

COTTAGE BAKERY FROM HOME

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

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

STATE FOOD PERMIT

No

HOME OCCUPATION

Conditional

BUSINESS LICENSE

Varies

SALES CAP

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

What you need

Hidalgo 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/hidalgo-county>

Hidalgo County cottage food law page →

<https://crosodo.com/states/texas/hidalgo-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 municipal zoning ordinance can prevent a cottage food operation. However, city/county nuisance, traffic, parking rules still apply. Cities within Hidalgo County (Edinburg, McAllen, Pharr, Mission, etc.) may have home occupation permit requirements for business activities. Contact the applicable city's planning department.

Health

No. No local health department inspection authority. DSHS/local health authority may only act to prevent immediate and serious threat to human life.

Business license

Varies

Pickup / delivery

Direct-to-consumer including online with personal delivery by operator/household member within Texas. Since SB 541 (2025), wholesale to registered cottage food vendors permitted for non-TCS foods. No mail/carrier shipping. \$150,000 annual cap.

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.hidalgocounty.us>

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.hidalgocounty.us>

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

<https://texascottagefoodlaw.com/basics/>

Hidalgo County and nearby places

Regulation	Hidalgo County	Cameron County	Starr County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Not specified; standard sanitation applies	No specific state restriction in cottage food law.	No specific statutory prohibition; food handler training covers safe practices
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Yes
DELIVERY / PICKUP	Direct-to-consumer including online with personal delivery by operator/household member within Texas. Since SB 541 (2025), wholesale to reg...	Direct-to-consumer and some indirect sales allowed. Online sales and mail delivery permitted. Products may be sold at direct sales only cha...	Direct and indirect sales allowed (SB 541 added cottage food vendors for wholesale). Sales at home, farmers markets, events, and retail sto...
HOME OCCUPATION PERMIT	Conditional	Varies	No
LOCAL BUSINESS LICENSE	Varies	Varies	No
RESTRICTIONS	Texas strong state preemption: local health departments cannot regulate cottage food production, require permits, fees, or inspections. Mus...	Texas cottage food law (Tex. Health & Safety §437.001 et seq.) requires no license, permit, or registration. No state inspection. Annual gr...	Cottage food must be produced in the home kitchen of the operator's primary domestic residence. Local health departments have NO authority ...
FOOD STORAGE	Standard food storage practices	Non-TCS shelf-stable products. Acidified and fermented foods allowed.	Non-TCS foods only; proper storage required; prohibited foods include meat, poultry, seafood, ice cream, low-acid canned goods
POPULATION	873,167	421,854	65,716

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

Hidalgo County cottage food law: crosodo.com/states/texas/hidalgo-county