

COTTAGE BAKERY FROM HOME

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

What you need

Polk 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/polk-county>

Polk County cottage food law page →

<https://crosodo.com/states/texas/polk-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 Polk County cottage food ordinances found. City of Livingston and other municipalities may have local business license requirements. Recommend verifying with Polk County and City of Livingston.

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 vendor intermediaries (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.polkcounty.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.polkcounty.gov>

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

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

Polk County and nearby places

Regulation	Polk County	Hardin County	San Jacinto 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 state or Hardin County restriction on pets; standard food safety practices apply.	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 vendor intermediaries (SB 541, 2025), and by...	Direct and some indirect sales allowed. Online orders with in-person delivery or pickup permitted. The 2025 SB 541 amendment created the 'c...	Direct-to-consumer sales anywhere in Texas including home pickup, farmers markets, events, and online (with personal delivery). Non-TCS foo...
HOME OCCUPATION PERMIT	Conditional	Varies	No
LOCAL BUSINESS LICENSE	Varies	Varies	No
RESTRICTIONS	Must produce in home kitchen. All non-TCS foods allowed. Annual gross income cap \$150,000 (SB 541, 2025). No meat/poultry/seafood, ice/ice ...	All non-TCS foods allowed including most baked goods, candy, jams, pickles, dried herbs, vinegar, acidified foods, fermented vegetable prod...	Texas cottage food law (SB 541, effective Sept 1 2025) allows sale of nearly all non-TCS foods plus TCS foods directly to consumers. Annual...
FOOD STORAGE	Products must be non-TCS; proper storage implied.	Products must be non-TCS and not require refrigeration (with exceptions). Proper labeling required.	Non-TCS foods unrestricted; TCS foods must be held at proper temperatures ($\leq 41^{\circ}\text{F}$ or $\geq 135^{\circ}\text{F}$).
POPULATION	50,536	56,576	27,666

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

Polk County cottage food law: crosodo.com/states/texas/polk-county