

COTTAGE BAKERY FROM HOME

Can I sell from my kitchen in Madison County, Montana?

Home kitchen sales. Not a shop or rented commercial kitchen. Last verified 2026-05-06.

STATE FOOD PERMIT

Yes

HOME OCCUPATION

Conditional

BUSINESS LICENSE

Varies

SALES CAP

—

MONTANA RULES. OPEN THESE FIRST.

[Montana permits PDF](#)[Montana cottage food law page](#)[Montana Department of Public Health and Human Services cottage food program](#)

Statute: Mont. Code §50-50-116 and §50-50-117 (cottage food); Mont. Code §§50-49-201 et seq. (Local Food Choice Act)

NOT LEGAL ADVICE

This is what it takes to sell from a home kitchen in Madison County. Confirm each step with Planning, Health, and the license office before you sell.

What you need

Madison County, Montana. File every Yes. Confirm every Check or Ask. Stay under the sales cap.

STATE FOOD PERMIT

Yes

ANNUAL SALES CAP

—

HOME OCCUPATION / ZONING

Conditional

LOCAL HEALTH

Upon-complaint

BUSINESS LICENSE

Varies

PICKUP AT THE HOUSE

Yes

HOME KITCHEN ONLY

If you want a shop or a rented commercial kitchen, these rows do not apply.

CONTINUE ONLINE

Montana permits PDF →

<https://crosodo.com/reports/pdf/permits/montana.pdf>

Montana cottage food law page →

<https://crosodo.com/states/montana>

Permit page for this place →

<https://crosodo.com/what-permits/montana/madison-county>

Madison County cottage food law page →

<https://crosodo.com/states/montana/madison-county>

Not legal advice. Rules change. Confirm with the office before you file.

Where to file

State

Montana registration: Yes. Routine kitchen inspection: Upon-complaint. Consignment sales at retail food establishments or through wholesale establishments are explicitly prohibited under §50-50-116(3). The Montana Local Food Choice Act also requires direct producer-to-informed-end-consumer transactions only; retail locations require a wholesale food license.

Montana permits PDF: crosodo.com/reports/pdf/permits/montana.pdf

State law page: crosodo.com/states/montana

Montana Department of Public Health and Human Services: <https://dphhs.mt.gov/publichealth/fcs/foodsafety/cottagefoods>

Statute: [Mont. Code §50-50-116 and §50-50-117 \(cottage food\)](#); [Mont. Code §§50-49-201 et seq. \(Local Food Choice Act\)](#)

Zoning / home occupation

Conditional. No specific Madison County cottage food or home occupation rules found. City of Virginia City may have business license requirements. Recommend verifying with Madison County planning/zoning department.

Health

Upon-complaint. No routine inspection under standard cottage food law. Local health authority access may be granted upon complaint. Under MLFCA track, no inspection required.

Business license

Varies

Pickup / delivery

Direct-to-consumer sales permitted at farmers markets, events, and from home. Under standard cottage food (§50-50-116), no consignment, retail, or wholesale sales. Under MLFCA, any direct producer-to-consumer in-state transaction is permissible if consumer is informed food is unlicensed/uninspected.

If you rent a commissary kitchen

DPHHS / local health license retail food. Montana cottage food and the Local Food Choice Act are home paths. A commissary is a retail food establishment licensed by the local health department.

Official source: [Montana FCSS](#)

Local health office we have on file: <https://www.madisoncounty.gov>

This file is the home-kitchen path. A rented kitchen uses a different permit. Ask the kitchen manager which license they expect, then call the local health office.

SOURCES

<https://www.madisoncounty.gov>

<https://dphhs.mt.gov/publichealth/fcs/foodsafety/cottagefoods>

https://leg.mt.gov/bills/mca/title_0500/chapter_0500/part_0010/section_0160/0500-0500-0010-0160.html

Madison County and nearby places

Regulation	Madison County	Beaverhead County	Jefferson County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Not specified in state cottage food law; individual county health departments may have additional requirements.	Not specified in state cottage food law; individual county health departments may have additional requirements.	Not specified in state cottage food law; individual county health departments may have additional requirements.
INSPECTION REQUIRED	Upon-complaint	Upon-complaint	Upon-complaint
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Direct-to-consumer sales permitted at farmers markets, events, and from home. Under standard cottage food (\$50-50-116), no consignment, ret...	Direct-to-consumer sales permitted at farmers markets, events, and from home. Under standard cottage food (\$50-50-116), no consignment, ret...	Direct-to-consumer sales permitted at farmers markets, events, and from home. Under standard cottage food (\$50-50-116), no consignment, ret...
HOME OCCUPATION PERMIT	Conditional	Conditional	Conditional
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Cottage food operations must register with local health authority under Mont. Code §50-50-117. Non-potentially-hazardous foods only under s...	Cottage food operations must register with local health authority under Mont. Code §50-50-117. Non-potentially-hazardous foods only under s...	Cottage food operations must register with local health authority under Mont. Code §50-50-117. Non-potentially-hazardous foods only under s...
FOOD STORAGE	Products must be non-potentially hazardous (standard cottage food track) or properly disclosed as unlicensed/uninspected (MLFCA track). Pro...	Products must be non-potentially hazardous (standard cottage food track) or properly disclosed as unlicensed/uninspected (MLFCA track). Pro...	Products must be non-potentially hazardous (standard cottage food track) or properly disclosed as unlicensed/uninspected (MLFCA track). Pro...
POPULATION	8,742	9,469	12,273

More pages for this place

These Crosodo pages cover the same home cottage-food path:

Montana permits PDF: crosodo.com/reports/pdf/permits/montana.pdf

Montana cottage food law: crosodo.com/states/montana

Madison County cottage food law: crosodo.com/states/montana/madison-county