

## COTTAGE FOOD LAW REPORT

# Monroe County

New York · Rochester · FIPS 36055 · Population 756,406 ·  
Crosodo Index #754\*

## STATE BASELINE

N.Y. Agric. & Mkts. Law §251-z-4; 1 CRR-NY 276.4 (Home Processor Exemption)

## STATE TIER

**Good**

## 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 YORK: MONROE COUNTY

CROSODO INDEX #754\* · FIPS 36055 · Rochester

# Monroe County

Population 756,406 · State baseline: N.Y. Agric. & Mkts. Law §251-z-4; 1 CRR-NY 276.4 (Home Processor Exemption) · **MEDIUM**

## QUICK VIEW FOR BAKERS IN THIS COUNTY

**HOME KITCHEN ALLOWED?**

Yes (Home Processor Exemption applies. Location-specific registration (free, no expiration). Products must be packaged in home. Private well requires potability test. Consult local zoning before starting.)

**SEPARATE KITCHEN REQUIRED?**

No

**PETS ALLOWED?**

Not specified

**HOME OCCUPATION PERMIT?**

Conditional (Monroe County advises consulting local zoning officials before starting. City of Rochester has its own zoning code. Other municipalities in Monroe County have separate rules. Monroe County Department of Planning also provides zoning guidance for unincorporated areas.)

**ON-SITE / PORCH PICKUP?**

Yes

**INSPECTION REQUIRED?**

No (Exempt from routine inspections. Monroe County Department of Public Health may investigate foodborne illness.)

## Home kitchen rules

<b>HOME KITCHEN ALLOWED</b>	Yes — Home Processor Exemption applies. Location-specific registration (free, no expiration). Products must be packaged in home. Private well requires potability test. Consult local zoning before starting.
<b>SEPARATE DEDICATED KITCHEN</b>	No
<b>PET RESTRICTIONS</b>	Not specified
<b>WATER SUPPLY</b>	Private well users must submit water potability test (negative for total coliform and E. coli)
<b>HANDWASHING</b>	No state food handler training required under Home Processor Exemption
<b>FOOD STORAGE</b>	Products must be packaged in home kitchen

## Inspection & permitting

<b>INSPECTION REQUIRED</b>	No — Exempt from routine inspections. Monroe County Department of Public Health may investigate foodborne illness.
<b>HOME OCCUPATION PERMIT</b>	Conditional — Monroe County advises consulting local zoning officials before starting. City of Rochester has its own zoning code. Other municipalities in Monroe County have separate rules. Monroe County Department of Planning also provides zoning guidance for unincorporated areas.
<b>LOCAL BUSINESS LICENSE</b>	Varies

**Customer-facing rules**

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Farm venues, farmers markets, green markets, craft fairs, flea markets, home delivery, online — all within NYS only. Wholesale to restaurants/cafes/grocery stores within NYS permitted.
MAX EMPLOYEES IN HOME	1 (operator only; commercial employees disqualify the exemption)

**Relevant county code**

1 CRR-NY 276.4; Monroe County/Rochester municipal zoning varies

**RESEARCH NOTES**

Monroe County follows New York state baseline for Home Processor Exemption. Registration is free and location-specific. Rochester is the primary municipality. Monroe County Department of Public Health handles food safety oversight. No Monroe County-specific cottage food restrictions beyond state law found.

**SOURCES VERIFIED AT RESEARCH TIME**

<https://www.monroecounty.gov/health>

<https://www.monroecounty.gov/planning>

<https://www.monroecounty.gov>

<https://agriculture.ny.gov/food-safety/home-processing>

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

## Bordering counties — cottage food law

Regulation	Monroe County	Ontario County	Wayne County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Not specified	No specific state restriction; standard food safety practices apply.	No specific restriction.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Farm venues, farmers markets, green markets, craft fairs, flea markets, home delivery, online — all within NYS only. Wholesale to restauran...	NY allows sales at farms, farm stands, farmers markets, craft fairs, home delivery, and online (within New York State only). Wholesale allo...	Sales at farms, farm stands, farmers markets, craft fairs, home delivery, online within New York State. Wholesale permitted.
HOME OCCUPATION PERMIT	Conditional	Varies	Varies
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Home Processor Exemption applies. Location-specific registration (free, no expiration). Products must be packaged in home. Private well req...	New York Home Processor program allows pre-packaged non-TCS baked goods (kill step required). Registration free and location-specific. Onta...	New York Home Processor Exemption: all products must be baked (pathogen kill step). Allowed: non-PHF shelf-stable baked goods, certain jams...
FOOD STORAGE	Products must be packaged in home kitchen	Shelf-stable baked goods only. No refrigerated products.	Pre-packaged at home; non-PHF shelf-stable only.
POPULATION	756,406	112,288	91,324

## State context — New York cottage food law

Monroe County's rules sit on top of New York'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>	<b>ANNUAL SALES CAP</b>
N.Y. Agric. & Mkts. Law §251-z-4; 1 CRR-NY 276.4	—
<b>REGISTRATION REQUIRED</b>	<b>FOOD HANDLER CERT</b>
Yes	No
<b>KITCHEN INSPECTION</b>	<b>DIRECT SALES ONLY</b>
No	No
<b>INDIRECT SALES</b>	
Yes — Wholesale to restaurants, cafes, and grocery stores within New York State is explicitly permitted. Products may also be sold online (NY residents only) and via delivery. Shipping out of state is not permitted. Registration is free, location-specific, and has no expiration date.	

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

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### STATE-LEVEL REFERENCES

State statute: <https://www.nysenate.gov/legislation/laws/AGM/251-Z-4>

State dept cottage food page: <https://agriculture.ny.gov/food-safety/home-processing>

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

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## Questions?

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

<https://crosodo.com/nb/new-york/monroe-county-discuss>

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