

## COTTAGE BAKERY FROM HOME

# Can I sell from my kitchen in Briscoe County, Texas?

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

| STATE FOOD PERMIT | HOME OCCUPATION | BUSINESS LICENSE | SALES CAP        |
|-------------------|-----------------|------------------|------------------|
| No                | Varies          | Varies           | \$150,000 / year |

## TEXAS RULES. OPEN THESE FIRST.

[Texas permits PDF](#)[Texas cottage food law page](#)[Texas Department of State Health Services cottage food program](#)[Statute: Tex. Health & Safety §437.001 et seq.](#)**NOT LEGAL ADVICE**

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

## What you need

Briscoe County, Texas. File every Yes. Confirm every Check or Ask. Stay under the sales cap.

STATE FOOD PERMIT

No

ANNUAL SALES CAP

\$150,000 / year

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.

### HOW THIS PLACE WORKS

**Texas does not let counties charge a cottage-food permit.** State law says a local government may not require a permit, license, or fee for a cottage food production operation. The leftover local steps are usually city zoning, a DBA (assumed name) at the county clerk, and sales tax if your products are taxable. This packet shows the state DSHS page for the food rules.

Official source: [Texas DSHS cottage food production operations](#)

### CONTINUE ONLINE

**Texas permits PDF →**

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

**Texas cottage food law page →**

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

**Permit page for this place →**

<https://crosodo.com/what-permits/texas/briscoe-county>

**Briscoe County cottage food law page →**

<https://crosodo.com/states/texas/briscoe-county>

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

## Where to file

### State

Texas registration: No. Routine kitchen inspection: No. Sales must be made directly to consumers or to a 'cottage food vendor' (a new category created by SB 541 in 2025 – a person with a contractual relationship who sells on behalf of the cottage food operation to consumers in-state). Cottage food products may not be sold as ingredients to a food service establishment. No retail grocery store or wholesale sales permitted under the pre-2025 framework; SB 541 (2025) adds the cottage food vendor intermediary option. Products must be delivered to consumer or vendor at point of sale or consumer-designated location.

Texas permits PDF: [crosodo.com/reports/pdf/permits/texas.pdf](https://crosodo.com/reports/pdf/permits/texas.pdf)

State law page: [crosodo.com/states/texas](https://crosodo.com/states/texas)

Texas Department of State Health Services: <https://www.dshs.texas.gov/food-establishments/cottage-food-production-operations>

Statute: [Tex. Health & Safety §437.001 et seq.](#)

### Zoning / home occupation

Varies. Briscoe County is largely unincorporated; counties in Texas have very limited zoning authority. No county-level home occupation ordinance found. Operators within incorporated cities (e.g., Silverton) may be subject to city home occupation rules. Unincorporated areas face minimal local restrictions.

### Health

No. DSHS or local health authority may only act to prevent an immediate and serious threat to human life or health.

### Business license

Varies

### Pickup / delivery

All channels permitted including direct to consumer, indirect sales, farmers markets, online, delivery, and through a registered cottage food vendor intermediary (SB 541, 2025). Wholesale of non-TCS foods to retail locations now allowed. No wholesale of TCS foods.

### If you rent a commissary kitchen

**DSHS does not let locals permit cottage food. A commissary is different.** Texas cottage food is exempt from food-establishment rules. A commissary, restaurant, or shared kitchen is a retail food establishment permitted by the local health department or DSHS.

Official source: [Texas DSHS retail food establishments](#)

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

<https://www.dshs.texas.gov/food-establishments/cottage-food-production-operations>

<https://statutes.capitol.texas.gov/Docs/HS/htm/HS.437.htm>

## Briscoe County and nearby places

| Regulation                 | Briscoe County                                                                                                                                 | Motley County                                                                                                                                   | Armstrong County |
|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| HOME KITCHEN ALLOWED       | Yes                                                                                                                                            | Yes                                                                                                                                             | —                |
| SEPARATE DEDICATED KITCHEN | No                                                                                                                                             | No                                                                                                                                              | —                |
| PETS ALLOWED               | No specific pet restriction in state cottage food law.                                                                                         | No specific state restriction on pets in home for cottage food operations.                                                                      | —                |
| INSPECTION REQUIRED        | No                                                                                                                                             | No                                                                                                                                              | —                |
| ON-SITE CUSTOMER PICKUP    | Yes                                                                                                                                            | Yes                                                                                                                                             | —                |
| ON-SITE SIGNAGE            | Yes                                                                                                                                            | Conditional                                                                                                                                     | —                |
| DELIVERY / PICKUP          | All channels permitted including direct to consumer, indirect sales, farmers markets, online, delivery, and through a registered cottage fo... | Sales allowed direct-to-consumer, at farmers markets, online (statewide), fairs, roadside stands. SB 541 (2025) also allows sales through n...  | —                |
| HOME OCCUPATION PERMIT     | Varies                                                                                                                                         | No                                                                                                                                              | —                |
| LOCAL BUSINESS LICENSE     | Varies                                                                                                                                         | No                                                                                                                                              | —                |
| RESTRICTIONS               | Texas cottage food law (SB 541, 2025) is highly permissive. No registration required for most operators (registration optional for address ... | Texas allows cottage food from residential home kitchens. No registration, permit, or inspection required. Annual gross income cap of \$150,... | —                |
| FOOD STORAGE               | Non-TCS foods or TCS foods held at proper temperatures required. No refrigeration mandate for shelf-stable products.                           | All products must be shelf-stable, non-TCS. Proper storage to prevent contamination required.                                                   | —                |
| POPULATION                 | 1,290                                                                                                                                          | 1,200                                                                                                                                           | 1,912            |

## More pages for this place

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

Texas permits PDF: [crosodo.com/reports/pdf/permits/texas.pdf](https://crosodo.com/reports/pdf/permits/texas.pdf)

Texas cottage food law: [crosodo.com/states/texas](https://crosodo.com/states/texas)

Briscoe County cottage food law: [crosodo.com/states/texas/briscoe-county](https://crosodo.com/states/texas/briscoe-county)