

COTTAGE BAKERY FROM HOME

Can I sell from my kitchen in Bernalillo County, New Mexico?

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

STATE FOOD PERMIT

No

HOME OCCUPATION

Conditional

BUSINESS LICENSE

Varies

SALES CAP

—

NEW MEXICO RULES. OPEN THESE FIRST.

[New Mexico permits PDF](#)

[New Mexico cottage food law page](#)

[New Mexico Environment Department cottage food program](#)

[Statute: NMSA §25-12-3 \(Homemade Food Act\)](#)

NOT LEGAL ADVICE

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

What you need

Bernalillo County, New Mexico. File every Yes. Confirm every Check or Ask. Stay under the sales cap.

STATE FOOD PERMIT

No

ANNUAL SALES CAP

—

HOME OCCUPATION / ZONING

Conditional

LOCAL HEALTH

No

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

New Mexico permits PDF →

<https://crosodo.com/reports/pdf/permits/new-mexico.pdf>

New Mexico cottage food law page →

<https://crosodo.com/states/new-mexico>

Permit page for this place →

<https://crosodo.com/what-permits/new-mexico/bernalillo-county>

Bernalillo County cottage food law page →

<https://crosodo.com/states/new-mexico/bernalillo-county>

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

Where to file

State

New Mexico registration: No. Routine kitchen inspection: 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.

New Mexico permits PDF: crosodo.com/reports/pdf/permits/new-mexico.pdf

State law page: crosodo.com/states/new-mexico

New Mexico Environment Department: <https://www.env.nm.gov/foodprogram/homemade-food-act/>

Statute: [NMSA §25-12-3 \(Homemade Food Act\)](#)

Zoning / home occupation

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.

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

Health

No. NMED has enforcement authority but must issue a written warning before imposing fines. Max fine \$100/ violation.

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

Business license

Varies

Pickup / delivery

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.

If you rent a commissary kitchen

Environment Department licenses food. New Mexico cottage food is a home path. A commissary is a food establishment licensed by the Environment Department or the local environmental health office.

Official source: [NMED food program](#)

Local health office we have on file: <https://www.bernco.gov/environmental-health>

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.bernco.gov/environmental-health>

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

<https://www.bernco.gov>

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

Bernalillo County and nearby places

Regulation	Bernalillo County	Santa Fe County	Sandoval County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Not specified; standard sanitation applies	No specific state restriction on pets in home.	No specific state restriction on pets in home.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Broad direct-to-consumer: home, farmers markets, events, online, mail delivery within New Mexico only. No wholesale to restaurants, distrib...	Sales at farmers markets, festivals, internet, roadside stands, home pickup/delivery, and mail delivery all permitted within New Mexico. No...	Sales at farmers markets, festivals, internet, roadside stands, home pickup/delivery, and mail delivery within New Mexico. No sales to rest...
HOME OCCUPATION PERMIT	Conditional	Varies	Varies
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	State baseline: non-TCS foods only. No registration required (voluntary NMED permit available). Food handler certification required. Direct...	New Mexico Homemade Food Act (eff. July 1, 2021): no registration or permit required (voluntary permit available). No sales cap. Food handl...	New Mexico Homemade Food Act (eff. July 1, 2021): no registration or permit required (voluntary permit available from NMED). No sales cap. ...
FOOD STORAGE	Standard food storage; non-TCS only	Non-TCS foods only. Hemp/CBD-infused foods require commercial permit. Alcohol-containing foods prohibited from private residences.	Non-TCS foods only. Alcohol-containing foods and CBD/hemp products prohibited from private residences.
POPULATION	674,692	154,481	149,460

More pages for this place

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

New Mexico permits PDF: crosodo.com/reports/pdf/permits/new-mexico.pdf

New Mexico cottage food law: crosodo.com/states/new-mexico

Bernalillo County cottage food law: crosodo.com/states/new-mexico/bernalillo-county