

## COTTAGE FOOD LAW REPORT

# Daniels County

Montana · Scobey · FIPS 30019 · Population 1,625 · Crosodo Index #742\*

## 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: DANIELS COUNTY

CROSODO INDEX #742\* · FIPS 30019 · Scobey

## Daniels County

Population 1,625 · 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 Daniels County cottage food or home occupation rules found. City of Scobey may have business license requirements. Recommend verifying with Daniels 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 Daniels County cottage food or home occupation rules found. City of Scobey may have business license requirements. Recommend verifying with Daniels 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 Daniels County. Remote northeast Montana county; very low population. Governance follows state law. Recommend verifying with Daniels County Planning and local health department for any local registration or business license requirements.

### SOURCES VERIFIED AT RESEARCH TIME

<https://www.danielscounty.gov>

<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](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/daniels-county-discuss>

## Bordering counties — cottage food law

| Regulation                 | Daniels County                                                                                                                                 | Roosevelt County                                                                                                                                | Sheridan County                                                                                                                                 |
|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| HOME KITCHEN ALLOWED       | Yes                                                                                                                                            | Yes                                                                                                                                             | Yes                                                                                                                                             |
| SEPARATE DEDICATED KITCHEN | No                                                                                                                                             | No                                                                                                                                              | No                                                                                                                                              |
| PETS ALLOWED               | Not specified in state cottage food law; individual county health departments may have additional requirements.                                | Pets must be excluded from kitchen during production                                                                                            | Pets must be excluded from kitchen during production                                                                                            |
| INSPECTION REQUIRED        | Upon-complaint                                                                                                                                 | Upon-complaint                                                                                                                                  | Upon-complaint                                                                                                                                  |
| ON-SITE CUSTOMER PICKUP    | Yes                                                                                                                                            | Yes                                                                                                                                             | Yes                                                                                                                                             |
| ON-SITE SIGNAGE            | Conditional                                                                                                                                    | Conditional                                                                                                                                     | Conditional                                                                                                                                     |
| DELIVERY / PICKUP          | Direct-to-consumer sales permitted at farmers markets, events, and from home. Under standard cottage food (§50-50-116), no consignment, ret... | Face-to-face transaction required. Online advertising allowed but actual sale must be in-person. No third-party delivery services. Producer...  | Face-to-face transaction required. Online advertising allowed but actual sale must be in-person. No third-party delivery services. Producer...  |
| HOME OCCUPATION PERMIT     | Conditional                                                                                                                                    | Varies                                                                                                                                          | Varies                                                                                                                                          |
| LOCAL BUSINESS LICENSE     | Varies                                                                                                                                         | Varies                                                                                                                                          | Varies                                                                                                                                          |
| RESTRICTIONS               | Cottage food operations must register with local health authority under Mont. Code §50-50-117. Non-potentially-hazardous foods only under s... | Must produce in primary residence kitchen. Pets must be excluded during production. No routine inspection. One-time \$40 registration fee wi... | Must produce in primary residence kitchen. Pets must be excluded during production. No routine inspection. One-time \$40 registration fee wi... |
| FOOD STORAGE               | Products must be non-potentially hazardous (standard cottage food track) or properly disclosed as unlicensed/uninspected (MLFCA track). Pro... | Products stored appropriately; temporary vehicle storage for transport only                                                                     | Products stored appropriately; temporary vehicle storage for transport only                                                                     |
| POPULATION                 | 1,535                                                                                                                                          | 11,303                                                                                                                                          | 3,384                                                                                                                                           |

## State context — Montana cottage food law

Daniels 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

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

### ANNUAL SALES CAP

—

### REGISTRATION REQUIRED

Yes

### FOOD HANDLER CERT

No

### KITCHEN INSPECTION

Upon-complaint

### DIRECT SALES ONLY

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](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 Daniels County's specific zoning rules, permits, and what other home bakers are seeing locally.

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

## Classifieds

Resources for cottage food & home bakers · [crosodo.com/advertise](https://crosodo.com/advertise)

### NATIONAL

#### SUPPLIES

##### Advertise here — Supplies

Reach home bakers across the country. [crosodo.com/advertise](https://crosodo.com/advertise)

#### COURSES

##### Advertise here — Courses

Reach home bakers across the country. [crosodo.com/advertise](https://crosodo.com/advertise)

#### INSURANCE

##### Advertise here — Insurance

Reach home bakers across the country. [crosodo.com/advertise](https://crosodo.com/advertise)

### LOCAL

#### Advertise here

Reach home bakers in Daniels County, Montana. Supply stores, farmers markets, kitchen rentals, and bakery services welcome.

[crosodo.com/advertise](https://crosodo.com/advertise)

#### Your business here

Local cottage food listings, kitchen rentals, co-packer referrals, and community events — post yours free on the Crosodo Forum.

[crosodo.com/nb/montana/daniels-county-discuss](https://crosodo.com/nb/montana/daniels-county-discuss)

#### Free ad space available

Let us know if you're a non-profit or community organization. Farmers markets, kitchen rentals, and cottage food events near you welcome.

Ads are paid placements. Crosodo does not endorse listed vendors. Verify all information independently. · To advertise: [crosodo.com/advertise](https://crosodo.com/advertise)