

## COTTAGE BAKERY FROM HOME

# Can I sell from my kitchen in Treasure County, Montana?

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

| STATE FOOD PERMIT | HOME OCCUPATION | BUSINESS LICENSE | SALES CAP |
|-------------------|-----------------|------------------|-----------|
| Yes               | Varies          | Varies           | —         |

## 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 Treasure County. Confirm each step with Planning, Health, and the license office before you sell.

## What you need

Treasure 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

**Varies**

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/treasure-county>

**Treasure County cottage food law page →**

<https://crosodo.com/states/montana/treasure-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](https://crosodo.com/reports/pdf/permits/montana.pdf)

State law page: [crosodo.com/states/montana](https://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

Varies. Treasure County is one of Montana's least populous counties, located in southeastern Montana along the Yellowstone River. No formal county-level home occupation ordinances found. The 2021 Montana Local Food Choice Act preempts local restrictions on homemade food sales. Cottage food registration (\$40 one-time fee) administered through local Environmental Health office.

### Health

Upon-complaint. Consumer complaint or illness investigation only

### Business license

Varies

### Pickup / delivery

Face-to-face transaction required. Online advertising allowed but actual sale must be in-person. No third-party delivery services. Producer may deliver directly to purchaser.

### 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.treasurecounty.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.

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## SOURCES

<https://www.treasurecounty.gov>

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

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<https://dphhs.mt.gov/assets/publichealth/FCS/CottageFood/cottagefoodfrequentlyaskedquestions2024.pdf>

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## Treasure County and nearby places

| Regulation                 | Treasure County                                                                                                                                 | Rosebud County                                                                                                                                  | Big Horn County                                                                                                                                 |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| HOME KITCHEN ALLOWED       | Yes                                                                                                                                             | Yes                                                                                                                                             | Yes                                                                                                                                             |
| SEPARATE DEDICATED KITCHEN | No                                                                                                                                              | No                                                                                                                                              | No                                                                                                                                              |
| PETS ALLOWED               | Pets must be excluded from kitchen during production                                                                                            | Pets must be excluded from kitchen during production                                                                                            | 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          | Face-to-face transaction required. Online advertising allowed but actual sale must be in-person. No third-party delivery services. Producer...  | Face-to-face transaction required. Online advertising allowed but actual sale must be in-person. No third-party delivery services. Producer...  | 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     | Varies                                                                                                                                          | Varies                                                                                                                                          | Conditional                                                                                                                                     |
| LOCAL BUSINESS LICENSE     | Varies                                                                                                                                          | Varies                                                                                                                                          | Varies                                                                                                                                          |
| RESTRICTIONS               | Must produce in primary residence kitchen. Pets must be excluded during production. No routine inspection. One-time \$40 registration fee wi... | Must produce in primary residence kitchen. Pets must be excluded during production. No routine inspection. One-time \$40 registration fee wi... | 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 stored appropriately; temporary vehicle storage for transport only                                                                     | Products stored appropriately; temporary vehicle storage for transport only                                                                     | Products must be non-potentially hazardous (standard cottage food track) or properly disclosed as unlicensed/uninspected (MLFCA track). Pro...  |
| POPULATION                 | 718                                                                                                                                             | 8,956                                                                                                                                           | 13,090                                                                                                                                          |

## 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](https://crosodo.com/reports/pdf/permits/montana.pdf)

Montana cottage food law: [crosodo.com/states/montana](https://crosodo.com/states/montana)

Treasure County cottage food law: [crosodo.com/states/montana/treasure-county](https://crosodo.com/states/montana/treasure-county)