

COTTAGE BAKERY FROM HOME

Can I sell from my kitchen in Divide County, North Dakota?

Home kitchen sales. Not a shop or rented commercial kitchen. Last verified 2026-05-06.

STATE FOOD PERMIT

No

HOME OCCUPATION

Conditional

BUSINESS LICENSE

No

SALES CAP

—

NORTH DAKOTA RULES. OPEN THESE FIRST.

[North Dakota permits PDF](#)

[North Dakota cottage food law page](#)

North Dakota Department of Health and Human Services (formerly Department of Health) cottage food program

[Statute: N.D. Cent. Code §23-09.5-01 through §23-09.5-02](#)

NOT LEGAL ADVICE

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

What you need

Divide County, North Dakota. File every Yes. Confirm every Check or Ask. Stay under the sales cap.

STATE FOOD PERMIT

No

ANNUAL SALES CAP

—

HOME OCCUPATION / ZONING

Conditional

LOCAL HEALTH

No

BUSINESS LICENSE

No

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

North Dakota permits PDF →

<https://crosodo.com/reports/pdf/permits/north-dakota.pdf>

North Dakota cottage food law page →

<https://crosodo.com/states/north-dakota>

Permit page for this place →

<https://crosodo.com/what-permits/north-dakota/divide-county>

Divide County cottage food law page →

<https://crosodo.com/states/north-dakota/divide-county>

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

Where to file

State

North Dakota registration: No. Routine kitchen inspection: No. Transactions must be directly between the cottage food operator and the 'informed end consumer' and solely for home consumption. Products may not be sold or used in any food establishment, food processing plant, or food store. No wholesale channel is permitted.

North Dakota permits PDF: crosodo.com/reports/pdf/permits/north-dakota.pdf

State law page: crosodo.com/states/north-dakota

North Dakota Department of Health and Human Services (formerly Department of Health): <https://www.ndhealth.gov/foodlodging/cottagefood/>

Statute: [N.D. Cent. Code §23-09.5-01 through §23-09.5-02](#)

Zoning / home occupation

Conditional. ND statute (§23-09.5-02(1)) expressly prohibits state agencies and political subdivisions from requiring licensure, permitting, or certification for cottage food. Divide County is a small rural county in far northwestern ND bordering Montana and Canada. Cottage food is preempted from local permitting requirements.

Health

No. State may investigate complaints related to foodborne illness. No routine inspections.

Business license

No

Pickup / delivery

Sales may occur at farm, ranch, farmers market, farm stand, home-based kitchen, or any non-prohibited venue, including delivery. Direct producer-to-consumer transactions only.

If you rent a commissary kitchen

Local health units license food establishments. North Dakota cottage food is a home path. A commissary is a food establishment licensed by the local health unit.

Official source: [ND HHS food and lodging](#)

Local health office we have on file: <https://www.dividecounty.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.dividecounty.gov>

<https://ndlegis.gov/cencode/t23c09-5.pdf>

<https://www.hhs.nd.gov/health/food-and-lodging/cottage-food>

Divide County and nearby places

Regulation	Divide County	Burke County	Williams County
HOME KITCHEN ALLOWED	Yes	Yes	—
SEPARATE DEDICATED KITCHEN	No	No	—
PETS ALLOWED	No state restriction specified.	No state restriction specified.	—
INSPECTION REQUIRED	No	No	—
ON-SITE CUSTOMER PICKUP	Yes	Yes	—
ON-SITE SIGNAGE	Conditional	Conditional	—
DELIVERY / PICKUP	Sales may occur at farm, ranch, farmers market, farm stand, home-based kitchen, or any non-prohibited venue, including delivery. Direct pro...	Sales may occur at farm, ranch, farmers market, farm stand, home-based kitchen, or any non-prohibited venue, including delivery. Direct pro...	—
HOME OCCUPATION PERMIT	Conditional	Conditional	Check_local
LOCAL BUSINESS LICENSE	No	No	—
RESTRICTIONS	No sales cap, no registration, no inspection, no licensing required. Direct sales to informed end consumer only. Products must include cons...	No sales cap, no registration, no inspection, no licensing required. Direct sales to informed end consumer only. Products must include cons...	—
FOOD STORAGE	No specific state requirement beyond keeping products safe for consumption.	No specific state requirement beyond keeping products safe for consumption.	—
POPULATION	2,071	2,126	39,076

More pages for this place

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

North Dakota permits PDF: crosodo.com/reports/pdf/permits/north-dakota.pdf

North Dakota cottage food law: crosodo.com/states/north-dakota

Divide County cottage food law: crosodo.com/states/north-dakota/divide-county