

## COTTAGE FOOD LAW REPORT

# Sandoval County

New Mexico · Bernalillo · FIPS 35043 · Population 149,460 ·  
Crosodo Index #970\*

## STATE BASELINE

NMSA §25-12-3 (Homemade Food Act)

## STATE TIER

Great

## ANNUAL SALES CAP (STATE)

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## 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: SANDOVAL COUNTY

CROSODO INDEX #970\* · FIPS 35043 · Bernalillo

# Sandoval County

Population 149,460 · 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): no registration or permit required (voluntary permit available from NMED). No sales cap. Food handler certification required. Direct-to-consumer sales only within New Mexico. Allowed: all non-TCS homemade foods from private farm, ranch, or residence. No sales to restaurants, wholesalers, distributors, or out of state.)

**SEPARATE KITCHEN REQUIRED?**

No

**PETS ALLOWED?**

No specific state restriction on pets in home.

**HOME OCCUPATION PERMIT?**

Varies (Sandoval County may require a home occupation permit under local zoning. No county-specific cottage food overlay identified.)

**ON-SITE / PORCH PICKUP?**

Yes

**INSPECTION REQUIRED?**

No (NMED has enforcement authority but must issue written warning before fines. Maximum fine \$100/violation.)

## Home kitchen rules

<b>HOME KITCHEN ALLOWED</b>	Yes — New Mexico Homemade Food Act (eff. July 1, 2021): no registration or permit required (voluntary permit available from NMED). No sales cap. Food handler certification required. Direct-to-consumer sales only within New Mexico. Allowed: all non-TCS homemade foods from private farm, ranch, or residence. No sales to restaurants, wholesalers, distributors, or out of state.
<b>SEPARATE DEDICATED KITCHEN</b>	No
<b>PET RESTRICTIONS</b>	No specific state restriction on pets in home.
<b>WATER SUPPLY</b>	No specific requirement under NM Homemade Food Act.
<b>HANDWASHING</b>	Food handler certification course covers handwashing requirements.
<b>FOOD STORAGE</b>	Non-TCS foods only. Alcohol-containing foods and CBD/hemp products prohibited from private residences.

## Inspection & permitting

<b>INSPECTION REQUIRED</b>	No — NMED has enforcement authority but must issue written warning before fines. Maximum fine \$100/violation.
<b>HOME OCCUPATION PERMIT</b>	Varies — Sandoval County may require a home occupation permit under local zoning. No county-specific cottage food overlay identified.
<b>LOCAL BUSINESS LICENSE</b>	Varies

**Customer-facing rules**

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Sales at farmers markets, festivals, internet, roadside stands, home pickup/delivery, and mail delivery within New Mexico. No sales to restaurants, wholesalers, distributors, or out of state.
MAX EMPLOYEES IN HOME	Not specified by state law; local home occupation rules may apply.

**Relevant county code**

Sandoval County Zoning Ordinance; NMSA §25-12-3

**RESEARCH NOTES**

Pattern county. State baseline governs. NM Homemade Food Act (2021) is expansive. No Sandoval County-specific cottage food code identified.

**SOURCES VERIFIED AT RESEARCH TIME**

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

<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/sandoval-county-discuss>

## Bordering counties — cottage food law

Regulation	Sandoval County	Santa Fe County	San Juan County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No specific state restriction on pets in home.	No specific state restriction on pets in home.	No specific state or county restriction; standard food safety sanitation practices apply.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Sales at farmers markets, festivals, internet, roadside stands, home pickup/delivery, and mail delivery within New Mexico. No sales to rest...	Sales at farmers markets, festivals, internet, roadside stands, home pickup/delivery, and mail delivery all permitted within New Mexico. No...	New Mexico allows direct sales at farmers markets, festivals, online, roadside stands, home pickup/delivery, and mail delivery within NM on...
HOME OCCUPATION PERMIT	Varies	Varies	Varies
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	New Mexico Homemade Food Act (eff. July 1, 2021): no registration or permit required (voluntary permit available from NMED). No sales cap. ...	New Mexico Homemade Food Act (eff. July 1, 2021): no registration or permit required (voluntary permit available). No sales cap. Food handl...	New Mexico Homemade Food Act allows non-TCS homemade foods from private residence. No mandatory registration (voluntary NMED permit availab...
FOOD STORAGE	Non-TCS foods only. Alcohol-containing foods and CBD/hemp products prohibited from private residences.	Non-TCS foods only. Hemp/CBD-infused foods require commercial permit. Alcohol-containing foods prohibited from private residences.	Non-TCS shelf-stable products. TCS foods must be made in NMED-permitted commercial kitchen.
POPULATION	149,460	154,481	121,798

## State context — New Mexico cottage food law

Sandoval 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.

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<b>STATUTE</b> NMSA §25-12-3 (Homemade Food Act)	<b>ANNUAL SALES CAP</b> —
<b>REGISTRATION REQUIRED</b> No	<b>FOOD HANDLER CERT</b> Yes
<b>KITCHEN INSPECTION</b> No	<b>DIRECT SALES ONLY</b> Yes
<b>INDIRECT SALES</b> 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.	

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

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### 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/>

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## Questions?

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

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

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