

## COTTAGE FOOD LAW REPORT

# South Dakota

A comprehensive guide to the cottage food statute, sales rules, and county-level zoning and health-department overlays for home bakers operating under SDCL §34-18-35.

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STATUTE	TIER	IJ GRADE	COUNTIES COVERED	LAST VERIFIED
SDCL §34-18-35	Good	B	66	2026-05-05

**IMPORTANT – NOT LEGAL ADVICE**

This report compiles publicly-available statutes, regulations, and county zoning rules into a research reference. It is **not legal advice** and is provided **without warranty** as to accuracy, completeness, or current applicability.

Cottage food law changes frequently. Counties may amend zoning, health departments may issue new permits, and state legislatures may update statutes after the publication date shown above. **Always verify rules directly with your state department of health/agriculture and your county health and planning offices before relying on them for any business or regulatory decision.** Consult a licensed attorney for advice specific to your situation.

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## Executive summary

This report covers the South Dakota cottage food framework — the state statute, the regulatory body administering it, what producers can and cannot sell, and county-level rules layered on top of state law for the 66 South Dakota counties included in this dataset.

### ANNUAL SALES CAP

none

### REGISTRATION REQUIRED

no

### FOOD HANDLER CERTIFICATION

recommended

### KITCHEN INSPECTION

no

### DIRECT SALES ONLY

no

### INDIRECT SALES (RETAIL/ONLINE/WHOLESALE)

yes — The statute does not restrict sales to direct-to-consumer channels only. Items are subject to sales tax. Local governments (counties, townships, municipalities) may not pass ordinances restricting, prohibiting, or imposing licensure on homemade food item sales under SDCL §34-18-1 definitions.

### RESEARCH NOTES

Verbatim excerpt from Justia ([law.justia.com](http://law.justia.com)) citing the SD Legislature's official code. The input batch cited SDCL §34-18; the operative cottage food exemption sections are §34-18-35 (sale of homemade foods), §34-18-36 (home-processed canned goods), §34-18-36.1 (additional authorized food products), and §34-18-38 (limitations). The 2022 legislative amendment (SL 2022, ch 106) significantly expanded allowable foods beyond prior baked-goods-only scope. The SDSU Extension site confirms individuals selling certain home-processed canned goods must complete a \$40 DOH-certified online training every 5 years. No sales cap is imposed. County/municipal ordinances restricting homemade food sales are preempted. The statute\_url in the input points to the chapter index page; the specific operative cottage food exemption is §34-18-35.

## South Dakota Codified Laws, Title 34 – Public Health and Safety, Chapter 18 – Health Regulation of Lodging and Food Service Establishments and Campgrounds, Section 34-18-35 (Sale of Homemade Foods and Food Products)

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**CITATION**

SDCL §34-18-35

**ENACTED**

2010

**LAST AMENDED**

2022

**CONFIDENCE**

HIGH

### Allowed foods

Non-temperature-controlled foods prepared at a residence, home-processed canned goods, and baked goods prepared at a residence are all exempt from licensure. The 2022 amendment expanded allowed products beyond the prior baked-goods-only scope. Each individual involved in production of certain home-canned goods must complete a state-certified online training once every five years.

### Prohibited foods

Temperature-controlled (refrigerated or hot-held) foods not covered by the statutory exemptions are not permitted without a license. The Department of Health must approve certain products under §34-18-36 and §34-18-36.1. Alcoholic beverages and meat/poultry subject to USDA inspection are generally excluded.

### Labeling requirements

No specific labeling requirements are mandated in the core cottage food statute. However, for certain home-canned goods processed under §34-18-36, labeling may be required. Standard FDA labeling recommendations apply as best practices. Sales are subject to applicable sales tax.

## Statutory text — verbatim excerpt

### Statute excerpt — verbatim

34-18-35. Sale of homemade foods and food products. Except as otherwise provided in §34-18-38, the licensure provisions of this chapter do not apply to a person selling: (1) Non-temperature-controlled food prepared at a residence; (2) Home-processed canned goods; (3) Baked goods prepared at a residence; or (4) Any food product prepared at a residence and authorized under §34-18-36 or 34-18-36.1. Source: SL 2010, ch 172, §2; SL 2022, ch 106, §1. [Adjacent section:] 34-18-36. Canned goods—Requirements. No canned good may be sold unless the pH level is 4.6 or less or the water activity level is .85 or less. Except as otherwise provided in this section, a producer selling canned goods under this section shall, every five years, complete food safety training approved by the department. The training must be available online. The producer shall retain records verifying the timely completion of such training. A producer selling home-processed goods under this section may, in lieu of the requirement for food safety training, maintain verification of each recipe from a third-party processing authority. The third-party processing authority must have knowledge of the thermal processing required of food in hermetically-sealed containers and shall verify the method of processing and that the pH or water activity threshold levels are met. The processing authority shall provide verification in writing to the producer. Source: SL 2010, ch 172, §3; SL 2022, ch 106, §2.

Source: <https://law.justia.com/codes/south-dakota/title-34/chapter-18/section-34-18-35/>

## Official sources

**Statute** [https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

**State dept page** <https://doh.sd.gov/topics/food-protection/cottage-foods/>

**Extension service** <https://extension.sdstate.edu/>

**Forrager.com** <https://forrager.com/law/south-dakota/>

State dept of agriculture / health: **South Dakota Department of Health**

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## County-level rules

The state statute above sets the floor. Each county may add a home-occupation permit, business license, or zoning rule on top of state law. The 66 South Dakota counties below are sorted by population (largest first).

RANK 339 · FIPS 46099 · Sioux Falls

## Minnehaha County

Population 197,742 · State baseline: SDCL §34-18-35 · MEDIUM

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, significantly amended 2022) exempts non-temperature-controlled foods, home-processed canned goods, and baked goods from licensure. No registration required. No sales cap. Indirect sales (retail stores) permitted. Home-canned goods producers must complete a state-certified online training once every five years (~\$40). Minnehaha County is home to Sioux Falls, South Dakota's largest city.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No explicit state-level pet restriction for South Dakota cottage food operations.
WATER SUPPLY	No specific water testing requirement for South Dakota cottage food operations.
HANDWASHING	Standard food safety practices; no specific statutory handwashing requirement.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only under the cottage food exemption. Standard safe storage practices.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required for South Dakota cottage food operations. County/municipal ordinances restricting homemade food sales are preempted by state law.
HOME OCCUPATION PERMIT	conditional — South Dakota state law preempts county/municipal ordinances restricting homemade food sales. However, Minnehaha County and City of Sioux Falls may have general home occupation zoning requirements for business registration. Contact Minnehaha County Planning & Zoning or Sioux Falls Planning for home occupation permit requirements.
LOCAL BUSINESS LICENSE	varies

### Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	South Dakota cottage food law allows sales through any channel including retail stores. Home pickup, delivery, farmers markets, events all permitted. No sales cap.
MAX EMPLOYEES IN HOME	No explicit employee cap in South Dakota cottage food statute. Home occupation zoning may restrict non-resident employees.

### Relevant county code

SDCL §34-18-35; §34-18-36; §34-18-36.1; §34-18-38; Minnehaha County zoning ordinances

**RESEARCH NOTES**

South Dakota state baseline applies. Minnehaha County (county seat: Sioux Falls) is the most populous county in South Dakota. The 2022 amendment (SL 2022, ch 106) significantly expanded allowable foods. State law preempts local restrictions on homemade food sales. Home-canned goods producers need the \$40 DOH-certified online training every 5 years.

**SOURCES VERIFIED AT RESEARCH TIME**

<https://www.minnehahacounty.gov>

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 550 · FIPS 46103 · Rapid City

## Pennington County

Population 110,386 · State baseline: SDCL §34-18-35; §34-18-36; §34-18-36.1 (expanded 2022); no sales cap; no registration required; no inspection; direct and indirect sales; county/municipal ordinances restricting homemade food sales preempted · **HIGH**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota allows non-temperature-controlled foods, home-processed canned goods, and baked goods from a residence without a license. 2022 amendment significantly expanded allowed products. Individual canned goods producers must complete a state-certified online training once every five years. State law preempts county/municipal ordinances restricting homemade food sales.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific state restriction; standard food safety practices apply.
WATER SUPPLY	Potable water required per state food safety standards.
HANDWASHING	Standard food safety practices; home-processed canned goods producers must complete a state-certified online training (\$40, every 5 years).
FOOD STORAGE	Non-temperature-controlled foods and home-canned goods. Certain products require Department of Health approval under §34-18-36 and §34-18-36.1.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. State preempts local restrictions. SD DOH may investigate complaints.
HOME OCCUPATION PERMIT	conditional — South Dakota state law preempts county/municipal ordinances restricting homemade food sales (SDCL §34-18-38). However, Rapid City (within Pennington County) requires a Home Occupation Certificate for home-based businesses per CityRuleLookup research. The city of Rapid City has zoning rules including: home occupation permits, exterior signage restrictions, and business secondary to residential use requirements. Pennington County unincorporated areas follow county zoning. Contact Pennington County Planning & Zoning at 785-331-1343 (note: this is for Douglas County KS; Pennington County contact is plz@pennco.org, 900 Concourse Dr., Suite 160, Rapid City, SD 57703).
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	no
DELIVERY / PICKUP RULES	South Dakota allows direct and indirect sales (farmers markets, online, home delivery). No sales cap. State preempts local restrictions on homemade food sales. Rapid City restricts commercial signage for home businesses.
MAX EMPLOYEES IN HOME	No specific state limit; Rapid City home occupation permit conditions may apply.

## Relevant county code

SDCL §34-18-35; §34-18-38 (local preemption); Rapid City Municipal Code (home occupation)

### RESEARCH NOTES

State law confirmed: SDCL §34-18-35 et seq. with 2022 expansion and explicit preemption of local ordinances (§34-18-38). Pennington County Planning Department confirmed at pennco.org. Rapid City home occupation permit requirement confirmed via CityRuleLookup (2026 data), with commercial signage restrictions for home businesses. State law preemption means local ordinances cannot restrict the FOODS that can be sold, but the city may still regulate general home occupation conditions (signage, traffic, etc.) under its home-based business rules. Home-canned goods producers need a \$40 DOH online training every 5 years (SDSU Extension confirms). Confidence high: state law directly confirmed and county/city planning sources confirmed.

### SOURCES VERIFIED AT RESEARCH TIME

<https://www.pennco.org/services/planning/index.php>

<https://www.pennco.org>

<https://www.pennco.org/services/planning/index.php>

<https://www.cityrulelookup.com/home-business/cottage-food/rapid-city-sd>

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 807 · FIPS 46083 · Canton

## Lincoln County

Population 65,801 · State baseline: SDCL §34-18-35; §34-18-36; §34-18-36.1 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — Non-temperature-controlled foods prepared at a residence are exempt from licensure. Home-processed canned goods require online training every 5 years. No license or inspection required.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific state prohibition; good manufacturing practice applies
WATER SUPPLY	Potable water required
HANDWASHING	Standard handwashing facilities recommended
FOOD STORAGE	Non-temperature-controlled foods; proper storage required

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required; SD DOH may inspect if complaint received
HOME OCCUPATION PERMIT	varies — Lincoln County is in a fast-growing area near Sioux Falls. No specific Lincoln County cottage food home occupation permit identified. County planning ordinance may apply. Contact Lincoln County Planning & Zoning at (605) 764-2516.
LOCAL BUSINESS LICENSE	varies

### Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales allowed; sales at home, farmers markets, fairs, roadside stands permitted. State statute preempts county/municipal ordinances restricting homemade food sales.
MAX EMPLOYEES IN HOME	No specific limit

### Relevant county code

Lincoln County zoning — contact Planning & Zoning for applicable section

**RESEARCH NOTES**

South Dakota HB 1322 (2022) significantly expanded cottage food to include many products beyond baked goods. State statute preempts local restrictions. Lincoln County is rapidly growing near Sioux Falls (Minnehaha County border). County Planning & Zoning page found but no specific cottage food rules published. Online training every 5 years required for home-processed canned goods. No sales cap.

**SOURCES VERIFIED AT RESEARCH TIME**

<https://www.lincolncountysd.gov/186/Planning-Zoning>

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

<https://www.lincolncountysd.gov/186/Planning-Zoning>

RANK 9999 · FIPS 46003 · Plankinton

## Aurora County

Population 2,751 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

<b>HOME KITCHEN ALLOWED</b>	yes — South Dakota allows cottage food from a residential kitchen (SDCL §34-18-35). No registration or inspection required. The 2022 amendment (SL 2022, ch 106) expanded allowed products beyond prior baked-goods-only scope to include non-temperature-controlled foods and home-processed canned goods. Individuals involved in production of certain home-canned goods must complete a state-certified online training once every five years. No annual sales cap. State statute preempts county/municipal ordinances restricting homemade food sales.
<b>SEPARATE DEDICATED KITCHEN</b>	no
<b>PET RESTRICTIONS</b>	No specific state restriction on pets for cottage food operations.
<b>WATER SUPPLY</b>	No specific requirement under SD cottage food law.
<b>HANDWASHING</b>	Good manufacturing practices apply.
<b>FOOD STORAGE</b>	Non-temperature-controlled foods only. Home-canned goods have specific training and process requirements.

## Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. SD Dept. of Health may inspect upon complaint.
HOME OCCUPATION PERMIT	varies — South Dakota state statute preempts county and municipal ordinances restricting cottage food sales. Aurora County may have general home occupation zoning rules, but these cannot restrict state-authorized cottage food sales. Operators in incorporated cities should verify city zoning ordinances.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct-to-consumer, online, and indirect retail sales allowed. No geographic restriction. State statute preempts local restrictions.
MAX EMPLOYEES IN HOME	Not specified by state law; must be a residential kitchen.

## Relevant county code

SDCL §34-18-35, §34-18-36, §34-18-36.1, §34-18-38 (cottage food exemptions and limitations)

### RESEARCH NOTES

SD cottage food law (SDCL §34-18-35) governs statewide with preemption of local ordinances. Very rural SD county in the James River Valley. SDCL §34-18-35 governs. SD statute preempts county ordinances. No county-specific cottage food restrictions. County-specific zoning not researched at ordinance level. Confidence medium: state rules well-documented and preemptive; local rules likely do not restrict cottage food but home occupation permit may still apply for zoning compliance.

### SOURCES VERIFIED AT RESEARCH TIME

<https://www.auroracountysd.org>

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46005 · Huron

## Beadle County

Population 18,428 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota allows cottage food from a residential kitchen (SDCL §34-18-35). No registration or inspection required. The 2022 amendment (SL 2022, ch 106) expanded allowed products beyond prior baked-goods-only scope to include non-temperature-controlled foods and home-processed canned goods. Individuals involved in production of certain home-canned goods must complete a state-certified online training once every five years. No annual sales cap. State statute preempts county/municipal ordinances restricting homemade food sales.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific state restriction on pets for cottage food operations.
WATER SUPPLY	No specific requirement under SD cottage food law.
HANDWASHING	Good manufacturing practices apply.
FOOD STORAGE	Non-temperature-controlled foods only. Home-canned goods have specific training and process requirements.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. SD Dept. of Health may inspect upon complaint.
HOME OCCUPATION PERMIT	varies — South Dakota state statute preempts county and municipal ordinances restricting cottage food sales. Beadle County may have general home occupation zoning rules, but these cannot restrict state-authorized cottage food sales. Operators in incorporated cities should verify city zoning ordinances.
LOCAL BUSINESS LICENSE	varies

### Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional

**DELIVERY / PICKUP RULES** Direct-to-consumer, online, and indirect retail sales allowed. No geographic restriction. State statute preempts local restrictions.

**MAX EMPLOYEES IN HOME** Not specified by state law; must be a residential kitchen.

## Relevant county code

SDCL §34-18-35, §34-18-36, §34-18-36.1, §34-18-38 (cottage food exemptions and limitations)

### RESEARCH NOTES

SD cottage food law (SDCL §34-18-35) governs statewide with preemption of local ordinances. East-central SD county. Huron is county seat. SDCL §34-18-35 governs. SD statute preempts county ordinances restricting homemade food sales. No county-specific cottage food restrictions. County-specific zoning not researched at ordinance level. Confidence medium: state rules well-documented and preemptive; local rules likely do not restrict cottage food but home occupation permit may still apply for zoning compliance.

### SOURCES VERIFIED AT RESEARCH TIME

<https://www.beadlecounty.org>

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46007 · Martin

## Bennett County

Population 3,365 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

**HOME KITCHEN ALLOWED** yes — South Dakota allows cottage food from a residential kitchen (SDCL §34-18-35). No registration or inspection required. The 2022 amendment (SL 2022, ch 106) expanded allowed products beyond prior baked-goods-only scope to include non-temperature-controlled foods and home-processed canned goods. Individuals involved in production of certain home-canned goods must complete a state-certified online training once every five years. No annual sales cap. State statute preempts county/municipal ordinances restricting homemade food sales.

**SEPARATE DEDICATED KITCHEN** no

**PET RESTRICTIONS** No specific state restriction on pets for cottage food operations.

WATER SUPPLY	No specific requirement under SD cottage food law.
HANDWASHING	Good manufacturing practices apply.
FOOD STORAGE	Non-temperature-controlled foods only. Home-canned goods have specific training and process requirements.

## Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. SD Dept. of Health may inspect upon complaint.
HOME OCCUPATION PERMIT	varies — South Dakota state statute preempts county and municipal ordinances restricting cottage food sales. Bennett County may have general home occupation zoning rules, but these cannot restrict state-authorized cottage food sales. Operators in incorporated cities should verify city zoning ordinances.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct-to-consumer, online, and indirect retail sales allowed. No geographic restriction. State statute preempts local restrictions.
MAX EMPLOYEES IN HOME	Not specified by state law; must be a residential kitchen.

## Relevant county code

SDCL §34-18-35, §34-18-36, §34-18-36.1, §34-18-38 (cottage food exemptions and limitations)

### RESEARCH NOTES

SD cottage food law (SDCL §34-18-35) governs statewide with preemption of local ordinances. Rural southwest SD county, partly bordering Pine Ridge Reservation. SDCL §34-18-35 governs. SD statute preempts county ordinances. No county-specific cottage food restrictions. County-specific zoning not researched at ordinance level. Confidence medium: state rules well-documented and preemptive; local rules likely do not restrict cottage food but home occupation permit may still apply for zoning compliance.

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SOURCES VERIFIED AT RESEARCH TIME

<https://www.bennettcountysd.org>

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46009 · Tyndall

## Bon Homme County

Population 6,901 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota allows cottage food from a residential kitchen (SDCL §34-18-35). No registration or inspection required. The 2022 amendment (SL 2022, ch 106) expanded allowed products beyond prior baked-goods-only scope to include non-temperature-controlled foods and home-processed canned goods. Individuals involved in production of certain home-canned goods must complete a state-certified online training once every five years. No annual sales cap. State statute preempts county/municipal ordinances restricting homemade food sales.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific state restriction on pets for cottage food operations.
WATER SUPPLY	No specific requirement under SD cottage food law.
HANDWASHING	Good manufacturing practices apply.
FOOD STORAGE	Non-temperature-controlled foods only. Home-canned goods have specific training and process requirements.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. SD Dept. of Health may inspect upon complaint.
HOME OCCUPATION PERMIT	varies — South Dakota state statute preempts county and municipal ordinances restricting cottage food sales. Bon Homme County may have general home occupation zoning rules, but these cannot restrict state-authorized cottage food sales. Operators in incorporated cities should verify city zoning ordinances.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct-to-consumer, online, and indirect retail sales allowed. No geographic restriction. State statute preempts local restrictions.
MAX EMPLOYEES IN HOME	Not specified by state law; must be a residential kitchen.

## Relevant county code

SDCL §34-18-35, §34-18-36, §34-18-36.1, §34-18-38 (cottage food exemptions and limitations)

### RESEARCH NOTES

SD cottage food law (SDCL §34-18-35) governs statewide with preemption of local ordinances. Rural south-central SD county on the Nebraska border along the Missouri River. SDCL §34-18-35 governs. SD statute preempts county ordinances. No county-specific cottage food restrictions. County-specific zoning not researched at ordinance level. Confidence medium: state rules well-documented and preemptive; local rules likely do not restrict cottage food but home occupation permit may still apply for zoning compliance.

### SOURCES VERIFIED AT RESEARCH TIME

<https://www.bonhommeconomy.net>

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46011 · Brookings

## Brookings County

Population 35,077 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota allows cottage food from a residential kitchen (SDCL §34-18-35). No registration or inspection required. The 2022 amendment (SL 2022, ch 106) expanded allowed products beyond prior baked-goods-only scope to include non-temperature-controlled foods and home-processed canned goods. Individuals involved in production of certain home-canned goods must complete a state-certified online training once every five years. No annual sales cap. State statute preempts county/municipal ordinances restricting homemade food sales.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific state restriction on pets for cottage food operations.
WATER SUPPLY	No specific requirement under SD cottage food law.
HANDWASHING	Good manufacturing practices apply.
FOOD STORAGE	Non-temperature-controlled foods only. Home-canned goods have specific training and process requirements.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. SD Dept. of Health may inspect upon complaint.
HOME OCCUPATION PERMIT	varies — South Dakota state statute preempts county and municipal ordinances restricting cottage food sales. Brookings County may have general home occupation zoning rules, but these cannot restrict state-authorized cottage food sales. Operators in incorporated cities should verify city zoning ordinances.
LOCAL BUSINESS LICENSE	varies

### Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional

**DELIVERY / PICKUP RULES** Direct-to-consumer, online, and indirect retail sales allowed. No geographic restriction. State statute preempts local restrictions.

**MAX EMPLOYEES IN HOME** Not specified by state law; must be a residential kitchen.

## Relevant county code

SDCL §34-18-35, §34-18-36, §34-18-36.1, §34-18-38 (cottage food exemptions and limitations)

### RESEARCH NOTES

SD cottage food law (SDCL §34-18-35) governs statewide with preemption of local ordinances. Home to South Dakota State University. More suburban/college town character than most SD counties. SDCL §34-18-35 governs. SD statute preempts county ordinances. City of Brookings may have home occupation zoning rules. County-specific zoning not researched at ordinance level. Confidence medium: state rules well-documented and preemptive; local rules likely do not restrict cottage food but home occupation permit may still apply for zoning compliance.

### SOURCES VERIFIED AT RESEARCH TIME

<https://www.brookingscountysd.gov>

<https://www.brookingscountysd.gov>

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46013 · Aberdeen

## Brown County

Population 38,839 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

**HOME KITCHEN ALLOWED** yes — South Dakota allows cottage food from a residential kitchen (SDCL §34-18-35). No registration or inspection required. The 2022 amendment (SL 2022, ch 106) expanded allowed products beyond prior baked-goods-only scope to include non-temperature-controlled foods and home-processed canned goods. Individuals involved in production of certain home-canned goods must complete a state-certified online training once every five years. No annual sales cap. State statute preempts county/municipal ordinances restricting homemade food sales.

**SEPARATE DEDICATED KITCHEN** no

PET RESTRICTIONS	No specific state restriction on pets for cottage food operations.
WATER SUPPLY	No specific requirement under SD cottage food law.
HANDWASHING	Good manufacturing practices apply.
FOOD STORAGE	Non-temperature-controlled foods only. Home-canned goods have specific training and process requirements.

## Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. SD Dept. of Health may inspect upon complaint.
HOME OCCUPATION PERMIT	varies — South Dakota state statute preempts county and municipal ordinances restricting cottage food sales. Brown County may have general home occupation zoning rules, but these cannot restrict state-authorized cottage food sales. Operators in incorporated cities should verify city zoning ordinances.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct-to-consumer, online, and indirect retail sales allowed. No geographic restriction. State statute preempts local restrictions.
MAX EMPLOYEES IN HOME	Not specified by state law; must be a residential kitchen.

## Relevant county code

SDCL §34-18-35, §34-18-36, §34-18-36.1, §34-18-38 (cottage food exemptions and limitations)

### RESEARCH NOTES

SD cottage food law (SDCL §34-18-35) governs statewide with preemption of local ordinances. One of SD's larger counties by population. Aberdeen is major commercial hub for northeastern SD. SDCL §34-18-35 governs. SD statute preempts county ordinances. City of Aberdeen has zoning ordinances. County-specific zoning not researched at ordinance level. Confidence medium: state rules well-documented and preemptive; local rules likely do not restrict cottage food but home occupation permit may still apply for zoning compliance.

## SOURCES VERIFIED AT RESEARCH TIME

<https://www.brown.sd.us><https://www.brown.sd.us><https://doh.sd.gov/topics/food-protection/cottage-foods/>[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46015 · Chamberlain

## Brule County

Population 5,174 · State baseline: SDCL §34-18-35 · MEDIUM

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota allows cottage food from a residential kitchen (SDCL §34-18-35). No registration or inspection required. The 2022 amendment (SL 2022, ch 106) expanded allowed products beyond prior baked-goods-only scope to include non-temperature-controlled foods and home-processed canned goods. Individuals involved in production of certain home-canned goods must complete a state-certified online training once every five years. No annual sales cap. State statute preempts county/municipal ordinances restricting homemade food sales.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific state restriction on pets for cottage food operations.
WATER SUPPLY	No specific requirement under SD cottage food law.
HANDWASHING	Good manufacturing practices apply.
FOOD STORAGE	Non-temperature-controlled foods only. Home-canned goods have specific training and process requirements.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. SD Dept. of Health may inspect upon complaint.
HOME OCCUPATION PERMIT	varies — South Dakota state statute preempts county and municipal ordinances restricting cottage food sales. Brule County may have general home occupation zoning rules, but these cannot restrict state-authorized cottage food sales. Operators in incorporated cities should verify city zoning ordinances.

LOCAL BUSINESS LICENSE varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP yes

ON-SITE SIGNAGE conditional

DELIVERY / PICKUP RULES Direct-to-consumer, online, and indirect retail sales allowed. No geographic restriction. State statute preempts local restrictions.

MAX EMPLOYEES IN HOME Not specified by state law; must be a residential kitchen.

## Relevant county code

SDCL §34-18-35, §34-18-36, §34-18-36.1, §34-18-38 (cottage food exemptions and limitations)

### RESEARCH NOTES

SD cottage food law (SDCL §34-18-35) governs statewide with preemption of local ordinances. Rural south-central SD county on the Missouri River. Chamberlain is county seat. SDCL §34-18-35 governs. SD statute preempts county ordinances. No county-specific cottage food restrictions. County-specific zoning not researched at ordinance level. Confidence medium: state rules well-documented and preemptive; local rules likely do not restrict cottage food but home occupation permit may still apply for zoning compliance.

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### SOURCES VERIFIED AT RESEARCH TIME

<https://www.brulecountysd.com>

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

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RANK 9999 · FIPS 46017 · Fort Thompson

## Buffalo County

Population 1,968 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota allows cottage food from a residential kitchen (SDCL §34-18-35). No registration or inspection required. The 2022 amendment (SL 2022, ch 106) expanded allowed products beyond prior baked-goods-only scope to include non-temperature-controlled foods and home-processed canned goods. Individuals involved in production of certain home-canned goods must complete a state-certified online training once every five years. No annual sales cap. State statute preempts county/municipal ordinances restricting homemade food sales.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific state restriction on pets for cottage food operations.
WATER SUPPLY	No specific requirement under SD cottage food law.
HANDWASHING	Good manufacturing practices apply.
FOOD STORAGE	Non-temperature-controlled foods only. Home-canned goods have specific training and process requirements.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. SD Dept. of Health may inspect upon complaint.
HOME OCCUPATION PERMIT	varies — South Dakota state statute preempts county and municipal ordinances restricting cottage food sales. Buffalo County may have general home occupation zoning rules, but these cannot restrict state-authorized cottage food sales. Operators in incorporated cities should verify city zoning ordinances.
LOCAL BUSINESS LICENSE	varies

### Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional

**DELIVERY / PICKUP RULES** Direct-to-consumer, online, and indirect retail sales allowed. No geographic restriction. State statute preempts local restrictions.

**MAX EMPLOYEES IN HOME** Not specified by state law; must be a residential kitchen.

## Relevant county code

SDCL §34-18-35, §34-18-36, §34-18-36.1, §34-18-38 (cottage food exemptions and limitations)

### RESEARCH NOTES

SD cottage food law (SDCL §34-18-35) governs statewide with preemption of local ordinances. One of the least populous counties in the US. Much of the land is on the Crow Creek Sioux Tribe reservation. SDCL §34-18-35 governs for non-tribal lands. SD statute preempts county ordinances. No county-specific cottage food restrictions identified. County-specific zoning not researched at ordinance level. Confidence medium: state rules well-documented and preemptive; local rules likely do not restrict cottage food but home occupation permit may still apply for zoning compliance.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46019 · Belle Fourche

## Butte County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

**HOME KITCHEN ALLOWED** yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Butte County may not impose additional cottage food restrictions beyond state law.

**SEPARATE DEDICATED KITCHEN** no

**PET RESTRICTIONS** No specific pet restriction in South Dakota cottage food law.

WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

## Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Butte County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Belle Fourche or Butte County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Butte County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

**RESEARCH NOTES**

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Butte County (county seat: Belle Fourche) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

**SOURCES VERIFIED AT RESEARCH TIME**

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46021 · Mound City

## Campbell County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

<b>HOME KITCHEN ALLOWED</b>	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Campbell County may not impose additional cottage food restrictions beyond state law.
<b>SEPARATE DEDICATED KITCHEN</b>	no
<b>PET RESTRICTIONS</b>	No specific pet restriction in South Dakota cottage food law.
<b>WATER SUPPLY</b>	No specific water testing requirement under SDCL §34-18-35.
<b>HANDWASHING</b>	No specific handwashing mandate beyond general food safety practices in state cottage food law.
<b>FOOD STORAGE</b>	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

## Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Campbell County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Mound City or Campbell County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Campbell County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Campbell County (county seat: Mound City) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46023 · Lake Andes

## Charles Mix County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Charles Mix County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Charles Mix County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Lake Andes or Charles Mix County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Charles Mix County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Charles Mix County (county seat: Lake Andes) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46025 · Clark

## Clark County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Clark County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Clark County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Clark or Clark County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Clark County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Clark County (county seat: Clark) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46027 · Vermillion

# Clay County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

## Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Clay County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

## Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Clay County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Vermillion or Clay County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

### Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

### Relevant county code

No county-specific cottage food ordinance identified for Clay County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

#### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Clay County (county seat: Vermillion) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

#### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46029 · Watertown

# Codington County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

## Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Codington County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

## Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Codington County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Watertown or Codington County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Codington County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Codington County (county seat: Watertown) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46031 · McIntosh

## Corson County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Corson County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Corson County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from McIntosh or Corson County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Corson County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Corson County (county seat: McIntosh) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46033 · Custer

## Custer County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Custer County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Custer County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Custer or Custer County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Custer County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Custer County (county seat: Custer) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46035 · Mitchell

## Davison County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Davison County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Davison County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Mitchell or Davison County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Davison County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Davison County (county seat: Mitchell) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46037 · Webster

# Day County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

## Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Day County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

## Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Day County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Webster or Day County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

### Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

### Relevant county code

No county-specific cottage food ordinance identified for Day County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

#### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Day County (county seat: Webster) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

#### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46039 · Clear Lake

## Deuel County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Deuel County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Deuel County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Clear Lake or Deuel County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Deuel County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Deuel County (county seat: Clear Lake) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46041 · Timber Lake

## Dewey County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Dewey County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Dewey County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Timber Lake or Dewey County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

### Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

### Relevant county code

No county-specific cottage food ordinance identified for Dewey County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

#### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Dewey County (county seat: Timber Lake) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

#### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46043 · Armour

## Douglas County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Douglas County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Douglas County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Armour or Douglas County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Douglas County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Douglas County (county seat: Armour) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46045 · Ipswich

## Edmunds County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Edmunds County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Edmunds County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Ipswich or Edmunds County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Edmunds County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Edmunds County (county seat: Ipswich) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46047 · Hot Springs

## Fall River County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Fall River County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Fall River County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Hot Springs or Fall River County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Fall River County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Fall River County (county seat: Hot Springs) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46049 · Faulkton

## Faulk County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Faulk County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Faulk County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Faulkton or Faulk County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Faulk County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Faulk County (county seat: Faulkton) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46051 · Milbank

## Grant County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Grant County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Grant County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Milbank or Grant County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Grant County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Grant County (county seat: Milbank) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

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### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

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RANK 9999 · FIPS 46053 · Burke

## Gregory County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Gregory County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Gregory County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Burke or Gregory County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Gregory County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Gregory County (county seat: Burke) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46055 · Philip

## Haakon County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Haakon County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Haakon County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Philip or Haakon County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Haakon County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Haakon County (county seat: Philip) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46057 · Hayti

## Hamlin County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Hamlin County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Hamlin County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Hayti or Hamlin County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Hamlin County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Hamlin County (county seat: Hayti) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46059 · Miller

# Hand County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

## Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Hand County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

## Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Hand County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Miller or Hand County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Hand County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Hand County (county seat: Miller) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46061 · Alexandria

## Hanson County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Hanson County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Hanson County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Alexandria or Hanson County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Hanson County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Hanson County (county seat: Alexandria) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46063 · Buffalo

# Harding County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

## Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Harding County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

## Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Harding County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Buffalo or Harding County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Harding County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Harding County (county seat: Buffalo) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46065 · Pierre

# Hughes County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

## Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Hughes County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

## Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Hughes County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Pierre or Hughes County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Hughes County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Hughes County (county seat: Pierre) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46067 · Olivet

## Hutchinson County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Hutchinson County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Hutchinson County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Olivet or Hutchinson County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Hutchinson County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Hutchinson County (county seat: Olivet) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46069 · Highmore

## Hyde County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Hyde County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Hyde County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Highmore or Hyde County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Hyde County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Hyde County (county seat: Highmore) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

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### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

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RANK 9999 · FIPS 46071 · Kadoka

# Jackson County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

## Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Jackson County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

## Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Jackson County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Kadoka or Jackson County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Jackson County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Jackson County (county seat: Kadoka) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46073 · Wessington Springs

## Jerauld County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Jerauld County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Jerauld County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Wessington Springs or Jerauld County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Jerauld County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Jerauld County (county seat: Wessington Springs) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46075 · Murdo

## Jones County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Jones County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Jones County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Murdo or Jones County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Jones County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Jones County (county seat: Murdo) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46077 · De Smet

## Kingsbury County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Kingsbury County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Kingsbury County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from De Smet or Kingsbury County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Kingsbury County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Kingsbury County (county seat: De Smet) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46079 · Madison

## Lake County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Lake County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Lake County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Madison or Lake County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Lake County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Lake County (county seat: Madison) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46081 · Deadwood

## Lawrence County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Lawrence County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Lawrence County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Deadwood or Lawrence County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Lawrence County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Lawrence County (county seat: Deadwood) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46085 · Kennebec

# Lyman County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

## Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Lyman County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

## Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Lyman County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Kennebec or Lyman County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Lyman County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Lyman County (county seat: Kennebec) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46087 · Salem

# McCook County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

## Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so McCook County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

## Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. McCook County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Salem or McCook County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for McCook County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. McCook County (county seat: Salem) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46089 · Leola

## McPherson County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so McPherson County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. McPherson County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Leola or McPherson County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for McPherson County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. McPherson County (county seat: Leola) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46091 · Britton

## Marshall County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Marshall County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Marshall County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Britton or Marshall County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Marshall County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Marshall County (county seat: Britton) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46093 · Sturgis

# Meade County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

## Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Meade County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

## Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Meade County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Sturgis or Meade County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

### Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

### Relevant county code

No county-specific cottage food ordinance identified for Meade County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

#### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Meade County (county seat: Sturgis) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

#### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46095 · White River

# Mellette County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

## Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Mellette County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

## Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Mellette County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from White River or Mellette County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Mellette County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Mellette County (county seat: White River) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46097 · Howard

# Miner County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

## Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Miner County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

## Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Miner County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Howard or Miner County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Miner County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Miner County (county seat: Howard) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46101 · Flandreau

# Moody County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

## Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Moody County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

## Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Moody County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Flandreau or Moody County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Moody County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Moody County (county seat: Flandreau) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46105 · Bison

## Perkins County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Perkins County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Perkins County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Bison or Perkins County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Perkins County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Perkins County (county seat: Bison) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46107 · Gettysburg

## Potter County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Potter County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Potter County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Gettysburg or Potter County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Potter County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Potter County (county seat: Gettysburg) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46109 · Sisseton

## Roberts County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota cottage food law (SDCL §34-18-35, expanded by SL 2022 ch 106) exempts non-temperature-controlled foods, home-processed baked goods, and canned goods produced at a private residence from licensure. No sales cap. Indirect sales are allowed (farmers markets, online, retail). Sellers of certain home-processed canned goods must complete a state-certified online training (DOH) once every five years. State law preempts any county or municipal ordinance that would restrict these homemade food sales, so Roberts County may not impose additional cottage food restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in South Dakota cottage food law.
WATER SUPPLY	No specific water testing requirement under SDCL §34-18-35.
HANDWASHING	No specific handwashing mandate beyond general food safety practices in state cottage food law.
FOOD STORAGE	Non-temperature-controlled (shelf-stable) foods only; refrigerated or hot-held foods require standard licensure.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine inspection required. The SD Department of Health may respond to foodborne illness complaints but does not conduct pre-operational inspections for cottage food producers.
HOME OCCUPATION PERMIT	no — No state-level permit or registration required for cottage food production under SDCL §34-18-35. State law preempts county/municipal restrictions. Roberts County has no identified separate home occupation permit requirement for cottage food operations compliant with state law. A general business license from Sisseton or Roberts County may be required for any commercial activity, but is not specific to cottage food.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales both permitted. Allowed channels include home pickup, farmers markets, roadside stands, online sales, in-state shipping, and retail consignment. No sales cap under state law.
MAX EMPLOYEES IN HOME	Not specified in state statute.

## Relevant county code

No county-specific cottage food ordinance identified for Roberts County. State preemption under SDCL §34-18-35 prevents local restriction of qualifying homemade food sales.

### RESEARCH NOTES

South Dakota state law (SDCL §34-18-35, substantially amended by SL 2022 ch 106) governs cottage food statewide and explicitly preempts county and municipal ordinances from restricting qualifying homemade food sales. Roberts County (county seat: Sisseton) is a rural South Dakota county with no identified county-specific cottage food or home occupation ordinance beyond the state framework. No sales cap. Sellers of home-processed canned goods must complete the DOH-certified online training once every five years (~\$40). Defaulted to state baseline; county-specific search returned no additional restrictions.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46111 · Woonsocket

# Sanborn County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

## Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota SDCL §34-18-35 exempts homemade foods prepared at a residence from licensure. The 2022 amendment (SL 2022, ch 106) expanded beyond prior baked-goods-only scope. Individuals selling certain home-processed canned goods must complete a state-certified online training once every five years. No sales cap. County/municipal ordinances restricting homemade food sales are preempted by state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in state cottage food law; standard food hygiene practices apply.
WATER SUPPLY	No specific state cottage food water supply requirement.
HANDWASHING	No specific state cottage food handwashing mandate; standard hygiene practices recommended.
FOOD STORAGE	No specific state cottage food storage requirement; non-temperature-controlled foods must be stored appropriately.

## Inspection & permitting

INSPECTION REQUIRED	no — No routine or complaint-triggered inspection authority specified for cottage food operations under state law.
HOME OCCUPATION PERMIT	varies — Sanborn County is a rural county. No county-specific home occupation permit requirement for cottage food identified. Operators should verify with Sanborn County offices in Woonsocket.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales permitted. Online, in-person, delivery, farmers markets, and retail stores all allowed under SDCL §34-18-35.
MAX EMPLOYEES IN HOME	Not specified in state law.

## Relevant county code

No county-specific cottage food ordinance identified for Sanborn County.

### RESEARCH NOTES

No county-specific cottage food ordinance found for Sanborn County, SD. Applied South Dakota state baseline (SDCL §34-18-35). Sanborn County is a small rural county (seat: Woonsocket). State law preempts local restrictions on homemade food sales. Food handler certification is recommended but not required by state law.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46113 · —

## Shannon County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota SDCL §34-18-35 exempts homemade foods prepared at a residence from licensure. The 2022 amendment (SL 2022, ch 106) expanded beyond prior baked-goods-only scope. Individuals selling certain home-processed canned goods must complete a state-certified online training once every five years. No sales cap. County/municipal ordinances restricting homemade food sales are preempted by state law. Note: Shannon County was renamed Oglala Lakota County (FIPS 46102) in 2015; this FIPS 46113 record may reflect a legacy designation.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in state cottage food law; standard food hygiene practices apply.
WATER SUPPLY	No specific state cottage food water supply requirement.
HANDWASHING	No specific state cottage food handwashing mandate; standard hygiene practices recommended.
FOOD STORAGE	No specific state cottage food storage requirement; non-temperature-controlled foods must be stored appropriately.

## Inspection & permitting

INSPECTION REQUIRED	no — No routine or complaint-triggered inspection authority specified for cottage food operations under state law.
HOME OCCUPATION PERMIT	varies — Shannon County (historically the Pine Ridge area, largely tribal land under Oglala Sioux Tribe jurisdiction). No county-specific home occupation permit requirement for cottage food identified. Tribal land users should also consult Oglala Sioux Tribe regulations.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales permitted under SDCL §34-18-35 for operations outside tribal jurisdiction.
MAX EMPLOYEES IN HOME	Not specified in state law.

## Relevant county code

No county-specific cottage food ordinance identified for Shannon County.

### RESEARCH NOTES

No county-specific cottage food ordinance found for Shannon County (FIPS 46113), SD. Applied South Dakota state baseline (SDCL §34-18-35). Note: Shannon County was officially renamed Oglala Lakota County in 2015 (FIPS 46102). The FIPS 46113 record may be a legacy or historical designation. Much of this area is Pine Ridge Indian Reservation (Oglala Sioux Tribe); operators on tribal land should consult tribal regulations separately.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46115 · Redfield

## Spink County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota SDCL §34-18-35 exempts homemade foods prepared at a residence from licensure. The 2022 amendment (SL 2022, ch 106) expanded beyond prior baked-goods-only scope. Individuals selling certain home-processed canned goods must complete a state-certified online training once every five years. No sales cap. County/municipal ordinances restricting homemade food sales are preempted by state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in state cottage food law; standard food hygiene practices apply.
WATER SUPPLY	No specific state cottage food water supply requirement.
HANDWASHING	No specific state cottage food handwashing mandate; standard hygiene practices recommended.
FOOD STORAGE	No specific state cottage food storage requirement; non-temperature-controlled foods must be stored appropriately.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine or complaint-triggered inspection authority specified for cottage food operations under state law.
HOME OCCUPATION PERMIT	varies — Spink County is a rural county. No county-specific home occupation permit requirement for cottage food identified. Operators should verify with Spink County offices in Redfield.
LOCAL BUSINESS LICENSE	varies

### Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales permitted. Online, in-person, delivery, farmers markets, and retail stores all allowed under SDCL §34-18-35.
MAX EMPLOYEES IN HOME	Not specified in state law.

## Relevant county code

No county-specific cottage food ordinance identified for Spink County.

### RESEARCH NOTES

No county-specific cottage food ordinance found for Spink County, SD. Applied South Dakota state baseline (SDCL §34-18-35). Spink County is a rural agricultural county (seat: Redfield). State law preempts local restrictions on homemade food sales.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46117 · Fort Pierre

## Stanley County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota SDCL §34-18-35 exempts homemade foods prepared at a residence from licensure. The 2022 amendment (SL 2022, ch 106) expanded beyond prior baked-goods-only scope. Individuals selling certain home-processed canned goods must complete a state-certified online training once every five years. No sales cap. County/municipal ordinances restricting homemade food sales are preempted by state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in state cottage food law; standard food hygiene practices apply.
WATER SUPPLY	No specific state cottage food water supply requirement.
HANDWASHING	No specific state cottage food handwashing mandate; standard hygiene practices recommended.
FOOD STORAGE	No specific state cottage food storage requirement; non-temperature-controlled foods must be stored appropriately.

## Inspection & permitting

INSPECTION REQUIRED	no — No routine or complaint-triggered inspection authority specified for cottage food operations under state law.
HOME OCCUPATION PERMIT	varies — Stanley County is a rural county. No county-specific home occupation permit requirement for cottage food identified. Operators should verify with Stanley County offices in Fort Pierre.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales permitted. Online, in-person, delivery, farmers markets, and retail stores all allowed under SDCL §34-18-35.
MAX EMPLOYEES IN HOME	Not specified in state law.

## Relevant county code

No county-specific cottage food ordinance identified for Stanley County.

### RESEARCH NOTES

No county-specific cottage food ordinance found for Stanley County, SD. Applied South Dakota state baseline (SDCL §34-18-35). Stanley County is a rural county (seat: Fort Pierre, also the state capital area). State law preempts local restrictions on homemade food sales.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46119 · Onida

## Sully County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota SDCL §34-18-35 exempts homemade foods prepared at a residence from licensure. The 2022 amendment (SL 2022, ch 106) expanded beyond prior baked-goods-only scope. Individuals selling certain home-processed canned goods must complete a state-certified online training once every five years. No sales cap. County/municipal ordinances restricting homemade food sales are preempted by state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in state cottage food law; standard food hygiene practices apply.
WATER SUPPLY	No specific state cottage food water supply requirement.
HANDWASHING	No specific state cottage food handwashing mandate; standard hygiene practices recommended.
FOOD STORAGE	No specific state cottage food storage requirement; non-temperature-controlled foods must be stored appropriately.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine or complaint-triggered inspection authority specified for cottage food operations under state law.
HOME OCCUPATION PERMIT	varies — Sully County is a very rural county (one of the least populated in SD). No county-specific home occupation permit requirement for cottage food identified. Operators should verify with Sully County offices in Onida.
LOCAL BUSINESS LICENSE	varies

### Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales permitted. Online, in-person, delivery, farmers markets, and retail stores all allowed under SDCL §34-18-35.
MAX EMPLOYEES IN HOME	Not specified in state law.

## Relevant county code

No county-specific cottage food ordinance identified for Sully County.

### RESEARCH NOTES

No county-specific cottage food ordinance found for Sully County, SD. Applied South Dakota state baseline (SDCL §34-18-35). Sully County is among the least populated counties in South Dakota (seat: Onida). State law preempts local restrictions on homemade food sales.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46121 · —

## Todd County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota SDCL §34-18-35 exempts homemade foods prepared at a residence from licensure. The 2022 amendment (SL 2022, ch 106) expanded beyond prior baked-goods-only scope. Individuals selling certain home-processed canned goods must complete a state-certified online training once every five years. No sales cap. County/municipal ordinances restricting homemade food sales are preempted by state law. Note: Todd County is largely coextensive with the Rosebud Indian Reservation (Sicangu Lakota/Rosebud Sioux Tribe); operators on tribal land should also consult tribal regulations.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in state cottage food law; standard food hygiene practices apply.
WATER SUPPLY	No specific state cottage food water supply requirement.
HANDWASHING	No specific state cottage food handwashing mandate; standard hygiene practices recommended.
FOOD STORAGE	No specific state cottage food storage requirement; non-temperature-controlled foods must be stored appropriately.

## Inspection & permitting

INSPECTION REQUIRED	no — No routine or complaint-triggered inspection authority specified for cottage food operations under state law.
HOME OCCUPATION PERMIT	varies — Todd County does not have a county seat per standard records; the area is largely Rosebud Indian Reservation. No county-specific home occupation permit for cottage food identified. Operators on tribal land should consult Rosebud Sioux Tribe regulations.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales permitted under SDCL §34-18-35 for operations outside tribal jurisdiction.
MAX EMPLOYEES IN HOME	Not specified in state law.

## Relevant county code

No county-specific cottage food ordinance identified for Todd County.

### RESEARCH NOTES

No county-specific cottage food ordinance found for Todd County, SD. Applied South Dakota state baseline (SDCL §34-18-35). Todd County is largely coextensive with the Rosebud Indian Reservation (Rosebud Sioux Tribe). Operators on tribal land should consult tribal regulations separately from state law.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46123 · Winner

## Tripp County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota SDCL §34-18-35 exempts homemade foods prepared at a residence from licensure. The 2022 amendment (SL 2022, ch 106) expanded beyond prior baked-goods-only scope. Individuals selling certain home-processed canned goods must complete a state-certified online training once every five years. No sales cap. County/municipal ordinances restricting homemade food sales are preempted by state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in state cottage food law; standard food hygiene practices apply.
WATER SUPPLY	No specific state cottage food water supply requirement.
HANDWASHING	No specific state cottage food handwashing mandate; standard hygiene practices recommended.
FOOD STORAGE	No specific state cottage food storage requirement; non-temperature-controlled foods must be stored appropriately.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine or complaint-triggered inspection authority specified for cottage food operations under state law.
HOME OCCUPATION PERMIT	varies — Tripp County is a rural county. No county-specific home occupation permit requirement for cottage food identified. Operators should verify with Tripp County offices in Winner.
LOCAL BUSINESS LICENSE	varies

### Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales permitted. Online, in-person, delivery, farmers markets, and retail stores all allowed under SDCL §34-18-35.
MAX EMPLOYEES IN HOME	Not specified in state law.

## Relevant county code

No county-specific cottage food ordinance identified for Tripp County.

### RESEARCH NOTES

No county-specific cottage food ordinance found for Tripp County, SD. Applied South Dakota state baseline (SDCL §34-18-35). Tripp County is a rural agricultural county (seat: Winner). State law preempts local restrictions on homemade food sales.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46125 · Parker

## Turner County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota SDCL §34-18-35 exempts homemade foods prepared at a residence from licensure. The 2022 amendment (SL 2022, ch 106) expanded beyond prior baked-goods-only scope. Individuals selling certain home-processed canned goods must complete a state-certified online training once every five years. No sales cap. County/municipal ordinances restricting homemade food sales are preempted by state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in state cottage food law; standard food hygiene practices apply.
WATER SUPPLY	No specific state cottage food water supply requirement.
HANDWASHING	No specific state cottage food handwashing mandate; standard hygiene practices recommended.
FOOD STORAGE	No specific state cottage food storage requirement; non-temperature-controlled foods must be stored appropriately.

## Inspection & permitting

INSPECTION REQUIRED	no — No routine or complaint-triggered inspection authority specified for cottage food operations under state law.
HOME OCCUPATION PERMIT	varies — Turner County is a rural county. No county-specific home occupation permit requirement for cottage food identified. Operators should verify with Turner County offices in Parker.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales permitted. Online, in-person, delivery, farmers markets, and retail stores all allowed under SDCL §34-18-35.
MAX EMPLOYEES IN HOME	Not specified in state law.

## Relevant county code

No county-specific cottage food ordinance identified for Turner County.

### RESEARCH NOTES

No county-specific cottage food ordinance found for Turner County, SD. Applied South Dakota state baseline (SDCL §34-18-35). Turner County is a rural agricultural county in southeastern SD (seat: Parker). State law preempts local restrictions on homemade food sales.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46127 · Elk Point

## Union County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota SDCL §34-18-35 exempts homemade foods prepared at a residence from licensure. The 2022 amendment (SL 2022, ch 106) expanded beyond prior baked-goods-only scope. Individuals selling certain home-processed canned goods must complete a state-certified online training once every five years. No sales cap. County/municipal ordinances restricting homemade food sales are preempted by state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in state cottage food law; standard food hygiene practices apply.
WATER SUPPLY	No specific state cottage food water supply requirement.
HANDWASHING	No specific state cottage food handwashing mandate; standard hygiene practices recommended.
FOOD STORAGE	No specific state cottage food storage requirement; non-temperature-controlled foods must be stored appropriately.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine or complaint-triggered inspection authority specified for cottage food operations under state law.
HOME OCCUPATION PERMIT	varies — Union County is in southeastern SD near Sioux City metro area and has somewhat more suburban character. No county-specific home occupation permit requirement for cottage food identified. Operators should verify with Union County offices in Elk Point.
LOCAL BUSINESS LICENSE	varies

### Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales permitted. Online, in-person, delivery, farmers markets, and retail stores all allowed under SDCL §34-18-35.

MAX EMPLOYEES IN HOME Not specified in state law.

## Relevant county code

No county-specific cottage food ordinance identified for Union County.

### RESEARCH NOTES

No county-specific cottage food ordinance found for Union County, SD. Applied South Dakota state baseline (SDCL §34-18-35). Union County is in southeastern SD (seat: Elk Point) near the Iowa/Nebraska border; slightly more populated than other SD rural counties but no county-specific cottage food rules identified. State law preempts local restrictions on homemade food sales.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46129 · Selby

## Walworth County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota SDCL §34-18-35 exempts homemade foods prepared at a residence from licensure. The 2022 amendment (SL 2022, ch 106) expanded beyond prior baked-goods-only scope. Individuals selling certain home-processed canned goods must complete a state-certified online training once every five years. No sales cap. County/municipal ordinances restricting homemade food sales are preempted by state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in state cottage food law; standard food hygiene practices apply.
WATER SUPPLY	No specific state cottage food water supply requirement.
HANDWASHING	No specific state cottage food handwashing mandate; standard hygiene practices recommended.
FOOD STORAGE	No specific state cottage food storage requirement; non-temperature-controlled foods must be stored appropriately.

## Inspection & permitting

INSPECTION REQUIRED	no — No routine or complaint-triggered inspection authority specified for cottage food operations under state law.
HOME OCCUPATION PERMIT	varies — Walworth County is a rural county. No county-specific home occupation permit requirement for cottage food identified. Operators should verify with Walworth County offices in Selby.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales permitted. Online, in-person, delivery, farmers markets, and retail stores all allowed under SDCL §34-18-35.
MAX EMPLOYEES IN HOME	Not specified in state law.

## Relevant county code

No county-specific cottage food ordinance identified for Walworth County.

### RESEARCH NOTES

No county-specific cottage food ordinance found for Walworth County, SD. Applied South Dakota state baseline (SDCL §34-18-35). Walworth County is a rural county bordering Lake Oahe (seat: Selby). State law preempts local restrictions on homemade food sales.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46135 · Yankton

## Yankton County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

HOME KITCHEN ALLOWED	yes — South Dakota SDCL §34-18-35 exempts homemade foods prepared at a residence from licensure. The 2022 amendment (SL 2022, ch 106) expanded beyond prior baked-goods-only scope. Individuals selling certain home-processed canned goods must complete a state-certified online training once every five years. No sales cap. County/municipal ordinances restricting homemade food sales are preempted by state law.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific pet restriction in state cottage food law; standard food hygiene practices apply.
WATER SUPPLY	No specific state cottage food water supply requirement.
HANDWASHING	No specific state cottage food handwashing mandate; standard hygiene practices recommended.
FOOD STORAGE	No specific state cottage food storage requirement; non-temperature-controlled foods must be stored appropriately.

### Inspection & permitting

INSPECTION REQUIRED	no — No routine or complaint-triggered inspection authority specified for cottage food operations under state law.
HOME OCCUPATION PERMIT	varies — Yankton County includes the City of Yankton, which may have its own home occupation zoning provisions. No county-specific home occupation permit requirement for cottage food identified. Operators in the city of Yankton should check City of Yankton zoning ordinances; operators in unincorporated areas should check with Yankton County offices.
LOCAL BUSINESS LICENSE	varies

### Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional

**DELIVERY / PICKUP RULES** Direct and indirect sales permitted. Online, in-person, delivery, farmers markets, and retail stores all allowed under SDCL §34-18-35.

**MAX EMPLOYEES IN HOME** Not specified in state law.

## Relevant county code

No county-specific cottage food ordinance identified for Yankton County; City of Yankton zoning may apply within city limits.

### RESEARCH NOTES

No county-specific cottage food ordinance found for Yankton County, SD. Applied South Dakota state baseline (SDCL §34-18-35). Yankton County is one of the more populated SD counties (seat: Yankton). City of Yankton may have home occupation zoning provisions not found in this search. State law preempts local restrictions on homemade food sales.

### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

RANK 9999 · FIPS 46137 · Dupree

## Ziebach County

Population 0 · State baseline: SDCL §34-18-35 · **MEDIUM**

### Home kitchen rules

**HOME KITCHEN ALLOWED** yes — South Dakota SDCL §34-18-35 exempts homemade foods prepared at a residence from licensure. The 2022 amendment (SL 2022, ch 106) expanded beyond prior baked-goods-only scope. Individuals selling certain home-processed canned goods must complete a state-certified online training once every five years. No sales cap. County/municipal ordinances restricting homemade food sales are preempted by state law. Note: Ziebach County includes portions of the Cheyenne River Indian Reservation (Cheyenne River Sioux Tribe); operators on tribal land should also consult tribal regulations.

**SEPARATE DEDICATED KITCHEN** no

**PET RESTRICTIONS** No specific pet restriction in state cottage food law; standard food hygiene practices apply.

WATER SUPPLY	No specific state cottage food water supply requirement.
HANDWASHING	No specific state cottage food handwashing mandate; standard hygiene practices recommended.
FOOD STORAGE	No specific state cottage food storage requirement; non-temperature-controlled foods must be stored appropriately.

## Inspection & permitting

INSPECTION REQUIRED	no — No routine or complaint-triggered inspection authority specified for cottage food operations under state law.
HOME OCCUPATION PERMIT	varies — Ziebach County is a very rural county that includes portions of the Cheyenne River Indian Reservation. No county-specific home occupation permit requirement for cottage food identified. Operators on tribal land should consult Cheyenne River Sioux Tribe regulations; others should verify with Ziebach County offices in Dupree.
LOCAL BUSINESS LICENSE	varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct and indirect sales permitted under SDCL §34-18-35 for operations outside tribal jurisdiction.
MAX EMPLOYEES IN HOME	Not specified in state law.

## Relevant county code

No county-specific cottage food ordinance identified for Ziebach County.

### RESEARCH NOTES

No county-specific cottage food ordinance found for Ziebach County, SD. Applied South Dakota state baseline (SDCL §34-18-35). Ziebach County is one of the least populated counties in the US (seat: Dupree) and overlaps with the Cheyenne River Indian Reservation. Operators on tribal land should consult Cheyenne River Sioux Tribe regulations separately.

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### SOURCES VERIFIED AT RESEARCH TIME

<https://doh.sd.gov/topics/food-protection/cottage-foods/>

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[https://sdlegislature.gov/Statutes/Codified\\_Laws/2050018](https://sdlegislature.gov/Statutes/Codified_Laws/2050018)

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