

## COTTAGE FOOD LAW REPORT

# Sequoyah County

Oklahoma · Sallisaw · FIPS 40135 · Population 42,667 ·  
Crosodo Index #419\*

## 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: SEQUOYAH COUNTY

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# Sequoyah County

Population 42,667 · 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 (Sequoyah County unincorporated areas generally not subject to county-wide zoning in Oklahoma. Incorporated areas (e.g., Sallisaw) have their own zoning and business license requirements. 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

<b>HOME KITCHEN ALLOWED</b>	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.
<b>SEPARATE DEDICATED KITCHEN</b>	No
<b>PET RESTRICTIONS</b>	Not specified in state law; good sanitation practices implied
<b>WATER SUPPLY</b>	Standard residential water supply; no special requirement stated
<b>HANDWASHING</b>	Good sanitation practices required under state food safety framework
<b>FOOD STORAGE</b>	Proper food storage implied under sanitation requirements

### Inspection & permitting

<b>INSPECTION REQUIRED</b>	No — Investigation of reported foodborne illness only; no routine inspection
<b>HOME OCCUPATION PERMIT</b>	Varies — Sequoyah County unincorporated areas generally not subject to county-wide zoning in Oklahoma. Incorporated areas (e.g., Sallisaw) have their own zoning and business license requirements. No county-specific cottage food zoning overlay identified. Producers must collect sales tax via OTC sales tax permit when selling at farmers markets.
<b>LOCAL BUSINESS LICENSE</b>	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. Sequoyah County is in northeastern Oklahoma near the Arkansas border. No county-specific zoning overlay found for cottage food.

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#### SOURCES VERIFIED AT RESEARCH TIME

<https://www.sequoyahcountyok.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/sequoyah-county-discuss>

## State context — Oklahoma cottage food law

Sequoyah 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 Sequoyah County's specific zoning rules, permits, and what other home bakers are seeing locally.

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

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