

COTTAGE FOOD LAW REPORT

Custer County

Montana · Miles City · FIPS 30017 · Population 11,964 ·
Crosodo Index #743*

STATE BASELINE

Mont. Code §50-50-116 and §50-50-117 (cottage food); Mont. Code §§50-49-201 et seq.
(Local Food Choice Act)

STATE TIER	ANNUAL SALES CAP (STATE)	CONFIDENCE	LAST VERIFIED
Freedom	—	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.

MONTANA: CUSTER COUNTY

CROSODO INDEX #743* · FIPS 30017 · Miles City

Custer County

Population 11,964 · State baseline: Mont. Code §50-50-116 and §50-50-117 (cottage food); Mont. Code §§50-49-201 et seq. (Local Food Choice Act) · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Cottage food operations must register with local health authority under Mont. Code §50-50-117. Non-potentially-hazardous foods only under standard cottage food track (§50-50-116). Products sold direct-to-consumer at farmers markets, events, and from home; no consignment/retail/wholesale. The Montana Local Food Choice Act (Mont. Code §§50-49-201 et seq.) provides an additional pathway for direct producer-to-consumer sales of virtually any homemade food without licensing or inspection requirements, provided the sale is in-state and consumers are informed the food is unlicensed and uninspected. No sales cap under either track.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Not specified in state cottage food law; individual county health departments may have additional requirements.

HOME OCCUPATION PERMIT?

Conditional (No specific Custer County cottage food or home occupation rules found. City of Miles City may have business license requirements. Recommend verifying with Custer County planning/zoning department.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

Upon-complaint (No routine inspection under standard cottage food law. Local health authority access may be granted upon complaint. Under MLFCA track, no inspection required.)

Home kitchen rules

HOME KITCHEN ALLOWED

Yes — Cottage food operations must register with local health authority under Mont. Code §50-50-117. Non-potentially-hazardous foods only under standard cottage food track (§50-50-116). Products sold direct-to-consumer at farmers markets, events, and from home; no consignment/retail/wholesale. The Montana Local Food Choice Act (Mont. Code §§50-49-201 et seq.) provides an additional pathway for direct producer-to-consumer sales of virtually any homemade food without licensing or inspection requirements, provided the sale is in-state and consumers are informed the food is unlicensed and uninspected. No sales cap under either track.

SEPARATE DEDICATED KITCHEN

No

PET RESTRICTIONS

Not specified in state cottage food law; individual county health departments may have additional requirements.

WATER SUPPLY

Not specified in state cottage food law.

HANDWASHING

Standard food safety sanitation practices required; products must comply with applicable food standards.

FOOD STORAGE

Products must be non-potentially hazardous (standard cottage food track) or properly disclosed as unlicensed/uninspected (MLFCA track). Proper storage to prevent contamination required.

Inspection & permitting

INSPECTION REQUIRED	Upon-complaint — No routine inspection under standard cottage food law. Local health authority access may be granted upon complaint. Under MLFCA track, no inspection required.
HOME OCCUPATION PERMIT	Conditional — No specific Custer County cottage food or home occupation rules found. City of Miles City may have business license requirements. Recommend verifying with Custer County planning/zoning department.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct-to-consumer sales permitted at farmers markets, events, and from home. Under standard cottage food (§50-50-116), no consignment, retail, or wholesale sales. Under MLFCA, any direct producer-to-consumer in-state transaction is permissible if consumer is informed food is unlicensed/uninspected.
MAX EMPLOYEES IN HOME	Not specified in state cottage food law.

Relevant county code

Mont. Code §50-50-116 and §50-50-117 (cottage food); Mont. Code §§50-49-201 et seq. (Local Food Choice Act)

RESEARCH NOTES

No county-specific cottage food or home occupation ordinances found for Custer County. Miles City is a regional center in eastern Montana. Governance follows state law. Recommend verifying with Custer County Planning and local health department for any local registration or business license requirements.

SOURCES VERIFIED AT RESEARCH TIME

<https://dphhs.mt.gov/publichealth/fcs/foodsafety/cottagefoods>

https://leg.mt.gov/bills/mca/title_0500/chapter_0500/part_0010/section_0160/0500-0500-0010-0160.html

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

State context — Montana cottage food law

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

STATUTE	ANNUAL SALES CAP
Mont. Code §50-50-116 and §50-50-117 (cottage food); Mont. Code §§50-49-201 et seq. (Local Food Choice Act)	—
REGISTRATION REQUIRED	FOOD HANDLER CERT
Yes	No
KITCHEN INSPECTION	DIRECT SALES ONLY
Upon-complaint	Yes
INDIRECT SALES	
No — Consignment sales at retail food establishments or through wholesale establishments are explicitly prohibited under §50-50-116(3). The Montana Local Food Choice Act also requires direct producer-to-informed-end-consumer transactions only; retail locations require a wholesale food license.	

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

STATE-LEVEL REFERENCES

State statute: https://leg.mt.gov/bills/mca/title_0500/chapter_0500/part_0010/section_0160/0500-0500-0010-0160.html

State dept cottage food page: <https://dphhs.mt.gov/publichealth/fcs/foodsafety/cottagefoods>

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

Questions?

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

<https://crosodo.com/nb/montana/custer-county-discuss>
