

## COTTAGE BAKERY FROM HOME

# Can I sell from my kitchen in Herkimer 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               | Varies          | 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 Herkimer County. Confirm each step with Planning, Health, and the license office before you sell.

## What you need

Herkimer 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

**Varies**

### LOCAL HEALTH

**No**

### BUSINESS LICENSE

**Varies**

### PICKUP AT THE HOUSE

**Conditional**

### 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/herkimer-county>

**Herkimer County cottage food law page →**

<https://crosodo.com/states/new-york/herkimer-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](https://crosodo.com/reports/pdf/permits/new-york.pdf)

State law page: [crosodo.com/states/new-york](https://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

Varies. Herkimer County and individual towns/villages have zoning authority. Operators should verify with their local town or village zoning office.

### Health

No. No routine inspection; complaint-based investigation possible.

### Business license

Varies

### Pickup / delivery

Sales at farms, farm stands, farmers markets, green markets, craft fairs, flea markets, home delivery, online within NY State. Wholesale permitted.

### 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://www.herkimercounty.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.herkimercounty.gov>

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

<https://agriculture.ny.gov/system/files/documents/2019/12/HomeProcessor.pdf>

## Herkimer County and nearby places

| Regulation                 | Herkimer County                                                                                                                                | Otsego County                                                                                                                                  | Fulton County                                                                                                                                  |
|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| HOME KITCHEN ALLOWED       | Yes                                                                                                                                            | Yes                                                                                                                                            | Yes                                                                                                                                            |
| SEPARATE DEDICATED KITCHEN | No                                                                                                                                             | No                                                                                                                                             | No                                                                                                                                             |
| PETS ALLOWED               | No specific pet restriction in NY Home Processor rules.                                                                                        | No specific pet restriction in NY Home Processor rules.                                                                                        | No specific NY or Fulton County restriction identified.                                                                                        |
| INSPECTION REQUIRED        | No                                                                                                                                             | No                                                                                                                                             | No                                                                                                                                             |
| ON-SITE CUSTOMER PICKUP    | Conditional                                                                                                                                    | Conditional                                                                                                                                    | Yes                                                                                                                                            |
| ON-SITE SIGNAGE            | Conditional                                                                                                                                    | Conditional                                                                                                                                    | Conditional                                                                                                                                    |
| DELIVERY / PICKUP          | Sales at farms, farm stands, farmers markets, green markets, craft fairs, flea markets, home delivery, online within NY State. Wholesale pe... | Sales at farms, farm stands, farmers markets, green markets, craft fairs, flea markets, home delivery, and online within NY State. Wholesal... | Sales permitted at farms, farm stands, farmers markets, green markets, craft fairs, flea markets, via home delivery, and online within NY S... |
| HOME OCCUPATION PERMIT     | Varies                                                                                                                                         | Varies                                                                                                                                         | Conditional                                                                                                                                    |
| LOCAL BUSINESS LICENSE     | Varies                                                                                                                                         | Varies                                                                                                                                         | Varies                                                                                                                                         |
| RESTRICTIONS               | NY Home Processor Exemption requires free registration with NY Ag & Markets. All products must be baked (pathogen kill step required). Shel... | NY Home Processor Exemption requires free registration with NY Ag & Markets. All products must be baked (pathogen kill step required). Shel... | Shelf-stable, non-potentially hazardous baked goods (must be baked), specific jams/jellies/preserves, snack mixes, and similar low-risk foo... |
| FOOD STORAGE               | Products must be shelf-stable, non-refrigerated, pre-packaged in the home.                                                                     | Products must be shelf-stable, non-refrigerated, pre-packaged in the home.                                                                     | Shelf-stable products only. No refrigerated items, no no-bake items. All products must be pre-packaged in the home.                            |
| POPULATION                 | 60,293                                                                                                                                         | 59,678                                                                                                                                         | 53,280                                                                                                                                         |

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

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

Herkimer County cottage food law: [crosodo.com/states/new-york/herkimer-county](https://crosodo.com/states/new-york/herkimer-county)