

COTTAGE FOOD LAW REPORT

Pittsburg County

Oklahoma · McAlester · FIPS 40121 · Population 44,383 ·
Crosodo Index #403*

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

2026-05-06

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.

OKLAHOMA: PITTSBURG COUNTY

CROSODO INDEX #403* · FIPS 40121 · McAlester

Pittsburg County

Population 44,383 · 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 (Producer must reside in the home. Annual sales cap of \$75,000. TCS foods require completion of food safety training prior to sale. Labeling and disclosure requirements apply. Voluntary registration number available (\$15/year) via ODAFF.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Not specified in state law; good sanitation practices implied

HOME OCCUPATION PERMIT?

Varies (Pittsburg County unincorporated areas generally not subject to county-wide zoning in Oklahoma. Incorporated areas (e.g., McAlester) have their own zoning and business license requirements. City of McAlester may have home occupation provisions in its zoning code. No county-specific cottage food zoning overlay identified. Producers must collect sales tax via OTC sales tax permit when selling at farmers markets.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (Investigation of reported foodborne illness only; no routine inspection)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Producer must reside in the home. Annual sales cap of \$75,000. TCS foods require completion of food safety training prior to sale. Labeling and disclosure requirements apply. Voluntary registration number available (\$15/year) via ODAFF.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	Not specified in state law; good sanitation practices implied
WATER SUPPLY	Standard residential water supply; no special requirement stated
HANDWASHING	Good sanitation practices required under state food safety framework
FOOD STORAGE	Proper food storage implied under sanitation requirements

Inspection & permitting

INSPECTION REQUIRED	No — Investigation of reported foodborne illness only; no routine inspection
HOME OCCUPATION PERMIT	Varies — Pittsburg County unincorporated areas generally not subject to county-wide zoning in Oklahoma. Incorporated areas (e.g., McAlester) have their own zoning and business license requirements. City of McAlester may have home occupation provisions in its zoning code. No county-specific cottage food zoning overlay identified. Producers must collect sales tax via OTC sales tax permit when selling at farmers markets.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Producer or producer’s designated agent may deliver in-state only. Third-party delivery services not permitted for TCS foods.
MAX EMPLOYEES IN HOME	No state limit on household members; non-resident employees not specifically addressed in HFFA

Relevant county code

Not identified

RESEARCH NOTES

Oklahoma Homemade Food Freedom Act (HB 1032, 2021) is a permissive freedom-tier law. State exempts producers from all OSDH and ODAFF licensing. \$75,000 annual sales cap. TCS foods allowed with food safety training. No county-specific zoning overlay found for cottage food in Pittsburg County. County seat McAlester is the larger population center and may have city-level home occupation regulations.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.pittsburgcountyok.gov>

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

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

Bordering counties — cottage food law

Regulation	Pittsburg County	Atoka County	Coal County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Not specified in state law; good sanitation practices implied	No specific pet restriction in Oklahoma Homemade Food Freedom Act.	Not specified in state law; standard sanitation practices apply
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Conditional	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Producer or producer's designated agent may deliver in-state only. Third-party delivery services not permitted for TCS foods.	Oklahoma Homemade Food Freedom Act permits direct and indirect sales (farmers markets, retail stores, online). No restriction on sales chan...	Sales allowed on-site (home), by delivery, at farmers markets, through cooperatives, and through membership-based buying clubs. Non-TCS foo...
HOME OCCUPATION PERMIT	Varies	Varies	No
LOCAL BUSINESS LICENSE	Varies	Varies	No
RESTRICTIONS	Producer must reside in the home. Annual sales cap of \$75,000. TCS foods require completion of food safety training prior to sale. Labeling...	Oklahoma's Homemade Food Freedom Act (HB 1032, eff. Nov. 1, 2021) allows production and sale of homemade food products from a private resid...	Production must occur at producer's primary residence. Annual gross sales cap of \$75,000. Non-TCS foods: no license, inspection, or registr...
FOOD STORAGE	Proper food storage implied under sanitation requirements	Non-TCS shelf-stable foods exempt from licensing. TCS foods permitted with food safety training completion.	Not specified in state law; standard food safety practices implied
POPULATION	44,383	14,117	5,326

State context — Oklahoma cottage food law

Pittsburg 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.

STATUTE	ANNUAL SALES CAP
2 O.S. §5-4.1 through §5-4.6 (Homemade Food Freedom Act)	75000
REGISTRATION REQUIRED	FOOD HANDLER CERT
No	Recommended
KITCHEN INSPECTION	DIRECT SALES ONLY
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.

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

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/>

Questions?

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

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