

COTTAGE FOOD LAW REPORT

Burleigh County

North Dakota · Bismarck · FIPS 38015 · Population 98,443 ·
Crosodo Index #553*

STATE BASELINE

N.D. Cent. Code §23-09.5-01 through §23-09.5-02

STATE TIER

Freedom

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

Burleigh County, North Dakota — permit, pickup, and label steps before the full county rules.

HOME KITCHEN ALLOWED?

Yes

STATE SALES CAP

—

HOME OCCUPATION PERMIT?

Varies

ON-SITE / PORCH PICKUP?

Yes

INSPECTION

No

PETS

No specific restriction under North Dakota cottage food law.

BEFORE YOU SELL FROM THIS ADDRESS

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

CONTINUE ONLINE

[Open the live county page →](#)

[North Dakota label one-pager →](#)

[Local notes & questions →](#)

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

NORTH DAKOTA: BURLEIGH COUNTY

CROSODO INDEX #553* · FIPS 38015 · Bismarck

Burleigh County

Population 98,443 · State baseline: N.D. Cent. Code §23-09.5-01 through §23-09.5-02 · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (North Dakota cottage food law (NDCC §23-09.5) is among the most permissive in the nation: no cap, no registration, no inspection, no training required. Allowed: baked goods, jams, jellies, and broadly 'other food and drink products.' Sales allowed at farms, ranches, farmers markets, farm stands, home-based kitchens, and via delivery. Must include a disclosure statement on label.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific restriction under North Dakota cottage food law.

HOME OCCUPATION PERMIT?

Varies (Burleigh County (county seat Bismarck) may have local home occupation zoning requirements. North Dakota does not preempt local zoning for cottage food. Operators in Bismarck should check city zoning for home-based business rules.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (No state inspection authority for cottage food operations under NDCC §23-09.5.)

Home kitchen rules

HOME KITCHEN ALLOWED

Yes — North Dakota cottage food law (NDCC §23-09.5) is among the most permissive in the nation: no cap, no registration, no inspection, no training required. Allowed: baked goods, jams, jellies, and broadly 'other food and drink products.' Sales allowed at farms, ranches, farmers markets, farm stands, home-based kitchens, and via delivery. Must include a disclosure statement on label.

SEPARATE DEDICATED KITCHEN

No

PET RESTRICTIONS

No specific restriction under North Dakota cottage food law.

WATER SUPPLY

No specific requirement.

HANDWASHING

No specific statutory requirement.

FOOD STORAGE

No specific statutory requirement; good practices recommended.

Inspection & permitting

INSPECTION REQUIRED

No — No state inspection authority for cottage food operations under NDCC §23-09.5.

HOME OCCUPATION PERMIT

Varies — Burleigh County (county seat Bismarck) may have local home occupation zoning requirements. North Dakota does not preempt local zoning for cottage food. Operators in Bismarck should check city zoning for home-based business rules.

LOCAL BUSINESS LICENSE

Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct-to-consumer sales via any channel including delivery, home sales, farmers markets. No internet/mail order restriction stated. Sales to food establishments, food processing plants, or food stores prohibited.
MAX EMPLOYEES IN HOME	No limit specified in North Dakota cottage food law.

Relevant county code

No Burleigh County-specific cottage food code identified.

RESEARCH NOTES

Burleigh County website provided (burleighco.com). No county-specific cottage food rules found. North Dakota's cottage food law enacted 2019 (SB 2269) is notably permissive with an open-ended product definition. Bismarck is the state capital; city business license rules may apply. The ndhealth.gov cottage food URL returned 403 during research; statute PDF ([t23c09-5.pdf](#)) was the primary source.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.burleighco.com>

<https://www.ndhealth.gov/foodlodging/cottagefood/>

<https://ndlegis.gov/cencode/t23c09-5.pdf>

Questions about this county? Local notes and a place to leave a question: crosodo.com/nb/north-dakota/burleigh-county-discuss

Bordering counties — cottage food law

Regulation	Burleigh County	Emmons County	Kidder County
HOME KITCHEN ALLOWED	Yes	Yes	—
SEPARATE DEDICATED KITCHEN	No	No	—
PETS ALLOWED	No specific restriction under North Dakota cottage food law.	No state restriction specified.	—
INSPECTION REQUIRED	No	No	—
ON-SITE CUSTOMER PICKUP	Yes	Yes	—
ON-SITE SIGNAGE	Conditional	Conditional	—
DELIVERY / PICKUP	Direct-to-consumer sales via any channel including delivery, home sales, farmers markets. No internet/mail order restriction stated. Sales ...	Sales may occur at farm, ranch, farmers market, farm stand, home-based kitchen, or any non-prohibited venue, including delivery. Direct pro...	—
HOME OCCUPATION PERMIT	Varies	Conditional	No
LOCAL BUSINESS LICENSE	Varies	No	—
RESTRICTIONS	North Dakota cottage food law (NDCC §23-09.5) is among the most permissive in the nation: no cap, no registration, no inspection, no traini...	No sales cap, no registration, no inspection, no licensing required. Direct sales to informed end consumer only. Products must include cons...	—
FOOD STORAGE	No specific statutory requirement; good practices recommended.	No specific state requirement beyond keeping products safe for consumption.	—
POPULATION	98,443	3,452	2,391

State context — North Dakota cottage food law

Burleigh County's rules sit on top of North Dakota's state cottage food framework. The state law sets the floor — counties can add but cannot remove protections.

STATUTE

N.D. Cent. Code §23-09.5-01 through §23-09.5-02

ANNUAL SALES CAP

—

REGISTRATION REQUIRED

No

FOOD HANDLER CERT

No

KITCHEN INSPECTION

No

DIRECT SALES ONLY

Yes

INDIRECT SALES

No — Transactions must be directly between the cottage food operator and the 'informed end consumer' and solely for home consumption. Products may not be sold or used in any food establishment, food processing plant, or food store. No wholesale channel is permitted.

For the full state-level analysis including the verbatim statute text, see the **North Dakota cottage food law report** on Crosodo, or open the live guide: crosodo.com/states/north-dakota.

STATE-LEVEL REFERENCES

State statute: <https://ndlegis.gov/cencode/t23c09-5.pdf>

State dept cottage food page: <https://www.ndhealth.gov/foodlodging/cottagefood/>

Forrager.com: <https://forrager.com/law/north-dakota/>

Questions about Burleigh 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/north-dakota/burleigh-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 Burleigh County, North Dakota. 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/north-dakota/burleigh-county-discuss

Free ad space available

Let us know if you're a non-profit or community organization. Farmers markets, kitchen rentals, and cottage food events near you welcome.

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