

COTTAGE FOOD LAW REPORT

Oneida County

New York · Utica · FIPS 36065 · Population 231,055 · Crosodo Index #830*

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.

NEW YORK: ONEIDA COUNTY

CROSODO INDEX #830* · FIPS 36065 · Utica

Oneida County

Population 231,055 · 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 (Only baked goods (must have pathogen kill step — must be baked) and certain jams/jellies/preserves. No TCS products, no unbaked items, no cream/cream cheese frostings. Free registration with NY Ag & Markets. Sales within NY State only.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Not specified in state rules; sanitary kitchen required

HOME OCCUPATION PERMIT?

Conditional (Oneida County is listed as 'pattern' with no county URLs. Municipalities (Utica, Rome, etc.) may require home occupation permits. Oneida County has its own zoning in unincorporated areas. Check with Oneida County Planning Department.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (No routine inspection; complaint-based enforcement)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Only baked goods (must have pathogen kill step — must be baked) and certain jams/jellies/preserves. No TCS products, no unbaked items, no cream/cream cheese frostings. Free registration with NY Ag & Markets. Sales within NY State only.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	Not specified in state rules; sanitary kitchen required
WATER SUPPLY	Potable water supply required
HANDWASHING	No formal certification required
FOOD STORAGE	Shelf-stable baked goods and certain preserves only; no refrigerated products

Inspection & permitting

INSPECTION REQUIRED	No — No routine inspection; complaint-based enforcement
HOME OCCUPATION PERMIT	Conditional — Oneida County is listed as 'pattern' with no county URLs. Municipalities (Utica, Rome, etc.) may require home occupation permits. Oneida County has its own zoning in unincorporated areas. Check with Oneida County Planning Department.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Sales at farms, farm stands, farmers markets, craft fairs, flea markets, home delivery, online — within NY State only. Wholesale to retailers permitted.
MAX EMPLOYEES IN HOME	Not specified in state rules

Relevant county code

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

RESEARCH NOTES

Oneida County NY is listed as 'pattern' with no county URLs. NY Home Processor Exemption allows baked goods and certain preserves. All products must be baked. No Oneida County-specific ordinance found. Confidence medium – state law confirmed.

SOURCES VERIFIED AT RESEARCH TIME

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

<https://agriculture.ny.gov/system/files/documents/2019/12/HomeProcessor.pdf>

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

Bordering counties — cottage food law

Regulation	Oneida County	Oswego County	Madison County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Not specified in state rules; sanitary kitchen required	No specific state restriction; standard food safety practices apply.	Not specified in state law
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Sales at farms, farm stands, farmers markets, craft fairs, flea markets, home delivery, online — within NY State only. Wholesale to retaile...	NY allows sales at farms, farm stands, farmers markets, green markets, craft fairs, flea markets, home delivery, and online (within New Yor...	Home delivery and online sales within New York State allowed; sales at farm stands, markets, fairs, flea markets permitted
HOME OCCUPATION PERMIT	Conditional	Varies	Varies
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Only baked goods (must have pathogen kill step — must be baked) and certain jams/ jellies/preserves. No TCS products, no unbaked items, no c...	New York Home Processor program allows pre-packaged non-TCS baked goods (must be baked - kill step required). All products must be shelf-st...	No sales cap. No food handler cert required. No kitchen inspection required. Registration required with NY Dept of Agriculture and Markets...
FOOD STORAGE	Shelf-stable baked goods and certain preserves only; no refrigerated products	Shelf-stable baked goods only. No refrigerated products. No no-bake items, fudge, nut butters, roasted coffee.	Pre-packaged products; appropriate shelf-stable storage
POPULATION	231,055	118,037	68,020

State context — New York cottage food law

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

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?

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

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