

## COTTAGE FOOD LAW REPORT

# Burt County

Nebraska · Tekamah · FIPS 31021 · Population 6,459 ·  
Crosodo Index #1466\*

## STATE BASELINE

Neb. Rev. Stat. §81-2,280

## STATE TIER

Good

## ANNUAL SALES CAP (STATE)

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## 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.

NEBRASKA: BURT COUNTY

CROSODO INDEX #1466\* · FIPS 31021 · Tekamah

# Burt County

Population 6,459 · State baseline: Neb. Rev. Stat. §81-2,280 · **MEDIUM**

## QUICK VIEW FOR BAKERS IN THIS COUNTY

**HOME KITCHEN ALLOWED?**

Yes (State law permits cottage food production from a private home kitchen. Registration required with Nebraska Department of Agriculture. Direct-to-consumer sales only (farmers markets, fairs, festivals, craft shows, home pickup/delivery). No annual sales cap. As of LB262 (July 2024), some TCS foods permitted with additional requirements.)

**SEPARATE KITCHEN REQUIRED?**

No

**PETS ALLOWED?**

Not specified in state law; good sanitation practices required

**HOME OCCUPATION PERMIT?**

Varies (Burt County is primarily rural/agricultural. Unincorporated areas likely have minimal zoning regulation. Home occupation permit requirements, if any, would be administered by Burt County Planning. City of Tekamah has its own municipal zoning for properties within city limits.)

**ON-SITE / PORCH PICKUP?**

Yes

**INSPECTION REQUIRED?**

No (No routine inspection required; complaint-driven investigation possible)

## Home kitchen rules

<b>HOME KITCHEN ALLOWED</b>	Yes — State law permits cottage food production from a private home kitchen. Registration required with Nebraska Department of Agriculture. Direct-to-consumer sales only (farmers markets, fairs, festivals, craft shows, home pickup/delivery). No annual sales cap. As of LB262 (July 2024), some TCS foods permitted with additional requirements.
<b>SEPARATE DEDICATED KITCHEN</b>	No
<b>PET RESTRICTIONS</b>	Not specified in state law; good sanitation practices required
<b>WATER SUPPLY</b>	Standard residential water supply
<b>HANDWASHING</b>	Good sanitation practices required
<b>FOOD STORAGE</b>	Appropriate storage to maintain product safety

## Inspection & permitting

<b>INSPECTION REQUIRED</b>	No — No routine inspection required; complaint-driven investigation possible
<b>HOME OCCUPATION PERMIT</b>	Varies — Burt County is primarily rural/agricultural. Unincorporated areas likely have minimal zoning regulation. Home occupation permit requirements, if any, would be administered by Burt County Planning. City of Tekamah has its own municipal zoning for properties within city limits.
<b>LOCAL BUSINESS LICENSE</b>	Varies

**Customer-facing rules**

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct delivery to consumer permitted in-state; no wholesale to retailers
MAX EMPLOYEES IN HOME	Not specified at county level

**Relevant county code**

Burt County zoning regulations if adopted; check with county planning office

**RESEARCH NOTES**

Nebraska Good-tier state. State law (§81-2,280 as amended by LB262, July 2024) is the primary framework. Burt County is a small rural county (pop. ~6,459). No county-specific cottage food ordinance found. State registration with NDA required. Direct sales only; no wholesale. County zoning, if any, is agricultural-focused and unlikely to restrict home-based food production.

**SOURCES VERIFIED AT RESEARCH TIME**

<https://www.burtcountyne.gov>

<https://nda.nebraska.gov/fscp/foods/cottagefood>

<https://cottagefoodlaw.unl.edu/faq/>

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

## State context — Nebraska cottage food law

Burt County's rules sit on top of Nebraska'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>	<b>ANNUAL SALES CAP</b>
Neb. Rev. Stat. §81-2,280 (producer of food at private home); §81-2,239 et seq. (Nebraska Pure Food Act)	—
<b>REGISTRATION REQUIRED</b>	<b>FOOD HANDLER CERT</b>
Yes	Yes
<b>KITCHEN INSPECTION</b>	<b>DIRECT SALES ONLY</b>
No	Yes
<b>INDIRECT SALES</b>	
No — Sales must be direct-to-consumer. Wholesale to restaurants, grocery stores, or distributors is not permitted under the cottage food framework. Non-TCS foods may be mailed; TCS foods must be delivered in person by the producer within 2 hours.	

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

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### STATE-LEVEL REFERENCES

State statute: <https://nebraskalegislature.gov/laws/statutes.php?statute=81-2,239.05>

State dept cottage food page: [https://nda.nebraska.gov/foods/processed\\_food/cottage\\_foods.html](https://nda.nebraska.gov/foods/processed_food/cottage_foods.html)

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

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## Questions?

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

<https://crosodo.com/nb/nebraska/burt-county-discuss>

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