

COTTAGE BAKERY FROM HOME

Can I sell from my kitchen in Cherokee County, Texas?

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

STATE FOOD PERMIT	HOME OCCUPATION	BUSINESS LICENSE	SALES CAP
No	Conditional	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 Cherokee County. Confirm each step with Planning, Health, and the license office before you sell.

What you need

Cherokee 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

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.

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/cherokee-county>

[Cherokee County cottage food law page →](#)

<https://crosodo.com/states/texas/cherokee-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

State law page: 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

Conditional. No specific Cherokee County cottage food ordinances found. City of Rusk and other municipalities within Cherokee County have their own zoning codes. Home occupation permits may be required by local zoning. Recommend verifying with Cherokee County and City of Rusk planning departments.

Health

No. No license, inspection, or registration required. 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

Sales allowed directly to consumers in Texas, online, at farmers markets, through cottage food vendors (SB 541, 2025), and by mail/delivery within Texas.

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.cherokeecounty.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.cherokeecounty.gov>

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

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

Cherokee County and nearby places

Regulation	Cherokee County	Rusk County	Anderson County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Not specified in state cottage food law.	No specific TX or Rusk County restriction.	No specific pet restriction in state cottage food law.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Yes
DELIVERY / PICKUP	Sales allowed directly to consumers in Texas, online, at farmers markets, through cottage food vendors (SB 541, 2025), and by mail/delivery...	Direct and some indirect sales. Online orders permitted.	Almost all channels permitted including direct to consumer, indirect sales, farmers markets, online, delivery, and through a 'cottage food ...
HOME OCCUPATION PERMIT	Conditional	Varies	Varies
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Must produce in home kitchen. All non-TCS foods allowed. Annual gross income cap \$150,000 (as of SB 541, 2025). No meat/poultry/seafood, ic...	All non-TCS foods allowed. Annual cap \$150,000. No inspection or registration required.	Texas cottage food law is highly permissive. No registration, no license, no inspection required. \$150,000 annual gross income cap (raised ...
FOOD STORAGE	Products must be non-TCS; proper storage implied.	Non-TCS products. Prohibited: meat, poultry, seafood, ice/frozen treats, low-acid canned goods, CBD/THC, raw milk.	Non-TCS, non-refrigerated products required.
POPULATION	50,824	52,755	58,077

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

Texas cottage food law: crosodo.com/states/texas

Cherokee County cottage food law: crosodo.com/states/texas/cherokee-county