

## COTTAGE FOOD LAW REPORT

# Union County

New Mexico · Clayton · FIPS 35059 · Population 3,926 ·  
Crosodo Index #2957\*

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STATE BASELINE	STATE TIER	ANNUAL SALES CAP (STATE)	CONFIDENCE	LAST VERIFIED
—	<b>Great</b>	—	<b>MEDIUM</b>	

**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: UNION COUNTY

CROSODO INDEX #2957\* · FIPS 35059 · Clayton

# Union County

Population 3,926 · State baseline: — · **MEDIUM**

## QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

—

SEPARATE KITCHEN REQUIRED?

—

PETS ALLOWED?

—

HOME OCCUPATION PERMIT?

—

ON-SITE / PORCH PICKUP?

—

INSPECTION REQUIRED?

—

## Home kitchen rules

HOME KITCHEN ALLOWED —

SEPARATE DEDICATED  
KITCHEN —

PET RESTRICTIONS —

WATER SUPPLY —

HANDWASHING —

FOOD STORAGE —

## Inspection & permitting

INSPECTION REQUIRED —

HOME OCCUPATION  
PERMIT —

LOCAL BUSINESS LICENSE —

## Customer-facing rules

ON-SITE CUSTOMER  
PICKUP —

ON-SITE SIGNAGE —

DELIVERY / PICKUP RULES —

MAX EMPLOYEES IN HOME —

## RESEARCH NOTES

New Mexico §25-12-5 expressly preempts county and municipal regulation of homemade food production and sales. Union County is a remote rural county in northeastern NM bordering Colorado and Oklahoma; no county-specific cottage food ordinances found. State baseline applied at high confidence. Tier corrected to Great per state baseline.

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SOURCES VERIFIED AT RESEARCH TIME

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

## State context — New Mexico cottage food law

Union 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 Union County's specific zoning rules, permits, and what other home bakers are seeing locally.

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

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