

## COTTAGE BAKERY FROM HOME

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

## What you need

Walworth 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/walworth-county>

**Walworth County cottage food law page →**

<https://crosodo.com/states/south-dakota/walworth-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](https://crosodo.com/reports/pdf/permits/south-dakota.pdf)

State law page: [crosodo.com/states/south-dakota](https://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. Walworth County is a rural county. No county-specific home occupation permit requirement for cottage food identified. Operators should verify with Walworth County offices in Selby.

### 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.walworthcounty.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.

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### SOURCES

<https://www.walworthcounty.gov>

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

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

## Walworth County and nearby places

| Regulation                 | Walworth County                                                                                                                                | Dewey County                                                                                                                                   | Edmunds 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 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          | 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 both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state sh... |
| HOME OCCUPATION PERMIT     | Varies                                                                                                                                         | No                                                                                                                                             | No                                                                                                                                             |
| 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... | 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               | 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 (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.                               |
| POPULATION                 | 5,317                                                                                                                                          | 5,275                                                                                                                                          | 4,014                                                                                                                                          |

## 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](https://crosodo.com/reports/pdf/permits/south-dakota.pdf)

South Dakota cottage food law: [crosodo.com/states/south-dakota](https://crosodo.com/states/south-dakota)

Walworth County cottage food law: [crosodo.com/states/south-dakota/walworth-county](https://crosodo.com/states/south-dakota/walworth-county)