

COTTAGE BAKERY FROM HOME

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

What you need

Midland 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/midland-county>

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

<https://crosodo.com/states/texas/midland-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. Texas state law prohibits health department regulation. Midland County unincorporated areas may require home occupation permit under county zoning. County government website confirmed at co.midland.tx.us.

Health

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

Business license

Varies

Pickup / delivery

Online, in-state delivery, and direct sales from home and farmers markets permitted. 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.co.midland.tx.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.co.midland.tx.us>

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

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

Midland County and nearby places

Regulation	Midland County	Ector County	Andrews County
HOME KITCHEN ALLOWED	Yes	Yes	—
SEPARATE DEDICATED KITCHEN	No	No	—
PETS ALLOWED	No explicit state restriction; good manufacturing practices apply.	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	Conditional	Conditional	—
DELIVERY / PICKUP	Online, in-state delivery, and direct sales from home and farmers markets permitted. No interstate sales.	Sales allowed direct-to-consumer, at farmers markets, online (statewide), fairs, roadside stands. SB 541 (2025) also allows sales through n...	—
HOME OCCUPATION PERMIT	Conditional	Varies	—
LOCAL BUSINESS LICENSE	Varies	Varies	—
RESTRICTIONS	Non-TCS foods only. Annual sales cap \$150,000 (SB 541, 2025). No registration or inspection required. Health departments have no regulatory...	Texas allows cottage food from residential home kitchens. No registration, permit, or inspection required. Annual gross income cap of \$150,...	—
FOOD STORAGE	Shelf-stable storage for non-TCS foods.	All products must be shelf-stable, non-TCS. Proper storage to prevent contamination required.	—
POPULATION	169,393	162,300	18,362

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

Midland County cottage food law: crosodo.com/states/texas/midland-county