

COTTAGE BAKERY FROM HOME

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

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

STATE FOOD PERMIT

No

HOME OCCUPATION

Varies

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

What you need

Otero 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

Varies

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/otero-county>

Otero County cottage food law page →

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

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.

Health

No. Complaint-based investigation by NMED Food Safety Bureau

Business license

Varies

Pickup / delivery

Direct-to-consumer only; face-to-face transaction required within NM

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.oterocounty.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.oterocounty.gov>

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

Otero County and nearby places

Regulation	Otero County	Chaves County	Eddy County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Not specified in state law	No specific state prohibition; good manufacturing practice applies	No specific pet restriction in state law.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Yes	Conditional
DELIVERY / PICKUP	Direct-to-consumer only; face-to-face transaction required within NM	Direct sales to consumers via any channel within NM: farmers markets, festivals, internet, roadside stands, home pickup/delivery, mail deli...	Direct-to-consumer within NM via any channel — farmers markets, festivals, internet, roadside stands, home pickup/delivery, and mail delive...
HOME OCCUPATION PERMIT	Varies	Varies	Varies
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	No state permit required. Food handler certification (NMSU online training) required, valid 3 years. Direct-to-consumer sales only within N...	Non-TCS homemade foods may be sold directly to consumers within New Mexico through any channel with no sales cap. Food handler certificatio...	New Mexico Homemade Food Act (eff. July 1, 2021) allows all non-TCS foods from private farm, ranch, or residence. No sales cap. No registra...
FOOD STORAGE	Appropriate storage for shelf-stable products	Non-TCS foods only; proper storage required	Non-TCS foods must be stored appropriately; no specific state mandate beyond general food safety.
POPULATION	67,850	64,701	61,264

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

Otero County cottage food law: crosodo.com/states/new-mexico/otero-county