

## COTTAGE FOOD LAW REPORT

# Musselshell County

Montana · Roundup · FIPS 30065 · Population 4,688 ·  
Crosodo Index #1508\*

## 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: MUSSELSHELL COUNTY**

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# Musselshell County

Population 4,688 · 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 (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 (Musselshell County is a small rural county. Local ordinances may require a business permit for home-based sales. The 2021 Montana Local Food Choice Act preempts local restrictions on homemade food sales. Cottage food registration (\$40 one-time fee) administered through local Environmental Health office.)

**ON-SITE / PORCH PICKUP?**

Yes

**INSPECTION REQUIRED?**

Upon-complaint (Consumer complaint or illness investigation only)

**Home kitchen rules**

<b>HOME KITCHEN ALLOWED</b>	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.
<b>SEPARATE DEDICATED KITCHEN</b>	No
<b>PET RESTRICTIONS</b>	Pets must be excluded from kitchen during production
<b>WATER SUPPLY</b>	Standard residential water supply
<b>HANDWASHING</b>	Sanitary food preparation operations required
<b>FOOD STORAGE</b>	Products stored appropriately; temporary vehicle storage for transport only

**Inspection & permitting**

<b>INSPECTION REQUIRED</b>	Upon-complaint — Consumer complaint or illness investigation only
<b>HOME OCCUPATION PERMIT</b>	Varies — Musselshell County is a small rural county. Local ordinances may require a business permit for home-based sales. The 2021 Montana Local Food Choice Act preempts local restrictions on homemade food sales. Cottage food registration (\$40 one-time fee) administered through local Environmental Health office.
<b>LOCAL BUSINESS LICENSE</b>	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. Producer may deliver directly to purchaser.
MAX EMPLOYEES IN HOME	Not specified

### Relevant county code

Not identified; state law governs

#### RESEARCH NOTES

Montana Freedom-tier state. 2021 Local Food Choice Act preempts local ordinances statewide. No Musselshell County-specific cottage food or home occupation ordinances found. Small, rural county (county seat Roundup). State baseline applied. Confidence medium as no county-specific .gov source verified.

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#### SOURCES VERIFIED AT RESEARCH TIME

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

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

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

## Bordering counties — cottage food law

Regulation	Musselshell County	Fergus County	Golden Valley County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	<b>Pets must be excluded from kitchen during production</b>	Not specified in state cottage food law; individual county health departments may have additional requirements.	Not specified in state cottage food law; individual county health departments may have additional requirements.
INSPECTION REQUIRED	Upon-complaint	Upon-complaint	Upon-complaint
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	<b>Face-to-face transaction required. Online advertising allowed but actual sale must be in-person. No third-party delivery services. Producer...</b>	Direct-to-consumer sales permitted at farmers markets, events, and from home. Under standard cottage food (§50-50-116), no consignment, ret...	Direct-to-consumer sales permitted at farmers markets, events, and from home. Under standard cottage food (§50-50-116), no consignment, ret...
HOME OCCUPATION PERMIT	Varies	Conditional	Conditional
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	<b>Must produce in primary residence kitchen. Pets must be excluded during production. No routine inspection. One-time \$40 registration fee wi...</b>	Cottage food operations must register with local health authority under Mont. Code §50-50-117. Non-potentially-hazardous foods only under s...	Cottage food operations must register with local health authority under Mont. Code §50-50-117. Non-potentially-hazardous foods only under s...
FOOD STORAGE	<b>Products stored appropriately; temporary vehicle storage for transport only</b>	Products must be non-potentially hazardous (standard cottage food track) or properly disclosed as unlicensed/uninspected (MLFCA track). Pro...	Products must be non-potentially hazardous (standard cottage food track) or properly disclosed as unlicensed/uninspected (MLFCA track). Pro...
POPULATION	4,688	11,496	841

## State context — Montana cottage food law

Musselshell 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.

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<b>STATUTE</b> Mont. Code §50-50-116 and §50-50-117 (cottage food); Mont. Code §§50-49-201 et seq. (Local Food Choice Act)	<b>ANNUAL SALES CAP</b> —
<b>REGISTRATION REQUIRED</b> Yes	<b>FOOD HANDLER CERT</b> No
<b>KITCHEN INSPECTION</b> Upon-complaint	<b>DIRECT SALES ONLY</b> Yes
<b>INDIRECT SALES</b> 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.	

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

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### 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/>

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## Questions?

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

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

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