

COTTAGE BAKERY FROM HOME

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

What you need

Montgomery 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/montgomery-county>

Montgomery County cottage food law page →

<https://crosodo.com/states/new-york/montgomery-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. Montgomery County and its towns (Fonda, Amsterdam, Canajoharie, etc.) may have home occupation permit requirements for home-based food businesses. Recommend verifying with Montgomery County Planning and the relevant municipality.

Health

No. No routine inspection. Registration free and does not expire but is location-specific.

Business license

Varies

Pickup / delivery

Sales allowed at farms, farm stands, farmers markets, green markets, craft fairs, flea markets, via home delivery, and online within New York State only.

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.montgomerycounty.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.montgomerycounty.gov>

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

<https://www.nysenate.gov/legislation/laws/AGM/251-Z-4>

Montgomery County and nearby places

Regulation	Montgomery County	Fulton County	Otsego County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Not specified in state home processor rules.	No specific NY or Fulton County restriction identified.	No specific pet restriction in NY Home Processor rules.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Conditional
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Sales allowed at farms, farm stands, farmers markets, green markets, craft fairs, flea markets, via home delivery, and online within New Yo...	Sales permitted at farms, farm stands, farmers markets, green markets, craft fairs, flea markets, via home delivery, and online within NY S...	Sales at farms, farm stands, farmers markets, green markets, craft fairs, flea markets, home delivery, and online within NY State. Wholesal...
HOME OCCUPATION PERMIT	Conditional	Conditional	Varies
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	All products must be baked (must have a pathogen kill step). Non-potentially hazardous, shelf-stable baked goods only. Products must be pre...	Shelf-stable, non-potentially hazardous baked goods (must be baked), specific jams/ jellies/preserves, snack mixes, and similar low-risk foo...	NY Home Processor Exemption requires free registration with NY Ag & Markets. All products must be baked (pathogen kill step required). Shel...
FOOD STORAGE	Products must be non-potentially hazardous, shelf-stable, and pre-packaged.	Shelf-stable products only. No refrigerated items, no no-bake items. All products must be pre-packaged in the home.	Products must be shelf-stable, non-refrigerated, pre-packaged in the home.
POPULATION	49,624	53,280	59,678

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

Montgomery County cottage food law: crosodo.com/states/new-york/montgomery-county