

COTTAGE BAKERY FROM HOME

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

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

STATE FOOD PERMIT

No

HOME OCCUPATION

Yes

BUSINESS LICENSE

Yes

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

What you need

McKinley 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

Yes

LOCAL HEALTH

No

BUSINESS LICENSE

Yes

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/mckinley-county>

McKinley County cottage food law page →

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

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.

Health

No. Complaint-based investigation by NMED Food Safety Bureau only

Business license

Yes

Pickup / delivery

Direct-to-consumer sales only; face-to-face transaction required; no online sales with third-party delivery

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.co.mckinley.nm.us>

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.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>

McKinley County and nearby places

Regulation	McKinley County	Cibola County	San Juan County
HOME KITCHEN ALLOWED	Yes	—	Yes
SEPARATE DEDICATED KITCHEN	No	—	No
PETS ALLOWED	Not specified in state law	—	No specific state or county restriction; standard food safety sanitation practices apply.
INSPECTION REQUIRED	No	—	No
ON-SITE CUSTOMER PICKUP	Yes	—	Yes
ON-SITE SIGNAGE	Conditional	—	Conditional
DELIVERY / PICKUP	Direct-to-consumer sales only; face-to-face transaction required; no online sales with third-party delivery	—	New Mexico allows direct sales at farmers markets, festivals, online, roadside stands, home pickup/delivery, and mail delivery within NM on...
HOME OCCUPATION PERMIT	Yes	—	Varies
LOCAL BUSINESS LICENSE	Yes	—	Varies
RESTRICTIONS	Production allowed in private farm, ranch, or residence. No state permit required. Food handler certification (NMSU online training) requir...	—	New Mexico Homemade Food Act allows non-TCS homemade foods from private residence. No mandatory registration (voluntary NMED permit availab...
FOOD STORAGE	Appropriate storage required for shelf-stable products	—	Non-TCS shelf-stable products. TCS foods must be made in NMED-permitted commercial kitchen.
POPULATION	72,073	27,211	121,798

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

McKinley County cottage food law: crosodo.com/states/new-mexico/mckinley-county