

COTTAGE FOOD LAW REPORT

Phelps County

Missouri · Rolla · FIPS 29161 · Population 45,672 · Crosodo Index #882*

STATE BASELINE

Mo. Rev. Stat. §196.298

STATE TIER

Great

ANNUAL SALES CAP (STATE)

—

CONFIDENCE

MEDIUM

LAST VERIFIED

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.

MISSOURI: PHELPS COUNTY

CROSODO INDEX #882* · FIPS 29161 · Rolla

Phelps County

Population 45,672 · State baseline: Mo. Rev. Stat. §196.298 · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Missouri state law (§196.298) permits home kitchen production of nonperishable baked goods, canned jams/jellies, and dried herbs with a \$50,000 annual gross income cap and direct-to-consumer sales only. Internet sales are prohibited under the statute. State law expressly prohibits local health departments from regulating cottage food production (§196.298(3)(1)). Phelps County includes the city of Rolla (home to Missouri S&T); no county-specific home occupation permit ordinance was identified for unincorporated areas.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No explicit state-level pet restriction for cottage food operations under Missouri law. Standard sanitation practices recommended.

HOME OCCUPATION PERMIT?

Unknown (No county-level home occupation permit ordinance identified for unincorporated Phelps County. Operators in Rolla should check Rolla city code separately.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (Missouri law expressly bars local health departments from regulating cottage food production (§196.298(3)(1)). No routine inspections. State may investigate foodborne illness complaints.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Missouri state law (§196.298) permits home kitchen production of nonperishable baked goods, canned jams/jellies, and dried herbs with a \$50,000 annual gross income cap and direct-to-consumer sales only. Internet sales are prohibited under the statute. State law expressly prohibits local health departments from regulating cottage food production (§196.298(3)(1)). Phelps County includes the city of Rolla (home to Missouri S&T); no county-specific home occupation permit ordinance was identified for unincorporated areas.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No explicit state-level pet restriction for cottage food operations under Missouri law. Standard sanitation practices recommended.
WATER SUPPLY	No specific water testing requirement for Missouri cottage food operations.
HANDWASHING	Standard handwashing per GMP; no specific statutory requirement for cottage food.
FOOD STORAGE	Products must be properly stored to prevent contamination. No state-mandated specific storage requirements for cottage food.

Inspection & permitting

INSPECTION REQUIRED	No — Missouri law expressly bars local health departments from regulating cottage food production (§196.298(3)(1)). No routine inspections. State may investigate foodborne illness complaints.
HOME OCCUPATION PERMIT	Unknown — No county-level home occupation permit ordinance identified for unincorporated Phelps County. Operators in Rolla should check Rolla city code separately.
LOCAL BUSINESS LICENSE	Unknown

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Unknown
DELIVERY / PICKUP RULES	Missouri cottage food law allows direct-to-consumer sales from home and at events/ farmers markets. In-state online sales permitted per 2022 amendment (HB 1697). Home pickup and delivery to customers allowed.
MAX EMPLOYEES IN HOME	No state cap on employees for cottage food operations under §196.298.

Relevant county code

Mo. Rev. Stat. §196.298

RESEARCH NOTES

State baseline applied. No county-specific home occupation zoning ordinance found for unincorporated Phelps County. Missouri §196.298 controls. Medium confidence due to absence of county-specific research.

SOURCES VERIFIED AT RESEARCH TIME

<https://revisor.mo.gov/main/OneSection.aspx?section=196.298>

<https://health.mo.gov/safety/foodsafety/pdf/home-based-kitchen-food-prod-guidance.pdf>

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

State context — Missouri cottage food law

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

STATUTE Mo. Rev. Stat. §196.298	ANNUAL SALES CAP —
REGISTRATION REQUIRED No	FOOD HANDLER CERT No
KITCHEN INSPECTION No	DIRECT SALES ONLY Yes

INDIRECT SALES
No — Under §196.298, sales must be directly to consumers from the producer’s home. Events, farmers markets, restaurants, retail stores, and roadside stands are not permitted under this law. Internet/online sales are allowed but only if both the producer and buyer are located in Missouri. Local health departments are explicitly prohibited from regulating the production of food at cottage food operations. A separate Missouri statute (individual stands law) allows sales at events and roadside stands in counties that have adopted it, permitting most other nonperishable foods.

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

STATE-LEVEL REFERENCES

- State statute: <https://revisor.mo.gov/main/OneSection.aspx?section=196.298>
 - State dept cottage food page: <https://health.mo.gov/safety/foodsafety/cottagefood.php>
 - Forrager.com: <https://forrager.com/law/missouri/>
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Questions?

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

<https://crosodo.com/nb/missouri/phelps-county-discuss>
