

COTTAGE BAKERY FROM HOME

Can I sell from my kitchen in Minnehaha County, South Dakota?

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

STATE FOOD PERMIT

No

HOME OCCUPATION

Conditional

BUSINESS LICENSE

Varies

SALES CAP

—

SOUTH DAKOTA RULES. OPEN THESE FIRST.

[South Dakota permits PDF](#)

[South Dakota cottage food law page](#)

[South Dakota Department of Health cottage food program](#)

[Statute: SDCL §34-18-35](#)

NOT LEGAL ADVICE

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

What you need

Minnehaha County, South 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

Varies

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

South Dakota permits PDF →

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

South Dakota cottage food law page →

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

Permit page for this place →

<https://crosodo.com/what-permits/south-dakota/minnehaha-county>

Minnehaha County cottage food law page →

<https://crosodo.com/states/south-dakota/minnehaha-county>

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

Where to file

State

South Dakota registration: No. Routine kitchen inspection: No. The statute does not restrict sales to direct-to-consumer channels only. Items are subject to sales tax. Local governments (counties, townships, municipalities) may not pass ordinances restricting, prohibiting, or imposing licensure on homemade food item sales under SDCL §34-18-1 definitions.

South Dakota permits PDF: crosodo.com/reports/pdf/permits/south-dakota.pdf

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

South Dakota Department of Health: <https://doh.sd.gov/topics/food-protection/cottage-foods/>

Statute: [SDCL §34-18-35](#)

Zoning / home occupation

Conditional. South Dakota state law preempts county/municipal ordinances restricting homemade food sales. However, Minnehaha County and City of Sioux Falls may have general home occupation zoning requirements for business registration. Contact Minnehaha County Planning & Zoning or Sioux Falls Planning for home occupation permit requirements.

Health

No. No routine inspection required for South Dakota cottage food operations. County/municipal ordinances restricting homemade food sales are preempted by state law.

Business license

Varies

Pickup / delivery

South Dakota cottage food law allows sales through any channel including retail stores. Home pickup, delivery, farmers markets, events all permitted. No sales cap.

If you rent a commissary kitchen

DOH licenses food service. South Dakota cottage food is a home path. A commissary is a food service establishment licensed by the Department of Health.

Official source: [SD DOH food](#)

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

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

https://sdlegislature.gov/Statutes/Codified_Laws/2050018

Minnehaha County and nearby places

Regulation	Minnehaha County	Lincoln County	Lake County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No explicit state-level pet restriction for South Dakota cottage food operations.	No specific state prohibition; good manufacturing practice applies	No specific pet restriction in South Dakota cottage food law.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	South Dakota cottage food law allows sales through any channel including retail stores. Home pickup, delivery, farmers markets, events all ...	Direct and indirect sales allowed; sales at home, farmers markets, fairs, roadside stands permitted. State statute preempts county/municipa...	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state sh...
HOME OCCUPATION PERMIT	Conditional	Varies	No
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	South Dakota cottage food law (SDCL §34-18-35, significantly amended 2022) exempts non-temperature-controlled foods, home-processed canned ...	Non-temperature-controlled foods prepared at a residence are exempt from licensure. Home-processed canned goods require online training eve...	South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked g...
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only under the cottage food exemption. Standard safe storage practices.	Non-temperature-controlled foods; proper storage required	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.
POPULATION	197,742	65,801	11,207

More pages for this place

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

South Dakota permits PDF: crosodo.com/reports/pdf/permits/south-dakota.pdf

South Dakota cottage food law: crosodo.com/states/south-dakota

Minnehaha County cottage food law: crosodo.com/states/south-dakota/minnehaha-county