

COTTAGE FOOD LAW REPORT

Wagoner County

Oklahoma · Wagoner · FIPS 40145 · Population 82,269 ·
Crosodo Index #398*

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: WAGONER COUNTY

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Wagoner County

Population 82,269 · 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 (Oklahoma Homemade Food Freedom Act: extremely permissive. \$75,000 annual sales cap. All homemade food products allowed (including beverages, baked goods, any food) EXCEPT alcoholic beverages, unpasteurized milk, and cannabis products. Non-TCS foods (pH ≤4.6 or water activity ≤0.85) are fully exempt from licensing. TCS foods are also allowed but require completion of an approved food safety training program. No registration required.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific statutory restriction.

HOME OCCUPATION PERMIT?

Varies (Wagoner County and the City of Wagoner (also near Broken Arrow/Tulsa metro) may have home occupation requirements. No Wagoner County-specific cottage food ordinance identified.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (No routine inspection or registration required.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Oklahoma Homemade Food Freedom Act: extremely permissive. \$75,000 annual sales cap. All homemade food products allowed (including beverages, baked goods, any food) EXCEPT alcoholic beverages, unpasteurized milk, and cannabis products. Non-TCS foods (pH ≤4.6 or water activity ≤0.85) are fully exempt from licensing. TCS foods are also allowed but require completion of an approved food safety training program. 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 safety training may cover hygiene.
FOOD STORAGE	No specific statutory requirement.

Inspection & permitting

INSPECTION REQUIRED	No — No routine inspection or registration required.
HOME OCCUPATION PERMIT	Varies — Wagoner County and the City of Wagoner (also near Broken Arrow/Tulsa metro) may have home occupation requirements. No Wagoner County-specific 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 under the Homemade Food Freedom Act. Non-TCS foods may be sold through third-party vendors/retail shops. TCS foods must be sold directly to the informed end consumer with food safety training.
MAX EMPLOYEES IN HOME	Not specified in state law.

Relevant county code

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

RESEARCH NOTES

Wagoner County follows Oklahoma’s Homemade Food Freedom Act. Oklahoma is one of the most permissive states, allowing even TCS foods with food safety training. No county-specific overrides found. Confidence is medium.

SOURCES VERIFIED AT RESEARCH TIME

<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/wagoner-county-discuss>

State context — Oklahoma cottage food law

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

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