

COTTAGE FOOD LAW REPORT

Marin County

California · San Rafael · FIPS 06041 · Population 260,485 ·
Crosodo Index #987*

STATE BASELINE

Cal. Health & Safety Code §113758

STATE TIER

Good

ANNUAL SALES CAP (STATE)

Tiered (see notes)

CONFIDENCE

HIGH

LAST VERIFIED

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.

CALIFORNIA: MARIN COUNTY

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Marin County

Population 260,485 · State baseline: Cal. Health & Safety Code §113758 · **HIGH**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Class A (direct sales only, cap \$75,000/year per Marin County EHS). Class B (direct + indirect/wholesale, cap \$150,000/year). Annual permit renewal required. CA food handler card required within 90 days of permit. Label samples required with application. Local business license required. Class B requires prior inspection.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Not specified by county; state law requires sanitary food preparation area

HOME OCCUPATION PERMIT?

Conditional (California state law (Gov. Code §51035) preempts local zoning from restricting CFOs. Marin County requires a local business license from the county (for unincorporated areas) or respective city. Must obtain approval from Marin County Environmental Health Services before selling.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

Conditional (Class B: inspection required before permit issued; Class A: no routine inspection; either class subject to inspection upon complaint)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Class A (direct sales only, cap \$75,000/year per Marin County EHS). Class B (direct + indirect/wholesale, cap \$150,000/year). Annual permit renewal required. CA food handler card required within 90 days of permit. Label samples required with application. Local business license required. Class B requires prior inspection.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	Not specified by county; state law requires sanitary food preparation area
WATER SUPPLY	Potable water supply required
HANDWASHING	CA food handler card required within 90 days of permit
FOOD STORAGE	Non-TCS CDPH-approved foods only; no refrigerated products

Inspection & permitting

INSPECTION REQUIRED	Conditional — Class B: inspection required before permit issued; Class A: no routine inspection; either class subject to inspection upon complaint
HOME OCCUPATION PERMIT	Conditional — California state law (Gov. Code §51035) preempts local zoning from restricting CFOs. Marin County requires a local business license from the county (for unincorporated areas) or respective city. Must obtain approval from Marin County Environmental Health Services before selling.
LOCAL BUSINESS LICENSE	Yes

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Class A: direct sales only including online (local delivery/pickup or shipping within CA). Class B: direct + indirect (wholesale to retailers within Marin County; reciprocal agreements may allow cross-county indirect sales). No interstate sales.
MAX EMPLOYEES IN HOME	One full-time non-family employee maximum (state law)

Relevant county code

Cal. Health & Safety Code §113758; Marin County Environmental Health Services permit

RESEARCH NOTES

Marin County has a dedicated cottage food operations page at marincounty.gov (retrieved directly). Confirmed: Class A cap \$75,000, Class B cap \$150,000, annual permit, food handler card required within 90 days, business license required, EHS contact at 415-473-6907. Page last updated December 11, 2024. Confidence high due to direct county .gov source.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.marincounty.gov/departments/cda/env-health-svcs/prgm-food/cottage-food-op>

<https://www.marincounty.org>

<https://www.marincounty.gov/departments/cda/env-health-svcs/prgm-food/cottage-food-op>

https://www.cdph.ca.gov/Programs/CEH/DFDCS/CDPH%20Document%20Library/FDB/FoodSafetyProgram/Cottage%20Food%20Operations/CFO_Faq.pdf

Questions? Join the Crosodo Forum to discuss your county’s specific zoning rules at <https://crosodo.com/nb/california/marin-county-discuss>

Bordering counties — cottage food law

Regulation	Marin County	Solano County	Sonoma County
HOME KITCHEN ALLOWED	Yes	Conditional	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Not specified by county; state law requires sanitary food preparation area	Pets prohibited from kitchen during food production.	No specific state cottage food pet restriction beyond general sanitation
INSPECTION REQUIRED	Conditional	Upon-complaint	Conditional
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Class A: direct sales only including online (local delivery/pickup or shipping within CA). Class B: direct + indirect (wholesale to retaile...	Class A: direct to consumer sales only (in-person, online, delivery within California). Class B: may also sell to retail stores and restaur...	Class A: direct sales at residence, farmers markets, bake sales, farm stands, community events. Class B: adds wholesale to local shops and ...
HOME OCCUPATION PERMIT	Conditional	Yes	Yes
LOCAL BUSINESS LICENSE	Yes	Yes	Yes
RESTRICTIONS	Class A (direct sales only, cap \$75,000/year per Marin County EHS). Class B (direct + indirect/wholesale, cap \$150,000/year). Annual permit...	California cottage food law (Cal. Health & Safety Code §113758) allows Class A (direct sales, annual cap ~\$86,206 as of 2025) and Class B (...)	Class A: direct sales only, ~\$86,206 annual cap, registration with Sonoma County Environmental Health. Class B: direct and indirect sales, ...
FOOD STORAGE	Non-TCS CDPH-approved foods only; no refrigerated products	Non-TCS, shelf-stable foods only per state-approved list.	Approved non-potentially hazardous food storage in home kitchen only
POPULATION	260,485	450,995	488,436

State context — California cottage food law

Marin County's rules sit on top of California's state cottage food framework. The state law sets the floor — counties can add but cannot remove protections.

STATUTE

Cal. Health & Safety Code §113758

ANNUAL SALES CAP

Tiered (see notes)

REGISTRATION REQUIRED

Yes

FOOD HANDLER CERT

Yes (specific course)

KITCHEN INSPECTION

No

DIRECT SALES ONLY

No

INDIRECT SALES

Limited (see notes) — Class B permit holders may sell indirectly through retail stores and restaurants statewide; Class A registrants are limited to direct sales only and may not sell through any retail or wholesale venue.

For the full state-level analysis including the verbatim statute text, see the [California cottage food law report](#).

STATE-LEVEL REFERENCES

State statute: https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=HSC§ionNum=113758

State dept cottage food page: https://www.cdph.ca.gov/Programs/CEH/DFDCS/CDPH%20Document%20Library/FDB/FoodSafetyProgram/Cottage%20Food%20Operations/CFO_Faq.pdf

Forrager.com: <https://forrager.com/law/california/>

Questions?

Join the Crosodo Forum to discuss Marin County's specific zoning rules, permits, and what other home bakers are seeing locally.

<https://crosodo.com/nb/california/marin-county-discuss>
