

COTTAGE FOOD LAW REPORT

Montgomery County

New York · Fonda · FIPS 36057 · Population 49,624 · Crosodo Index #804*

STATE BASELINE

N.Y. Agric. & Mkts. Law §251-z-4; 1 CRR-NY 276.4

STATE TIER

Good

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

Montgomery County, New York — permit, pickup, and label steps before the full county rules.

HOME KITCHEN ALLOWED?

Yes

STATE SALES CAP

—

HOME OCCUPATION PERMIT?

Conditional

ON-SITE / PORCH PICKUP?

Yes

INSPECTION

No

PETS

Not specified in state home processor rules.

BEFORE YOU SELL FROM THIS ADDRESS

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

CONTINUE ONLINE

[Open the live county page →](#)

[New York label one-pager →](#)

[Local notes & questions →](#)

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

NEW YORK: MONTGOMERY COUNTY

CROSODO INDEX #804* · FIPS 36057 · Fonda

Montgomery County

Population 49,624 · State baseline: N.Y. Agric. & Mkts. Law §251-z-4; 1 CRR-NY 276.4 · **MEDIUM****QUICK VIEW FOR BAKERS IN THIS COUNTY****HOME KITCHEN ALLOWED?**

Yes (All products must be baked (must have a pathogen kill step). Non-potentially hazardous, shelf-stable baked goods only. Products must be pre-packaged and labeled in the home. No sales outside New York State. Registration required (free, no expiration, location-specific).)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Not specified in state home processor rules.

HOME OCCUPATION PERMIT?

Conditional (Montgomery County and its towns (Fonda, Amsterdam, Canajoharie, etc.) may have home occupation permit requirements for home-based food businesses. Recommend verifying with Montgomery County Planning and the relevant municipality.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (No routine inspection. Registration free and does not expire but is location-specific.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — All products must be baked (must have a pathogen kill step). Non-potentially hazardous, shelf-stable baked goods only. Products must be pre-packaged and labeled in the home. No sales outside New York State. Registration required (free, no expiration, location-specific).
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	Not specified in state home processor rules.
WATER SUPPLY	Not specified in state home processor rules.
HANDWASHING	Standard sanitation practices; no specific requirement beyond GMP.
FOOD STORAGE	Products must be non-potentially hazardous, shelf-stable, and pre-packaged.

Inspection & permitting

INSPECTION REQUIRED	No — No routine inspection. Registration free and does not expire but is location-specific.
HOME OCCUPATION PERMIT	Conditional — Montgomery County and its towns (Fonda, Amsterdam, Canajoharie, etc.) may have home occupation permit requirements for home-based food businesses. Recommend verifying with Montgomery County Planning and the relevant municipality.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Sales allowed at farms, farm stands, farmers markets, green markets, craft fairs, flea markets, via home delivery, and online within New York State only.
MAX EMPLOYEES IN HOME	Not specified in state home processor rules.

Relevant county code

N.Y. Agric. & Mkts. Law §251-z-4; 1 NYCRR Part 276; Montgomery County municipal zoning codes

RESEARCH NOTES

New York's Home Processor Exemption (1 NYCRR Part 276) requires all products to be baked (kill step mandatory). Wholesale sales allowed (unusual among states). Registration is free and does not expire. Montgomery County is in the Mohawk Valley region of upstate New York. No county-specific cottage food rules found.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.montgomerycounty.gov>

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

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

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

Bordering counties — cottage food law

Regulation	Montgomery County	Fulton County	Otsego County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Not specified in state home processor rules.	No specific NY or Fulton County restriction identified.	No specific pet restriction in NY Home Processor rules.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Conditional
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Sales allowed at farms, farm stands, farmers markets, green markets, craft fairs, flea markets, via home delivery, and online within New Yo...	Sales permitted at farms, farm stands, farmers markets, green markets, craft fairs, flea markets, via home delivery, and online within NY S...	Sales at farms, farm stands, farmers markets, green markets, craft fairs, flea markets, home delivery, and online within NY State. Wholesal...
HOME OCCUPATION PERMIT	Conditional	Conditional	Varies
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	All products must be baked (must have a pathogen kill step). Non-potentially hazardous, shelf-stable baked goods only. Products must be pre...	Shelf-stable, non-potentially hazardous baked goods (must be baked), specific jams/ jellies/preserves, snack mixes, and similar low-risk foo...	NY Home Processor Exemption requires free registration with NY Ag & Markets. All products must be baked (pathogen kill step required). Shel...
FOOD STORAGE	Products must be non-potentially hazardous, shelf-stable, and pre-packaged.	Shelf-stable products only. No refrigerated items, no no-bake items. All products must be pre-packaged in the home.	Products must be shelf-stable, non-refrigerated, pre-packaged in the home.
POPULATION	49,624	53,280	59,678

State context — New York cottage food law

Montgomery 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.

STATUTE	ANNUAL SALES CAP
N.Y. Agric. & Mkts. Law §251-z-4; 1 CRR-NY 276.4	—
REGISTRATION REQUIRED	FOOD HANDLER CERT
Yes	No
KITCHEN INSPECTION	DIRECT SALES ONLY
No	No
INDIRECT SALES	
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.	

For the full state-level analysis including the verbatim statute text, see the [New York cottage food law report](#) on Crosodo, or open the live guide: crosodo.com/states/new-york.

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/>

Questions about Montgomery 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-york/montgomery-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 Montgomery County, New York. 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-york/montgomery-county-discuss

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