

## COTTAGE FOOD LAW REPORT

# Cuming County

Nebraska · West Point · FIPS 31039 · Population 8,936 ·  
Crosodo Index #1421\*

## 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: CUMING COUNTY

CROSODO INDEX #1421\* · FIPS 31039 · West Point

# Cuming County

Population 8,936 · 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 (Cuming County is a small rural northeastern Nebraska county. Unincorporated areas likely have minimal or no county zoning. City of West Point has its own municipal zoning.)

**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 — Cuming County is a small rural northeastern Nebraska county. Unincorporated areas likely have minimal or no county zoning. City of West Point has its own municipal zoning. |
| <b>LOCAL BUSINESS LICENSE</b> | Varies   |

## Customer-facing rules

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

### Relevant county code

Cuming County zoning regulations if adopted; check with county office

#### RESEARCH NOTES

Nebraska Good-tier state. State law (§81-2,280 as amended by LB262, July 2024) is the primary framework. Cuming County (pop. ~8,936) is a small rural NE county. No county-specific cottage food ordinance found. State registration with NDA required. Direct sales only; no wholesale.

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#### SOURCES VERIFIED AT RESEARCH TIME

<https://www.cumingcountyne.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/cuming-county-discuss>

## State context — Nebraska cottage food law

Cuming 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.

|  |                          |
|--|--------------------------|
| <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. |                          |

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

### 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/>

## Questions?

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

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

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