

## COTTAGE FOOD LAW REPORT

# Elk County

Kansas · Howard · FIPS 20049 · Population 2,436 · Crosodo  
Index #1852\*

STATE BASELINE	STATE TIER	ANNUAL SALES CAP (STATE)	CONFIDENCE	LAST VERIFIED
K.S.A. §65-657	Great	—	MEDIUM	2026-05-06

**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.

KANSAS: ELK COUNTY

CROSODO INDEX #1852\* · FIPS 20049 · Howard

# Elk County

Population 2,436 · State baseline: K.S.A. §65-657 · **MEDIUM**

## QUICK VIEW FOR BAKERS IN THIS COUNTY

**HOME KITCHEN ALLOWED?**

Yes (Kansas exempts non-TCS (shelf-stable) homemade foods sold direct-to-consumer from food establishment licensing requirements (K.S.A. §65-689(d)(4)). No registration, inspection, or food handler certificate required at state level. Local zoning home occupation rules may apply — contact Elk County zoning office.)

**SEPARATE KITCHEN REQUIRED?**

No

**PETS ALLOWED?**

No specific pet restriction in state cottage food law; good sanitary practices required.

**HOME OCCUPATION PERMIT?**

Varies (No state-level food permit required for non-TCS cottage foods. Local zoning ordinances for home occupations may require a permit. Contact Elk County zoning or planning office (Howard) to verify requirements.)

**ON-SITE / PORCH PICKUP?**

Yes

**INSPECTION REQUIRED?**

Upon-complaint (Kansas Department of Agriculture may investigate complaints; no routine home kitchen inspection for exempt cottage food operations.)

## Home kitchen rules

<b>HOME KITCHEN ALLOWED</b>	Yes — Kansas exempts non-TCS (shelf-stable) homemade foods sold direct-to-consumer from food establishment licensing requirements (K.S.A. §65-689(d)(4)). No registration, inspection, or food handler certificate required at state level. Local zoning home occupation rules may apply — contact Elk County zoning office.
<b>SEPARATE DEDICATED KITCHEN</b>	No
<b>PET RESTRICTIONS</b>	No specific pet restriction in state cottage food law; good sanitary practices required.
<b>WATER SUPPLY</b>	No specific water testing requirement under Kansas cottage food exemption.
<b>HANDWASHING</b>	Good sanitary practices required per Kan. Admin. Regs. §4-28-33.
<b>FOOD STORAGE</b>	Non-TCS (shelf-stable) foods only; no refrigeration-required products.

## Inspection & permitting

<b>INSPECTION REQUIRED</b>	Upon-complaint — Kansas Department of Agriculture may investigate complaints; no routine home kitchen inspection for exempt cottage food operations.
<b>HOME OCCUPATION PERMIT</b>	Varies — No state-level food permit required for non-TCS cottage foods. Local zoning ordinances for home occupations may require a permit. Contact Elk County zoning or planning office (Howard) to verify requirements.
<b>LOCAL BUSINESS LICENSE</b>	Varies

### Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct-to-consumer only. Sales allowed at home, farmers markets, events, roadside stands, online with delivery within Kansas. No wholesale or retail resale. Out-of-state shipping allowed with additional requirements.
MAX EMPLOYEES IN HOME	Not specified in state statute.

### Relevant county code

No specific Elk County cottage food ordinance identified. State exemption (K.S.A. §65-689(d)(4)) applies statewide.

#### RESEARCH NOTES

Kansas cottage food exemption (K.S.A. §65-689(d)(4)) applies statewide. Elk County is a small southeast Kansas county; no county-specific cottage food ordinance found.

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#### SOURCES VERIFIED AT RESEARCH TIME

<https://agriculture.ks.gov/divisions-programs/dairy-food-safety/cottage-food>

[https://www.ksrevisor.org/statutes/chapters/ch65/065\\_006\\_0057.html](https://www.ksrevisor.org/statutes/chapters/ch65/065_006_0057.html)

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

## State context — Kansas cottage food law

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

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<b>STATUTE</b> K.S.A. §65-657	<b>ANNUAL SALES CAP</b> —
<b>REGISTRATION REQUIRED</b> No	<b>FOOD HANDLER CERT</b> No
<b>KITCHEN INSPECTION</b> Upon-complaint	<b>DIRECT SALES ONLY</b> Yes
<b>INDIRECT SALES</b> No — Indirect sales to restaurants, retail stores, or wholesale are not allowed under the exemption; producers needing wholesale or retail channels must obtain a KDA food processing license.	

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

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### STATE-LEVEL REFERENCES

State statute: [https://www.ksrevisor.org/statutes/chapters/ch65/065\\_006\\_0057.html](https://www.ksrevisor.org/statutes/chapters/ch65/065_006_0057.html)

State dept cottage food page: <https://agriculture.ks.gov/divisions-programs/dairy-food-safety/cottage-food>

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

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## Questions?

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

<https://crosodo.com/nb/kansas/elk-county-discuss>

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