

COTTAGE BAKERY FROM HOME

Can I sell from my kitchen in Erie County, New York?

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

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

NEW YORK RULES. OPEN THESE FIRST.

[New York permits PDF](#)

[New York cottage food law page](#)

[New York Department of Agriculture and Markets cottage food program](#)

[Statute: N.Y. Agric. & Mkts. Law §251-z-4; 1 CRR-NY 276.4](#)

NOT LEGAL ADVICE

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

What you need

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

STATE FOOD PERMIT

Yes

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.

HOW THIS PLACE WORKS

New York registers home processors at the state. Home Processor registration is with the New York State Department of Agriculture and Markets, not the county health department. Suffolk, Nassau, and other county health pages will not have a separate cottage-food application. Confirm labeling and the AGM registration page in this file.

Official source: [NYS AGM home processing](#)

CONTINUE ONLINE

New York permits PDF →

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

New York cottage food law page →

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

Permit page for this place →

<https://crosodo.com/what-permits/new-york/erie-county>

Erie County cottage food law page →

<https://crosodo.com/states/new-york/erie-county>

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

Where to file

State

New York registration: Yes. Routine kitchen inspection: No. Wholesale to restaurants, cafes, and grocery stores within New York State is explicitly permitted. Products may also be sold online (NY residents only) and via delivery. Shipping out of state is not permitted. Registration is free, location-specific, and has no expiration date.

New York permits PDF: crosodo.com/reports/pdf/permits/new-york.pdf

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

New York Department of Agriculture and Markets: <https://agriculture.ny.gov/food-safety/home-processing>

Statute: [N.Y. Agric. & Mkts. Law §251-z-4; 1 CRR-NY 276.4](#)

Zoning / home occupation

Conditional. NY Ag & Markets advises consulting local zoning officials for approval before starting. Erie County municipality rules vary. City of Buffalo has its own zoning code; unincorporated Erie County areas governed by county zoning. No state-level home occupation permit required but local zoning compliance is necessary.

Health

No. Home processors are exempt from routine inspections under the Home Processor Exemption. Registration becomes null and void if non-exempt foods are sold.

Business license

Varies

Pickup / delivery

Sales allowed at farm venues, farmers markets, green markets, craft fairs, flea markets, via home delivery, and online — all within New York State only. Wholesale to local restaurants, cafes, and grocery stores within NYS is permitted. No out-of-state sales or shipping.

If you rent a commissary kitchen

A commissary is Article 20-C or a health permit, not Home Processor. New York Home Processor is a state AGM registration for a home kitchen. If you hold a DOH permit or AGM 20-C license, homemade food must be made at that licensed facility. A commissary is that licensed facility.

Official source: [NYS AGM food processing](#)

Local health office we have on file: <https://www3.erie.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://www3.erie.gov>

<https://agriculture.ny.gov/food-safety/home-processing>

<https://www3.erie.gov/fpc/regulations-and-policies-operating-food-related-businesses>

Erie County and nearby places

Regulation	Erie County	Niagara County	Chautauqua County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Not specified in state rules	No explicit pet restriction stated in NY Home Processor Exemption. Standard GMP food safety practices apply.	Not specified in state statute; kitchen must maintain sanitary conditions.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Sales allowed at farm venues, farmers markets, green markets, craft fairs, flea markets, via home delivery, and online — all within New Yor...	NY Home Processor Exemption allows direct sales from home, online (within New York only), farmers markets, farm stands, craft fairs, and de...	Sales permitted at farms, farm stands, farmers markets, green markets, craft fairs, flea markets, via home delivery, and online — but only ...
HOME OCCUPATION PERMIT	Conditional	Conditional	Varies
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Home Processor Exemption is location-specific. Must use home kitchen only; products must be packaged in the home before sale. Registration ...	New York Home Processor Exemption allows non-PHF, shelf-stable baked goods and certain jams, jellies, preserves, and snack mixes. All produ...	Home Processor Exemption administered by NY Ag & Markets (not local health departments). Registration is free and does not expire but is lo...
FOOD STORAGE	Products must be packaged in the home kitchen before sale; no in-person packaging at events	Pre-packaged in the home; all products must be shelf-stable and labeled. Non-potentially hazardous products only.	Shelf-stable baked goods and certain jams/jellies/preserves/snack mixes only. Pre-packaged in the home. All products must be baked (pathoge...
POPULATION	951,232	212,230	127,440

More pages for this place

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

New York permits PDF: crosodo.com/reports/pdf/permits/new-york.pdf

New York cottage food law: crosodo.com/states/new-york

Erie County cottage food law: crosodo.com/states/new-york/erie-county