

COTTAGE BAKERY FROM HOME

Can I sell from my kitchen in Kay County, Oklahoma?

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

STATE FOOD PERMIT

No

HOME OCCUPATION

No

BUSINESS LICENSE

No

SALES CAP

\$75,000 / year

OKLAHOMA RULES. OPEN THESE FIRST.

[Oklahoma permits PDF](#)[Oklahoma cottage food law page](#)[Oklahoma State Department of Health cottage food program](#)[Statute: 2 O.S. §5-4.1 through §5-4.6 \(Homemade Food Freedom Act\)](#)**NOT LEGAL ADVICE**

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

What you need

Kay County, Oklahoma. File every Yes. Confirm every Check or Ask. Stay under the sales cap.

STATE FOOD PERMIT

No

ANNUAL SALES CAP

\$75,000 / year

HOME OCCUPATION / ZONING

No

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

[Oklahoma permits PDF →](https://crosodo.com/reports/pdf/permits/oklahoma.pdf)

<https://crosodo.com/reports/pdf/permits/oklahoma.pdf>

[Oklahoma cottage food law page →](https://crosodo.com/states/oklahoma)

<https://crosodo.com/states/oklahoma>

[Permit page for this place →](https://crosodo.com/what-permits/oklahoma/kay-county)

<https://crosodo.com/what-permits/oklahoma/kay-county>

[Kay County cottage food law page →](https://crosodo.com/states/oklahoma/kay-county)

<https://crosodo.com/states/oklahoma/kay-county>

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

Where to file

State

Oklahoma registration: No. Routine kitchen inspection: No. Sales are permitted on site, by delivery, at farmers markets, through cooperatives, and through membership-based buying clubs. The Oklahoma Department of Agriculture, Food, and Forestry may promulgate rules to allow sales at other locations or by other means. County ordinances may regulate but may not conflict with or impede the Act. For TCS foods, the producer must complete an approved food safety training (e.g., ServSafe Food Handler Training, max 8 hours, available online) before selling.

Oklahoma permits PDF: crosodo.com/reports/pdf/permits/oklahoma.pdf

State law page: crosodo.com/states/oklahoma

Oklahoma State Department of Health: <https://oklahoma.gov/health/protective-health/consumer-health-service/food-safety/homemade-food-freedom-act.html>

Statute: [2 O.S. §5-4.1 through §5-4.6 \(Homemade Food Freedom Act\)](#)

Zoning / home occupation

No. Kay County is a rural county with no identified county-wide zoning ordinance for unincorporated areas. The City of Newkirk (county seat) may require a business license and home occupation permit for businesses within city limits. State law (§5-4.6) allows counties to adopt non-conflicting ordinances.

Health

No. No routine inspection. ODAFF may investigate upon complaint of foodborne illness or labeling violation; may request proof of food safety training for TCS food producers

Business license

No

Pickup / delivery

Sales allowed on-site (home), by delivery, at farmers markets, through cooperatives, and through membership-based buying clubs. Non-TCS foods may also be sold through third-party retail vendors (grocery stores, farm stands, farmers markets, craft fairs) if vendor displays required allergen/unlicensed disclosure placard. Producer or producer's agent may deliver in-state.

If you rent a commissary kitchen

A commissary is a food-service license, not Food Freedom. Oklahoma Homemade Food Freedom is a home path. A commissary is a food establishment licensed by the State Department of Health.

Official source: [Oklahoma food service](#)

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

<https://oklahoma.gov/health/protective-health/consumer-health-service/food-safety/homemade-food-freedom-act.html>

<https://extension.okstate.edu/fact-sheets/homemade-food-freedom-act-fapc-242>

https://www.oklegislature.gov/cf_pdf/2021-22%20ENR/hB/HB1032%20ENR.PDF

Kay County and nearby places

Regulation	Kay County	Osage County	Garfield County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Not specified in state law; standard sanitation practices apply	Not specified in state law; good sanitation practices implied	No specific state prohibition
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Yes
DELIVERY / PICKUP	Sales allowed on-site (home), by delivery, at farmers markets, through cooperatives, and through membership-based buying clubs. Non-TCS foo...	Producer or producer's designated agent may deliver in-state only. Third-party delivery services not permitted for TCS foods.	Broad: any channel including internet, farmers markets, events, home, retail stores. Indirect sales of non-TCS products permitted. TCS prod...
HOME OCCUPATION PERMIT	No	Varies	Varies
LOCAL BUSINESS LICENSE	No	Varies	Varies
RESTRICTIONS	Production must occur at producer's primary residence. Annual gross sales cap of \$75,000. Non-TCS foods: no license, inspection, or registr...	Producer must reside in the home. Annual sales cap of \$75,000. TCS foods require completion of food safety training prior to sale. Labeling...	All homemade food products from a residence are allowed. Annual cap \$75,000. Non-TCS foods: fully exempt from licensing. TCS foods: require...
FOOD STORAGE	Not specified in state law; standard food safety practices implied	Proper food storage implied under sanitation requirements	Non-TCS: no specific additional requirements. TCS: proper temperature control required
POPULATION	44,880	47,431	62,456

More pages for this place

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

Oklahoma permits PDF: crosodo.com/reports/pdf/permits/oklahoma.pdf

Oklahoma cottage food law: crosodo.com/states/oklahoma

Kay County cottage food law: crosodo.com/states/oklahoma/kay-county