

COTTAGE FOOD LAW REPORT

Otero County

New Mexico · Alamogordo · FIPS 35035 · Population 67,850 ·
Crosodo Index #1032*

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.

How to start — 60-second path

Otero County, New Mexico — permit, pickup, and label steps before the full county rules.

HOME KITCHEN ALLOWED?

Yes

STATE SALES CAP

—

HOME OCCUPATION PERMIT?

Varies

ON-SITE / PORCH PICKUP?

Yes

INSPECTION

No

PETS

Not specified in state law

BEFORE YOU SELL FROM THIS ADDRESS

- ☐ **1. Menu** — Confirm each product under New Mexico 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
- ☐ New Mexico home-kitchen disclaimer (see live label one-pager)

CONTINUE ONLINE

[Open the live county page →](#)

[New Mexico label one-pager →](#)

[Local notes & questions →](#)

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

NEW MEXICO: OTERO COUNTY

CROSODO INDEX #1032* · FIPS 35035 · Alamogordo

Otero County

Population 67,850 · State baseline: NMSA §25-12-3 (Homemade Food Act) · MEDIUM

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (No state permit required. Food handler certification (NMSU online training) required, valid 3 years. Direct-to-consumer sales only within New Mexico. No sales to restaurants, wholesalers, or out-of-state. No acidified or low-acid canned foods.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Not specified in state law

HOME OCCUPATION PERMIT?

Varies (No county govt URL provided. Otero County unincorporated areas would follow county zoning. City of Alamogordo has its own licensing requirements. General business licensing may apply at county level.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (Complaint-based investigation by NMED Food Safety Bureau)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — No state permit required. Food handler certification (NMSU online training) required, valid 3 years. Direct-to-consumer sales only within New Mexico. No sales to restaurants, wholesalers, or out-of-state. No acidified or low-acid canned foods.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	Not specified in state law
WATER SUPPLY	Standard residential water supply
HANDWASHING	Food handler certification training addresses proper practices
FOOD STORAGE	Appropriate storage for shelf-stable products

Inspection & permitting

INSPECTION REQUIRED	No — Complaint-based investigation by NMED Food Safety Bureau
HOME OCCUPATION PERMIT	Varies — No county govt URL provided. Otero County unincorporated areas would follow county zoning. City of Alamogordo has its own licensing requirements. General business licensing may apply at county level.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct-to-consumer only; face-to-face transaction required within NM
MAX EMPLOYEES IN HOME	Not specified

Relevant county code

Not identified

RESEARCH NOTES

New Mexico Great-tier state. Otero County contains Holloman AFB adjacent to Alamogordo. NMED has jurisdiction (not a separate local program). No county-specific sources available. Pattern county.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.oterocounty.gov>

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

Questions about this county? Local notes and a place to leave a question: crosodo.com/nb/new-mexico/otero-county-discuss

Bordering counties — cottage food law

Regulation	Otero County	Chaves County	Eddy County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Not specified in state law	No specific state prohibition; good manufacturing practice applies	No specific pet restriction in state law.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Yes	Conditional
DELIVERY / PICKUP	Direct-to-consumer only; face-to-face transaction required within NM	Direct sales to consumers via any channel within NM: farmers markets, festivals, internet, roadside stands, home pickup/delivery, mail deli...	Direct-to-consumer within NM via any channel — farmers markets, festivals, internet, roadside stands, home pickup/delivery, and mail delive...
HOME OCCUPATION PERMIT	Varies	Varies	Varies
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	No state permit required. Food handler certification (NMSU online training) required, valid 3 years. Direct-to-consumer sales only within N...	Non-TCS homemade foods may be sold directly to consumers within New Mexico through any channel with no sales cap. Food handler certificatio...	New Mexico Homemade Food Act (eff. July 1, 2021) allows all non-TCS foods from private farm, ranch, or residence. No sales cap. No registra...
FOOD STORAGE	Appropriate storage for shelf-stable products	Non-TCS foods only; proper storage required	Non-TCS foods must be stored appropriately; no specific state mandate beyond general food safety.
POPULATION	67,850	64,701	61,264

State context — New Mexico cottage food law

Otero 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](#) on Crosodo, or open the live guide: crosodo.com/states/new-mexico.

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 about Otero 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/new-mexico/otero-county-discuss

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 Otero County, New Mexico. 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/new-mexico/otero-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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