COTTAGE FOOD LAW REPORT

Lewis and Clark County

Montana · Helena · FIPS 30049 · Population 71,487 · Crosodo Index #433*

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	—	HIGH	2026-10-06

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.

How to start — 60-second path

Lewis and Clark County, Montana — permit, pickup, and label steps before the full county rules.

HOME KITCHEN ALLOWED?	STATE SALES CAP
Yes	—
HOME OCCUPATION PERMIT?	ON-SITE / PORCH PICKUP?
Varies	Yes
INSPECTION	PETS
No	Pets must be excluded from kitchen during production

BEFORE YOU SELL FROM THIS ADDRESS

- [ ] **1. Menu** — Confirm each product under Montana cottage food rules (county cannot expand a state ban).
- [ ] **2. Pickup & zoning** — Home occupation and porch pickup cells above; HOA/lease may still block customer traffic.
- [ ] **3. Local tax / license** — Business license or sales tax certificate if your city/parish requires it (common even with no state food permit).
- [ ] **4. Training** — Food handler or state registration before market day.
- [ ] **5. Labels** — Disclaimer, allergens, ingredients, net quantity, producer info.
- [ ] **6. Call if unclear** — County health and planning for your exact address.

LABEL FIELDS TO INCLUDE

- [ ] Product name · producer name · address (or allowed alternative)
- [ ] Ingredients by weight · major allergens · net weight/quantity
- [ ] Montana home-kitchen disclaimer (see live label one-pager)

CONTINUE ONLINE

Open the live county page →

Montana label one-pager →

Print labels for your first market →

Local notes & questions →

Planning path only — not legal advice. Rules change. Always verify with state and local offices before selling.

MONTANA: LEWIS AND CLARK COUNTY

CROSODO INDEX #433* · FIPS 30049 · Helena

Lewis and Clark County

Population 71,487 · State baseline: Mont. Code §50-50-116 and §50-50-117 (cottage food); Mont. Code §§50-49-201 et seq. (Local Food Choice Act) · HIGH

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?
Yes (Must produce in primary residence kitchen. Pets must be excluded during production. No routine inspection. One-time $40 registration fee with local Environmental Health Agency. Direct-to-consumer sales only within Montana. Farmers market sales exempt from registration.)

SEPARATE KITCHEN REQUIRED?
No

PETS ALLOWED?
Pets must be excluded from kitchen during production

HOME OCCUPATION PERMIT?
Varies (Lewis and Clark County/Helena local ordinances may require a business permit for home-based sales. Lewis and Clark County Public Health (PHLicEst@lccountymt.gov, 406-457-8919) administers cottage food registration locally. Local towns/counties may have additional permit/licensing requirements for parking-lot or off-premises sales.)

ON-SITE / PORCH PICKUP?
Yes

INSPECTION REQUIRED?
No (Consumer complaint or illness investigation; producer must grant access for complaint-based inspection)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Must produce in primary residence kitchen. Pets must be excluded during production. No routine inspection. One-time $40 registration fee with local Environmental Health Agency. Direct-to-consumer sales only within Montana. Farmers market sales exempt from registration.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	Pets must be excluded from kitchen during production
WATER SUPPLY	Standard residential water supply
HANDWASHING	Sanitary food preparation operations required
FOOD STORAGE	Products stored appropriately; temporary vehicle storage for transport only

Inspection & permitting

INSPECTION REQUIRED	No — Consumer complaint or illness investigation; producer must grant access for complaint-based inspection
LOCAL HEALTH / COUNTY REGISTRATION	No
HOME OCCUPATION PERMIT	Varies — Lewis and Clark County/Helena local ordinances may require a business permit for home-based sales. Lewis and Clark County Public Health (PHLicEst@lccountymt.gov, 406-457-8919) administers cottage food registration locally. Local towns/counties may have additional permit/licensing requirements for parking-lot or off-premises sales.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Face-to-face transaction required. Online advertising allowed but actual sale must be in-person. No third-party delivery services. Delivery to purchaser permitted if producer delivers directly.
MAX EMPLOYEES IN HOME	Not specified

Relevant county code

Lewis and Clark County Public Health - Licensed Establishment Program

RESEARCH NOTES

Montana freedom-tier state. Lewis and Clark County has a county public health page specifically listing Cottage Foods as a program area. One-time $40 registration with local EH agency. Pet exclusion during production explicitly required. Farmers market sales only do not require registration. Local business licensing may additionally apply. Contact: Nina Heinzinger, PHLicEst@lccountymt.gov.

SOURCES VERIFIED AT RESEARCH TIME

https://www.lccountymt.gov

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

https://www.lccountymt.gov/Government/Public-Health/Licensing-and-Inspections/Food-Facilities

https://dphhs.mt.gov/assets/publichealth/FCS/CottageFood/cottagefoodfrequentlyaskedquestions2024.pdf

Questions about this county? Local notes and a place to leave a question: crosodo.com/nb/montana/lewis-and-clark-county-discuss

Lewis and Clark County and nearby places

Regulation	Lewis and Clark County	Cascade County	Flathead County
HOME KITCHEN ALLOWED	**Yes**	Yes	Yes
SEPARATE DEDICATED KITCHEN	**No**	No	No
PETS ALLOWED	**Pets must be excluded from kitchen during production**	Pets must be excluded from the kitchen during food production per Cascade County guidance.	No specific state restriction for cottage food operations.
INSPECTION REQUIRED	**No**	No	No
ON-SITE CUSTOMER PICKUP	**Yes**	Yes	Yes
ON-SITE SIGNAGE	**Conditional**	Conditional	Conditional
DELIVERY / PICKUP	**Face-to-face transaction required. Online advertising allowed but actual sale must be in-person. No third-party delivery services. Delivery…**	Direct sales to consumers at farmers markets, events, and from home. Under standard cottage food (§50-50-116), no consignment/retail/wholes…	Standard cottage food: direct-to-consumer sales at farmers markets, events, from home. No consignment. Local Food Choice Act: any direct pr…
HOME OCCUPATION PERMIT	**Varies**	Conditional	Conditional
LOCAL BUSINESS LICENSE	**Varies**	Conditional	Varies
RESTRICTIONS	**Must produce in primary residence kitchen. Pets must be excluded during production. No routine inspection. One-time $40 registration fee wi…**	Cascade County has a specific Cottage Food Operation guidance and registration application administered by the Cascade City-County Health D…	Montana has two tracks: (1) Standard cottage food (§50-50-116): Non-potentially hazardous foods prepared in domestic residence, local healt…
FOOD STORAGE	**Products stored appropriately; temporary vehicle storage for transport only**	Products must be properly stored and handled to prevent contamination.	Standard cottage food: non-potentially hazardous foods only. Local Food Choice Act: allows potentially hazardous foods in direct producer-t…
POPULATION	**71,487**	84,423	105,950

State context — Montana cottage food law

Lewis and Clark 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
No

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** on Crosodo, or open the live guide: crosodo.com/states/montana.

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 about Lewis and Clark County? Local notes and a place to leave a question are on Crosodo. We monitor new threads — start with zoning, permits, or porch pickup.

crosodo.com/nb/montana/lewis-and-clark-county-discuss

RESEARCH NOTES

Baker's Notes

Research notes, not a state ruling. Baker talk is what people discuss. Official pages are cited separately. Confirm before you sell.

Sell to stores (next level)

Cottage / home-kitchen exemptions are usually direct-to-consumer and not for resale into stores. Selling into retail stores typically requires a state manufactured-food (or equivalent) permit and an inspected production kitchen, plus local zoning and business licensing.

This county: We have not collected local store-shelf notes for this place yet.

Confirm with the state food agency and local planning / commissioner offices before you sell into stores. Not legal advice.

Classifieds

Resources for cottage food & home bakers · crosodo.com/advertise

NATIONAL

SUPPLIES

Advertise here — Supplies
Reach home bakers across the country. crosodo.com/advertise

COURSES

Advertise here — Courses
Reach home bakers across the country. crosodo.com/advertise

INSURANCE

Advertise here — Insurance
Reach home bakers across the country. crosodo.com/advertise

LOCAL

Advertise here
Reach home bakers in Lewis and Clark County, Montana. Supply stores, farmers markets, kitchen rentals, and bakery services welcome.
crosodo.com/advertise

Your business here
Local cottage food listings, kitchen rentals, co-packer referrals, and community events — post yours on Crosodo.
crosodo.com/nb/montana/lewis-and-clark-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.

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