

## COTTAGE BAKERY FROM HOME

# Can I sell from my kitchen in Santa Fe County, New Mexico?

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

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| STATE FOOD PERMIT | HOME OCCUPATION | BUSINESS LICENSE | SALES CAP |
|-------------------|-----------------|------------------|-----------|
| No                | Varies          | Varies           | —         |

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

## What you need

Santa Fe 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/santa-fe-county>

**Santa Fe County cottage food law page →**

<https://crosodo.com/states/new-mexico/santa-fe-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](https://crosodo.com/reports/pdf/permits/new-mexico.pdf)

State law page: [crosodo.com/states/new-mexico](https://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. Santa Fe County may require a home occupation permit under local zoning. Santa Fe is both the state capital and county seat; local zoning rules apply. No county-specific cottage food overlay identified.

### Health

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

### Business license

Varies

### Pickup / delivery

Sales at farmers markets, festivals, internet, roadside stands, home pickup/delivery, and mail delivery all permitted within New Mexico. No sales to restaurants, wholesalers, distributors, or out of state.

### 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.santafecountynm.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.santafecountynm.gov>

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

<https://laws.nmonesource.com/w/nmos/Chapter-25-NMSA-1978>

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## Santa Fe County and nearby places

| Regulation                 | Santa Fe County                                                                                                                                | Sandoval County                                                                                                                                | Rio Arriba County |
|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| HOME KITCHEN ALLOWED       | Yes                                                                                                                                            | Yes                                                                                                                                            | —                 |
| SEPARATE DEDICATED KITCHEN | No                                                                                                                                             | No                                                                                                                                             | —                 |
| PETS ALLOWED               | No specific state restriction on pets in home.                                                                                                 | No specific state restriction on pets in home.                                                                                                 | —                 |
| INSPECTION REQUIRED        | No                                                                                                                                             | No                                                                                                                                             | —                 |
| ON-SITE CUSTOMER PICKUP    | Yes                                                                                                                                            | Yes                                                                                                                                            | —                 |
| ON-SITE SIGNAGE            | Conditional                                                                                                                                    | Conditional                                                                                                                                    | —                 |
| DELIVERY / PICKUP          | 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     | Varies                                                                                                                                         | Varies                                                                                                                                         | —                 |
| LOCAL BUSINESS LICENSE     | Varies                                                                                                                                         | Varies                                                                                                                                         | —                 |
| RESTRICTIONS               | 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               | 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                 | 154,481                                                                                                                                        | 149,460                                                                                                                                        | 40,285            |

## 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](https://crosodo.com/reports/pdf/permits/new-mexico.pdf)

New Mexico cottage food law: [crosodo.com/states/new-mexico](https://crosodo.com/states/new-mexico)

Santa Fe County cottage food law: [crosodo.com/states/new-mexico/santa-fe-county](https://crosodo.com/states/new-mexico/santa-fe-county)