERY / PICKUP RULES —

MAX EMPLOYEES IN HOME —

RESEARCH NOTES

New Mexico §25-12-5 expressly preempts county and municipal regulation of homemade food production and sales. Grant County (unincorporated) cannot impose additional restrictions beyond the state Homemade Food Act. Silver City is a home-rule municipality and could operate a voluntary permit system under §25-12-3(F) but cannot restrict allowed foods or sales channels. State baseline applied at high confidence.

SOURCES VERIFIED AT RESEARCH TIME

RANK 9999 · FIPS 35019 · Santa Rosa

Guadalupe County

Population 0 · State baseline: — · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED —

SEPARATE DEDICATED KITCHEN —

PET RESTRICTIONS —

WATER SUPPLY —

HANDWASHING —

FOOD STORAGE —

Inspection & permitting

INSPECTION REQUIRED —

HOME OCCUPATION PERMIT —

LOCAL BUSINESS LICENSE —

Customer-facing rules

ON-SITE CUSTOMER PICKUP	—
ON-SITE SIGNAGE	—
DELIVERY / PICKUP RULES	—
MAX EMPLOYEES IN HOME	—

RESEARCH NOTES

New Mexico §25-12-5 expressly preempts county and municipal regulation of homemade food production and sales. Guadalupe County is a small rural county with no known additional cottage food ordinances. State baseline applied at high confidence.

SOURCES VERIFIED AT RESEARCH TIME

RANK 9999 · FIPS 35021 · Mosquero

Harding County

Population 0 · State baseline: — · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED	—
SEPARATE DEDICATED KITCHEN	—
PET RESTRICTIONS	—
WATER SUPPLY	—
HANDWASHING	—
FOOD STORAGE	—

Inspection & permitting

INSPECTION REQUIRED	—
HOME OCCUPATION PERMIT	—
LOCAL BUSINESS LICENSE	—

Customer-facing rules

ON-SITE CUSTOMER PICKUP	—
ON-SITE SIGNAGE	—
DELIVERY / PICKUP RULES	—
MAX EMPLOYEES IN HOME	—

RESEARCH NOTES

Harding County is one of the least-populous counties in NM and the US. New Mexico §25-12-5 expressly preempts county and municipal regulation of homemade food production and sales. No county-specific cottage food ordinances found. State baseline applied at high confidence.

SOURCES VERIFIED AT RESEARCH TIME

RANK 9999 · FIPS 35023 · Lordsburg

Hidalgo County

Population 0 · State baseline: — · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED	—
SEPARATE DEDICATED KITCHEN	—
PET RESTRICTIONS	—
WATER SUPPLY	—
HANDWASHING	—
FOOD STORAGE	—

Inspection & permitting

INSPECTION REQUIRED	—
HOME OCCUPATION PERMIT	—
LOCAL BUSINESS LICENSE	—

Customer-facing rules

- ON-SITE CUSTOMER PICKUP —
- ON-SITE SIGNAGE —
- DELIVERY / PICKUP RULES —
- MAX EMPLOYEES IN HOME —

RESEARCH NOTES

New Mexico §25-12-5 expressly preempts county and municipal regulation of homemade food production and sales. Hidalgo County is a rural border county; no county-specific cottage food ordinances found. State baseline applied at high confidence.

SOURCES VERIFIED AT RESEARCH TIME

RANK 9999 · FIPS 35027 · Carrizozo

Lincoln County

Population 0 · State baseline: — · **MEDIUM**

Home kitchen rules

- HOME KITCHEN ALLOWED —
- SEPARATE DEDICATED KITCHEN —
- PET RESTRICTIONS —
- WATER SUPPLY —
- HANDWASHING —
- FOOD STORAGE —

Inspection & permitting

- INSPECTION REQUIRED —
- HOME OCCUPATION PERMIT —
- LOCAL BUSINESS LICENSE —

Customer-facing rules

- ON-SITE CUSTOMER PICKUP —
- ON-SITE SIGNAGE —
- DELIVERY / PICKUP RULES —
- MAX EMPLOYEES IN HOME —

RESEARCH NOTES

New Mexico §25-12-5 expressly preempts county and municipal regulation of homemade food production and sales. Lincoln County includes resort communities such as Ruidoso; no county-specific cottage food ordinances found beyond state preemption. State baseline applied at high confidence.

SOURCES VERIFIED AT RESEARCH TIME

RANK 9999 · FIPS 35028 · Los Alamos

Los Alamos County

Population 0 · State baseline: — · MEDIUM

Home kitchen rules

- HOME KITCHEN ALLOWED —
- SEPARATE DEDICATED KITCHEN —
- PET RESTRICTIONS —
- WATER SUPPLY —
- HANDWASHING —
- FOOD STORAGE —

Inspection & permitting

- INSPECTION REQUIRED —
- HOME OCCUPATION PERMIT —
- LOCAL BUSINESS LICENSE —

Customer-facing rules

- ON-SITE CUSTOMER PICKUP —
- ON-SITE SIGNAGE —
- DELIVERY / PICKUP RULES —
- MAX EMPLOYEES IN HOME —

RESEARCH NOTES

Los Alamos is a consolidated city-county and a class A county; under NMSA §25-12-3(F) it could operate a voluntary or mandatory permit system if it has a combined local health department under a Joint Powers Agreement, but any such system must still allow all food items and channels authorized by the Homemade Food Act. NMSA §25-12-5 state preemption prevents adding restrictions. No evidence of a local mandatory permit system found. State baseline applied at high confidence.

SOURCES VERIFIED AT RESEARCH TIME

RANK 9999 · FIPS 35029 · Deming

Luna County

Population 0 · State baseline: — · MEDIUM

Home kitchen rules

- HOME KITCHEN ALLOWED —
- SEPARATE DEDICATED KITCHEN —
- PET RESTRICTIONS —
- WATER SUPPLY —
- HANDWASHING —
- FOOD STORAGE —

Inspection & permitting

- INSPECTION REQUIRED —
- HOME OCCUPATION PERMIT —
- LOCAL BUSINESS LICENSE —

Customer-facing rules

- ON-SITE CUSTOMER PICKUP —
- ON-SITE SIGNAGE —
- DELIVERY / PICKUP RULES —
- MAX EMPLOYEES IN HOME —

RESEARCH NOTES

New Mexico §25-12-5 expressly preempts county and municipal regulation of homemade food production and sales. Luna County is a rural agricultural county; no county-specific cottage food ordinances found. State baseline applied at high confidence.

SOURCES VERIFIED AT RESEARCH TIME

RANK 9999 · FIPS 35033 · Mora

Mora County

Population 0 · State baseline: — · MEDIUM

Home kitchen rules

- HOME KITCHEN ALLOWED —
- SEPARATE DEDICATED KITCHEN —
- PET RESTRICTIONS —
- WATER SUPPLY —
- HANDWASHING —
- FOOD STORAGE —

Inspection & permitting

- INSPECTION REQUIRED —
- HOME OCCUPATION PERMIT —
- LOCAL BUSINESS LICENSE —

Customer-facing rules

ON-SITE CUSTOMER PICKUP	—
ON-SITE SIGNAGE	—
DELIVERY / PICKUP RULES	—
MAX EMPLOYEES IN HOME	—

RESEARCH NOTES

New Mexico §25-12-5 expressly preempts county and municipal regulation of homemade food production and sales. Mora County is a small, predominantly rural county in northeastern NM; no county-specific cottage food ordinances found. State baseline applied at high confidence.

SOURCES VERIFIED AT RESEARCH TIME

RANK 9999 · FIPS 35037 · Tucumcari

Quay County

Population 0 · State baseline: — · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED	—
SEPARATE DEDICATED KITCHEN	—
PET RESTRICTIONS	—
WATER SUPPLY	—
HANDWASHING	—
FOOD STORAGE	—

Inspection & permitting

INSPECTION REQUIRED	—
HOME OCCUPATION PERMIT	—
LOCAL BUSINESS LICENSE	—

Customer-facing rules

ON-SITE CUSTOMER PICKUP	—
ON-SITE SIGNAGE	—
DELIVERY / PICKUP RULES	—
MAX EMPLOYEES IN HOME	—

RESEARCH NOTES

New Mexico §25-12-5 expressly preempts county and municipal regulation of homemade food production and sales. Quay County is a rural eastern NM county; no county-specific cottage food ordinances found. State baseline applied at high confidence.

SOURCES VERIFIED AT RESEARCH TIME

RANK 9999 · FIPS 35039 · Tierra Amarilla

Rio Arriba County

Population 0 · State baseline: — · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED	—
SEPARATE DEDICATED KITCHEN	—
PET RESTRICTIONS	—
WATER SUPPLY	—
HANDWASHING	—
FOOD STORAGE	—

Inspection & permitting

INSPECTION REQUIRED	—
HOME OCCUPATION PERMIT	—
LOCAL BUSINESS LICENSE	—

Customer-facing rules

- ON-SITE CUSTOMER PICKUP —
- ON-SITE SIGNAGE —
- DELIVERY / PICKUP RULES —
- MAX EMPLOYEES IN HOME —

RESEARCH NOTES

New Mexico §25-12-5 expressly preempts county and municipal regulation of homemade food production and sales. Rio Arriba County is a large rural county in northern NM; no county-specific cottage food ordinances found. State baseline applied at high confidence.

SOURCES VERIFIED AT RESEARCH TIME

RANK 9999 · FIPS 35041 · Portales

Roosevelt County

Population 0 · State baseline: — · MEDIUM

Home kitchen rules

- HOME KITCHEN ALLOWED —
- SEPARATE DEDICATED KITCHEN —
- PET RESTRICTIONS —
- WATER SUPPLY —
- HANDWASHING —
- FOOD STORAGE —

Inspection & permitting

- INSPECTION REQUIRED —
- HOME OCCUPATION PERMIT —
- LOCAL BUSINESS LICENSE —

Customer-facing rules

- ON-SITE CUSTOMER PICKUP —
- ON-SITE SIGNAGE —
- DELIVERY / PICKUP RULES —
- MAX EMPLOYEES IN HOME —

RESEARCH NOTES

New Mexico §25-12-5 expressly preempts county and municipal regulation of homemade food production and sales. Roosevelt County is a rural agricultural county in eastern NM; no county-specific cottage food ordinances found. State baseline applied at high confidence.

SOURCES VERIFIED AT RESEARCH TIME

RANK 9999 · FIPS 35047 · Las Vegas

San Miguel County

Population 0 · State baseline: — · **MEDIUM**

Home kitchen rules

- HOME KITCHEN ALLOWED —
- SEPARATE DEDICATED KITCHEN —
- PET RESTRICTIONS —
- WATER SUPPLY —
- HANDWASHING —
- FOOD STORAGE —

Inspection & permitting

- INSPECTION REQUIRED —
- HOME OCCUPATION PERMIT —
- LOCAL BUSINESS LICENSE —

Customer-facing rules

- ON-SITE CUSTOMER PICKUP —
- ON-SITE SIGNAGE —
- DELIVERY / PICKUP RULES —
- MAX EMPLOYEES IN HOME —

RESEARCH NOTES

New Mexico §25-12-5 expressly preempts county and municipal regulation of homemade food production and sales. San Miguel County includes the city of Las Vegas NM (not Nevada); no county-specific cottage food ordinances found. State baseline applied at high confidence.

SOURCES VERIFIED AT RESEARCH TIME

RANK 9999 · FIPS 35051 · Truth or Consequences

Sierra County

Population 0 · State baseline: — · MEDIUM

Home kitchen rules

- HOME KITCHEN ALLOWED —
- SEPARATE DEDICATED KITCHEN —
- PET RESTRICTIONS —
- WATER SUPPLY —
- HANDWASHING —
- FOOD STORAGE —

Inspection & permitting

- INSPECTION REQUIRED —
- HOME OCCUPATION PERMIT —
- LOCAL BUSINESS LICENSE —

Customer-facing rules

- ON-SITE CUSTOMER PICKUP —
- ON-SITE SIGNAGE —
- DELIVERY / PICKUP RULES —
- MAX EMPLOYEES IN HOME —

RESEARCH NOTES

New Mexico §25-12-5 expressly preempts county and municipal regulation of homemade food production and sales. Sierra County is a rural county in southwestern NM; no county-specific cottage food ordinances found. State baseline applied at high confidence.

SOURCES VERIFIED AT RESEARCH TIME

RANK 9999 · FIPS 35053 · Socorro

Socorro County

Population 0 · State baseline: — · MEDIUM

Home kitchen rules

- HOME KITCHEN ALLOWED —
- SEPARATE DEDICATED KITCHEN —
- PET RESTRICTIONS —
- WATER SUPPLY —
- HANDWASHING —
- FOOD STORAGE —

Inspection & permitting

- INSPECTION REQUIRED —
- HOME OCCUPATION PERMIT —
- LOCAL BUSINESS LICENSE —

Customer-facing rules

- ON-SITE CUSTOMER PICKUP —
- ON-SITE SIGNAGE —
- DELIVERY / PICKUP RULES —
- MAX EMPLOYEES IN HOME —

RESEARCH NOTES

New Mexico §25-12-5 expressly preempts county and municipal regulation of homemade food production and sales. Socorro County is a rural county in central NM; no county-specific cottage food ordinances found. State baseline applied at high confidence.

SOURCES VERIFIED AT RESEARCH TIME

RANK 9999 · FIPS 35055 · Taos

Taos County

Population 0 · State baseline: — · MEDIUM

Home kitchen rules

- HOME KITCHEN ALLOWED —
- SEPARATE DEDICATED KITCHEN —
- PET RESTRICTIONS —
- WATER SUPPLY —
- HANDWASHING —
- FOOD STORAGE —

Inspection & permitting

- INSPECTION REQUIRED —
- HOME OCCUPATION PERMIT —
- LOCAL BUSINESS LICENSE —

Customer-facing rules

- ON-SITE CUSTOMER PICKUP —
- ON-SITE SIGNAGE —
- DELIVERY / PICKUP RULES —
- MAX EMPLOYEES IN HOME —

RESEARCH NOTES

New Mexico §25-12-5 expressly preempts county and municipal regulation of homemade food production and sales. Taos County is a tourist-destination county with active farmers markets; no county-specific cottage food ordinances that restrict the state framework were found. State baseline applied at high confidence.

SOURCES VERIFIED AT RESEARCH TIME

RANK 9999 · FIPS 35057 · Estancia

Torrance County

Population 0 · State baseline: — · **MEDIUM**

Home kitchen rules

- HOME KITCHEN ALLOWED —
- SEPARATE DEDICATED KITCHEN —
- PET RESTRICTIONS —
- WATER SUPPLY —
- HANDWASHING —
- FOOD STORAGE —

Inspection & permitting

- INSPECTION REQUIRED —
- HOME OCCUPATION PERMIT —
- LOCAL BUSINESS LICENSE —

Customer-facing rules

ON-SITE CUSTOMER PICKUP	—
ON-SITE SIGNAGE	—
DELIVERY / PICKUP RULES	—
MAX EMPLOYEES IN HOME	—

RESEARCH NOTES

New Mexico §25-12-5 expressly preempts county and municipal regulation of homemade food production and sales. Torrance County is a rural county east of Albuquerque; no county-specific cottage food ordinances found. State baseline applied at high confidence.

SOURCES VERIFIED AT RESEARCH TIME

RANK 9999 · FIPS 35059 · Clayton

Union County

Population 0 · State baseline: — · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED	—
SEPARATE DEDICATED KITCHEN	—
PET RESTRICTIONS	—
WATER SUPPLY	—
HANDWASHING	—
FOOD STORAGE	—

Inspection & permitting

INSPECTION REQUIRED	—
HOME OCCUPATION PERMIT	—
LOCAL BUSINESS LICENSE	—

Customer-facing rules

- ON-SITE CUSTOMER PICKUP —
- ON-SITE SIGNAGE —
- DELIVERY / PICKUP RULES —
- MAX EMPLOYEES IN HOME —

RESEARCH NOTES

New Mexico §25-12-5 expressly preempts county and municipal regulation of homemade food production and sales. Union County is a remote rural county in northeastern NM bordering Colorado and Oklahoma; no county-specific cottage food ordinances found. State baseline applied at high confidence. Tier corrected to Great per state baseline.

SOURCES VERIFIED AT RESEARCH TIME

Generated 2026-05-06 from data/research/state_cottage_food_statutes.csv and data/research/county_cottage_food_zoning.csv. This report is for research purposes only and does not constitute legal advice. Cottage food law is in active flux — re-verify all citations and rules against state and county .gov sources before relying on them for regulatory decisions.