

## COTTAGE FOOD LAW REPORT

# Payne County

Oklahoma · Stillwater · FIPS 40119 · Population 82,058 ·  
Crosodo Index #400\*

## STATE BASELINE

2 O.S. §5-4.1 through §5-4.6 (Homemade Food Freedom Act)

## STATE TIER

**Freedom**

## ANNUAL SALES CAP (STATE)

**75000**

## 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.

## OKLAHOMA: PAYNE COUNTY

CROSODO INDEX #400\* · FIPS 40119 · Stillwater

## Payne County

Population 82,058 · State baseline: 2 O.S. §5-4.1 through §5-4.6 (Homemade Food Freedom Act) ·

MEDIUM

## QUICK VIEW FOR BAKERS IN THIS COUNTY

## HOME KITCHEN ALLOWED?

Yes (Same as all Oklahoma counties: \$75,000 annual cap; all homemade foods allowed except alcohol, unpasteurized milk, cannabis. TCS foods require food safety training. No registration required.)

## SEPARATE KITCHEN REQUIRED?

No

## PETS ALLOWED?

No specific statutory restriction.

## HOME OCCUPATION PERMIT?

Varies (Payne County and the City of Stillwater (home of Oklahoma State University) may have home occupation requirements. County govt URL available: <https://www.paynecountyok.gov>. No specific Payne County cottage food ordinance identified.)

## ON-SITE / PORCH PICKUP?

Yes

## INSPECTION REQUIRED?

No (No routine inspection.)

## Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Same as all Oklahoma counties: \$75,000 annual cap; all homemade foods allowed except alcohol, unpasteurized milk, cannabis. TCS foods require food safety training. No registration required.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No specific statutory restriction.
WATER SUPPLY	No specific statutory requirement.
HANDWASHING	No specific statutory requirement.
FOOD STORAGE	No specific statutory requirement.

## Inspection &amp; permitting

INSPECTION REQUIRED	No — No routine inspection.
HOME OCCUPATION PERMIT	Varies — Payne County and the City of Stillwater (home of Oklahoma State University) may have home occupation requirements. County govt URL available: <a href="https://www.paynecountyok.gov">https://www.paynecountyok.gov</a> . No specific Payne County cottage food ordinance identified.
LOCAL BUSINESS LICENSE	Varies

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct and some indirect sales permitted. Non-TCS foods may be sold through third-party vendors.
MAX EMPLOYEES IN HOME	Not specified in state law.

## Relevant county code

No Payne County-specific cottage food code identified. 2 O.S. §5-4.1 through §5-4.6 governs.

### RESEARCH NOTES

Payne County (Stillwater/OSU area) follows Oklahoma's Homemade Food Freedom Act. County gov't URL from input data. No county-specific cottage food overrides identified. Confidence is medium.

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### SOURCES VERIFIED AT RESEARCH TIME

<https://www.paynecountyok.gov>

<https://oklahoma.gov/health/protective-health/consumer-health-service/food-safety/homemade-food-freedom-act.html>

<https://www.paynecountyok.gov>

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

## State context — Oklahoma cottage food law

Payne County's rules sit on top of Oklahoma'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>
2 O.S. §5-4.1 through §5-4.6 (Homemade Food Freedom Act)	75000
<b>REGISTRATION REQUIRED</b>	<b>FOOD HANDLER CERT</b>
No	Recommended
<b>KITCHEN INSPECTION</b>	<b>DIRECT SALES ONLY</b>
No	No

### INDIRECT SALES

Limited (see notes) — Sales are permitted on site, by delivery, at farmers markets, through cooperatives, and through membership-based buying clubs. The Oklahoma Department of Agriculture, Food, and Forestry may promulgate rules to allow sales at other locations or by other means. County ordinances may regulate but may not conflict with or impede the Act. For TCS foods, the producer must complete an approved food safety training (e.g., ServSafe Food Handler Training, max 8 hours, available online) before selling.

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

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### STATE-LEVEL REFERENCES

State statute: <https://www.oscn.net/applications/oscn/deliverdocument.asp?citeid=478859>

State dept cottage food page: <https://oklahoma.gov/health/protective-health/consumer-health-service/food-safety/homemade-food-freedom-act.html>

Forrager.com: <https://forrager.com/law/oklahoma/>

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# Questions?

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

<https://crosodo.com/nb/oklahoma/payne-county-discuss>

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