

## COTTAGE FOOD LAW REPORT

# Eddy County

North Dakota · New Rockford · FIPS 38027 · Population  
2,313 · Crosodo Index #191\*

## STATE BASELINE

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

## STATE TIER

Freedom

## ANNUAL SALES CAP (STATE)

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## CONFIDENCE

MEDIUM

## LAST VERIFIED

2026-05-06

**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.

**NORTH DAKOTA: EDDY COUNTY**

CROSODO INDEX #191\* · FIPS 38027 · New Rockford

# Eddy County

Population 2,313 · 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 (No sales cap, no registration, no inspection, no licensing required. Direct sales to informed end consumer only. Products must include consumer advisory: 'This product is made in a home kitchen that is not inspected by the state or local health department.' Sales to food establishments, processing plants, or food stores prohibited.)

**SEPARATE KITCHEN REQUIRED?**

No

**PETS ALLOWED?**

No state restriction specified.

**HOME OCCUPATION PERMIT?**

Conditional (ND statute (§23-09.5-02(1)) expressly prohibits state agencies and political subdivisions from requiring licensure, permitting, or certification for cottage food. Eddy County is a small rural central ND county. Cottage food is preempted from local permitting requirements.)

**ON-SITE / PORCH PICKUP?**

Yes

**INSPECTION REQUIRED?**

No (State may investigate complaints related to foodborne illness. No routine inspections.)

**Home kitchen rules**

<b>HOME KITCHEN ALLOWED</b>	Yes — No sales cap, no registration, no inspection, no licensing required. Direct sales to informed end consumer only. Products must include consumer advisory: 'This product is made in a home kitchen that is not inspected by the state or local health department.' Sales to food establishments, processing plants, or food stores prohibited.
<b>SEPARATE DEDICATED KITCHEN</b>	No
<b>PET RESTRICTIONS</b>	No state restriction specified.
<b>WATER SUPPLY</b>	No explicit state requirement beyond potable water.
<b>HANDWASHING</b>	No state-mandated specific requirement for cottage food; standard hygiene practices expected.
<b>FOOD STORAGE</b>	No specific state requirement beyond keeping products safe for consumption.

**Inspection & permitting**

<b>INSPECTION REQUIRED</b>	No — State may investigate complaints related to foodborne illness. No routine inspections.
<b>HOME OCCUPATION PERMIT</b>	Conditional — ND statute (§23-09.5-02(1)) expressly prohibits state agencies and political subdivisions from requiring licensure, permitting, or certification for cottage food. Eddy County is a small rural central ND county. Cottage food is preempted from local permitting requirements.
<b>LOCAL BUSINESS LICENSE</b>	No

### Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Sales may occur at farm, ranch, farmers market, farm stand, home-based kitchen, or any non-prohibited venue, including delivery. Direct producer-to-consumer transactions only.
MAX EMPLOYEES IN HOME	No state restriction specified.

### Relevant county code

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

#### RESEARCH NOTES

ND state law preempts local cottage food permitting. Eddy County is a small rural central ND county. No county-specific cottage food rules found. State baseline applies.

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#### SOURCES VERIFIED AT RESEARCH TIME

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

<https://www.hhs.nd.gov/health/food-and-lodging/cottage-food>

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

## Bordering counties — cottage food law

Regulation	Eddy County	Benson County	Foster County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No state restriction specified.	No state restriction specified.	No state restriction specified.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Sales may occur at farm, ranch, farmers market, farm stand, home-based kitchen, or any non-prohibited venue, including delivery. Direct pro...	Sales may occur at farm, ranch, farmers market, farm stand, home-based kitchen, or any non-prohibited venue, including delivery. Direct pro...	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	Conditional	Conditional	Conditional
LOCAL BUSINESS LICENSE	No	No	No
RESTRICTIONS	No sales cap, no registration, no inspection, no licensing required. Direct sales to informed end consumer only. Products must include cons...	No sales cap, no registration, no inspection, no licensing required. Direct sales to informed end consumer only. Products must include cons...	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 state requirement beyond keeping products safe for consumption.	No specific state requirement beyond keeping products safe for consumption.	No specific state requirement beyond keeping products safe for consumption.
POPULATION	2,313	6,894	3,207

## State context — North Dakota cottage food law

Eddy 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.

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<b>STATUTE</b>	<b>ANNUAL SALES CAP</b>
N.D. Cent. Code §23-09.5-01 through §23-09.5-02	—
<b>REGISTRATION REQUIRED</b>	<b>FOOD HANDLER CERT</b>
No	No
<b>KITCHEN INSPECTION</b>	<b>DIRECT SALES ONLY</b>
No	Yes
<b>INDIRECT SALES</b>	
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.	

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

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### 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/>

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## Questions?

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

<https://crosodo.com/nb/north-dakota/eddy-county-discuss>

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