

COTTAGE BAKERY FROM HOME

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

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

STATE FOOD PERMIT

No

HOME OCCUPATION

Varies

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 Union County. Confirm each step with Planning, Health, and the license office before you sell.

What you need

Union 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

Varies

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/union-county>

Union County cottage food law page →

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

Varies. Union County is in southeastern SD near Sioux City metro area and has somewhat more suburban character. No county-specific home occupation permit requirement for cottage food identified. Operators should verify with Union County offices in Elk Point.

Health

No. No routine or complaint-triggered inspection authority specified for cottage food operations under state law.

Business license

Varies

Pickup / delivery

Direct and indirect sales permitted. Online, in-person, delivery, farmers markets, and retail stores all allowed under SDCL §34-18-35.

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.unioncounty.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.unioncounty.gov>

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

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

Union County and nearby places

Regulation	Union County	Clay County	Lincoln County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No specific pet restriction in state cottage food law; standard food hygiene practices apply.	No specific pet restriction in South Dakota cottage food law.	No specific state prohibition; good manufacturing practice applies
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Direct and indirect sales permitted. Online, in-person, delivery, farmers markets, and retail stores all allowed under SDCL §34-18-35.	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state sh...	Direct and indirect sales allowed; sales at home, farmers markets, fairs, roadside stands permitted. State statute preempts county/municipa...
HOME OCCUPATION PERMIT	Varies	No	Varies
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	South Dakota SDCL §34-18-35 exempts homemade foods prepared at a residence from licensure. The 2022 amendment (SL 2022, ch 106) expanded be...	South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked g...	Non-temperature-controlled foods prepared at a residence are exempt from licensure. Home-processed canned goods require online training eve...
FOOD STORAGE	No specific state cottage food storage requirement; non-temperature-controlled foods must be stored appropriately.	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.	Non-temperature-controlled foods; proper storage required
POPULATION	16,700	14,953	65,801

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

Union County cottage food law: crosodo.com/states/south-dakota/union-county