

COTTAGE FOOD LAW REPORT

Eddy County

New Mexico · Carlsbad · FIPS 35015 · Population 61,264 ·
Crosodo Index #1064*

STATE BASELINE

NMSA §25-12-3 (Homemade Food Act)

STATE TIER

Great

ANNUAL SALES CAP (STATE)

—

CONFIDENCE

MEDIUM

LAST VERIFIED

2026-05-05

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.

NEW MEXICO: EDDY COUNTY

CROSODO INDEX #1064* · FIPS 35015 · Carlsbad

Eddy County

Population 61,264 · State baseline: NMSA §25-12-3 (Homemade Food Act) · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (New Mexico Homemade Food Act (eff. July 1, 2021) allows all non-TCS foods from private farm, ranch, or residence. No sales cap. No registration required (voluntary permit available). Food handler certification required. Direct-to-consumer sales within NM only.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific pet restriction in state law.

HOME OCCUPATION PERMIT?

Varies (Eddy County and City of Carlsbad may have home occupation zoning requirements. Operators should verify with the Eddy County Planning Division.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (NMED must issue a written warning before imposing fines; complaint investigation possible. No routine inspection.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — New Mexico Homemade Food Act (eff. July 1, 2021) allows all non-TCS foods from private farm, ranch, or residence. No sales cap. No registration required (voluntary permit available). Food handler certification required. Direct-to-consumer sales within NM only.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No specific pet restriction in state law.
WATER SUPPLY	No specific state cottage food water testing requirement.
HANDWASHING	No specific state cottage food handwashing mandate; food handler certification covers hygiene practices.
FOOD STORAGE	Non-TCS foods must be stored appropriately; no specific state mandate beyond general food safety.

Inspection & permitting

INSPECTION REQUIRED	No — NMED must issue a written warning before imposing fines; complaint investigation possible. No routine inspection.
HOME OCCUPATION PERMIT	Varies — Eddy County and City of Carlsbad may have home occupation zoning requirements. Operators should verify with the Eddy County Planning Division.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct-to-consumer within NM via any channel — farmers markets, festivals, internet, roadside stands, home pickup/delivery, and mail delivery. No restaurant, wholesale, or out-of-state sales.
MAX EMPLOYEES IN HOME	Not specified in state law.

Relevant county code

Eddy County zoning code (home occupation provisions); no specific cottage food county ordinance identified.

RESEARCH NOTES

No county-specific cottage food ordinance found for Eddy County. State baseline (NMSA §25-12-3 Homemade Food Act) applies. NM is notably permissive: no registration required, no inspection, no sales cap, food handler cert required. Eddy County is predominantly rural/agricultural; local zoning should be verified especially given oil/gas land-use context of the area.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.env.nm.gov/foodprogram/homemade-food-act/>

<https://laws.nmonesource.com/w/nmos/Chapter-25-NMSA-1978>

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

State context — New Mexico cottage food law

Eddy County's rules sit on top of New Mexico's state cottage food framework. The state law sets the floor — counties can add but cannot remove protections.

STATUTE NMSA §25-12-3 (Homemade Food Act)	ANNUAL SALES CAP —
REGISTRATION REQUIRED No	FOOD HANDLER CERT Yes
KITCHEN INSPECTION No	DIRECT SALES ONLY Yes
INDIRECT SALES No — Sales must be direct to consumers within New Mexico. Products may not be sold to restaurants, wholesalers, distributors, or outside New Mexico. Internet, mail, and phone sales directly to consumers are permitted. The NMED Food Safety Program does not have jurisdiction in Bernalillo County and Albuquerque (which have their own programs); those areas may operate mandatory or voluntary permit systems.	

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

STATE-LEVEL REFERENCES

State statute: <https://laws.nmonesource.com/w/nmos/Chapter-25-NMSA-1978>

State dept cottage food page: <https://www.env.nm.gov/foodprogram/homemade-food-act/>

Forrager.com: <https://forrager.com/law/new-mexico/>

Questions?

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

<https://crosodo.com/nb/new-mexico/eddy-county-discuss>
