

COTTAGE FOOD LAW REPORT

Mercer County

North Dakota · Stanton · FIPS 38057 · Population 8,348 ·
Crosodo Index #2858*

STATE BASELINE	STATE TIER	ANNUAL SALES CAP (STATE)	CONFIDENCE	LAST VERIFIED
—	Freedom	—	MEDIUM	

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

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

HOME KITCHEN ALLOWED?

—

STATE SALES CAP

—

HOME OCCUPATION PERMIT?

No

ON-SITE / PORCH PICKUP?

—

INSPECTION

—

PETS

—

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: MERCER COUNTY

CROSODO INDEX #2858* · FIPS 38057 · Stanton

Mercer County

Population 8,348 · State baseline: — · **MEDIUM****QUICK VIEW FOR BAKERS IN THIS COUNTY**

HOME KITCHEN ALLOWED?

—

SEPARATE KITCHEN REQUIRED?

—

PETS ALLOWED?

—

HOME OCCUPATION PERMIT?

No

ON-SITE / PORCH PICKUP?

—

INSPECTION REQUIRED?

—

Home kitchen rules

HOME KITCHEN ALLOWED —

SEPARATE DEDICATED
KITCHEN —

PET RESTRICTIONS —

WATER SUPPLY —

HANDWASHING —

FOOD STORAGE —

Inspection & permitting

INSPECTION REQUIRED —

HOME OCCUPATION
PERMIT No

LOCAL BUSINESS LICENSE —

Customer-facing rulesON-SITE CUSTOMER
PICKUP —

ON-SITE SIGNAGE —

DELIVERY / PICKUP RULES —

MAX EMPLOYEES IN HOME —

RESEARCH NOTES

Mercer County is a rural North Dakota county. No county-specific cottage food or home occupation zoning ordinance was identified for the unincorporated county area. North Dakota's cottage food law (N.D. Cent. Code ch. 23-09.5) is highly permissive with no sales cap, no registration, no inspection, and a broad product definition. County-level zoning is minimal or absent in most ND counties; state law governs.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.mercercounty.gov>

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

Bordering counties — cottage food law

Regulation	Mercer County	Dunn County	McLean County
HOME KITCHEN ALLOWED	—	Yes	—
SEPARATE DEDICATED KITCHEN	—	No	—
PETS ALLOWED	—	No state restriction specified.	—
INSPECTION REQUIRED	—	No	—
ON-SITE CUSTOMER PICKUP	—	Yes	—
ON-SITE SIGNAGE	—	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...	—
HOME OCCUPATION PERMIT	No	Conditional	No
LOCAL BUSINESS LICENSE	—	No	—
RESTRICTIONS	—	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.	—
POPULATION	8,366	4,380	9,781

State context — North Dakota cottage food law

Mercer 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 Mercer 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/mercercounty-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 Mercer 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/mercercounty-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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