

## COTTAGE BAKERY FROM HOME

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

## What you need

Guadalupe 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/guadalupe-county>

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

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

Conditional. Texas state law prohibits health department regulation of cottage food. Guadalupe County unincorporated areas may have home occupation zoning requirements. County URLs were blank in input.

### Health

No. No routine inspections. Health authority may act only upon immediate and serious threat to human life.

### Business license

Varies

### Pickup / delivery

Online sales, in-state delivery, and direct sales from home, farmers markets allowed. No interstate sales.

### 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.guadalupecounty.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.guadalupecounty.gov>

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

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

## Guadalupe County and nearby places

| Regulation                 | Guadalupe County                                                                                                                                | Comal County                                                                                                                                    | Hays County                                                                                                                                     |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| HOME KITCHEN ALLOWED       | Yes                                                                                                                                             | Yes                                                                                                                                             | Yes                                                                                                                                             |
| SEPARATE DEDICATED KITCHEN | No                                                                                                                                              | No                                                                                                                                              | No                                                                                                                                              |
| PETS ALLOWED               | No explicit state restriction; good manufacturing practices apply.                                                                              | No explicit state restriction; good manufacturing practices apply.                                                                              | Not specified in state statute                                                                                                                  |
| INSPECTION REQUIRED        | No                                                                                                                                              | No                                                                                                                                              | No                                                                                                                                              |
| ON-SITE CUSTOMER PICKUP    | Yes                                                                                                                                             | Yes                                                                                                                                             | Yes                                                                                                                                             |
| ON-SITE SIGNAGE            | Conditional                                                                                                                                     | Conditional                                                                                                                                     | Conditional                                                                                                                                     |
| DELIVERY / PICKUP          | Online sales, in-state delivery, and direct sales from home, farmers markets allowed. No interstate sales.                                      | Online, in-state delivery, and direct sales from home and farmers markets permitted. No interstate sales.                                       | Direct and limited indirect sales; farmers markets, online, home delivery, third-party delivery platforms allowed.                              |
| HOME OCCUPATION PERMIT     | Conditional                                                                                                                                     | Conditional                                                                                                                                     | Conditional                                                                                                                                     |
| LOCAL BUSINESS LICENSE     | Varies                                                                                                                                          | Varies                                                                                                                                          | Varies                                                                                                                                          |
| RESTRICTIONS               | Non-TCS foods only. Annual sales cap \$150,000 (SB 541, 2025). No registration or inspection required. Health departments may not regulate c... | Non-TCS foods only. Annual sales cap \$150,000 (SB 541, 2025). No registration or inspection required. Health departments prohibited from re... | No license, registration, or inspection required from health department. \$150,000 annual gross sales cap (SB 541, 2025). Almost all non-TCS... |
| FOOD STORAGE               | Shelf-stable storage for permitted non-TCS foods.                                                                                               | Shelf-stable storage for non-TCS foods.                                                                                                         | Non-TCS shelf-stable foods; prohibited: meat, poultry, seafood, ice products, low-acid canned goods                                             |
| POPULATION                 | 173,828                                                                                                                                         | 165,201                                                                                                                                         | 245,351                                                                                                                                         |

## 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)

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