

## COTTAGE FOOD LAW REPORT

# Washington County

Oklahoma · Bartlesville · FIPS 40147 · Population 52,579 ·  
Crosodo Index #343\*

## 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: WASHINGTON COUNTY

CROSODO INDEX #343\* · FIPS 40147 · Bartlesville

# Washington County

Population 52,579 · 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 (Production at residence required. For non-TCS foods: no license, inspection, or registration required. For TCS foods: must complete approved food safety training (ServSafe or ODAFF-approved, ≤8 hours) before selling. Gross annual sales must not exceed \$75,000.)

**SEPARATE KITCHEN REQUIRED?**

No

**PETS ALLOWED?**

Not specified in state law.

**HOME OCCUPATION PERMIT?**

Yes (City of Bartlesville requires a Home Occupation License in addition to a Business License for home-based businesses within city limits. Washington County’s Metropolitan Planning Area zoning regulations (for unincorporated areas within 3 miles of Bartlesville city limits or 0.5 miles of US Hwy 75) also contain home occupation provisions. State law (§5-4.6) allows counties to enact ordinances regulating home food establishments as long as they do not conflict with or restrict the Homemade Food Freedom Act.)

**ON-SITE / PORCH PICKUP?**

Yes

**INSPECTION REQUIRED?**

No (No inspection required. ODAFF may request proof of food safety training completion, verify gross sales, and ensure labeling compliance upon complaint.)

### Home kitchen rules

<b>HOME KITCHEN ALLOWED</b>	Yes — Production at residence required. For non-TCS foods: no license, inspection, or registration required. For TCS foods: must complete approved food safety training (ServSafe or ODAFF-approved, ≤8 hours) before selling. Gross annual sales must not exceed \$75,000.
<b>SEPARATE DEDICATED KITCHEN</b>	No
<b>PET RESTRICTIONS</b>	Not specified in state law.
<b>WATER SUPPLY</b>	Not specified in state law.
<b>HANDWASHING</b>	Not specified in state law beyond standard practice.
<b>FOOD STORAGE</b>	Not specified in state law; standard food safety practices implied.

### Inspection & permitting

<b>INSPECTION REQUIRED</b>	No — No inspection required. ODAFF may request proof of food safety training completion, verify gross sales, and ensure labeling compliance upon complaint.
<b>HOME OCCUPATION PERMIT</b>	Yes — City of Bartlesville requires a Home Occupation License in addition to a Business License for home-based businesses within city limits. Washington County’s Metropolitan Planning Area zoning regulations (for unincorporated areas within 3 miles of Bartlesville city limits or 0.5 miles of US Hwy 75) also contain home occupation provisions. State law (§5-4.6) allows counties to enact ordinances regulating home food establishments as long as they do not conflict with or restrict the Homemade Food Freedom Act.
<b>LOCAL BUSINESS LICENSE</b>	Yes

### Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Sales allowed on-site, by delivery, at farmers markets, through cooperatives, and through membership-based buying clubs. Non-TCS foods may also be sold through third-party vendors (retail/grocery stores, farm stands, farmers markets, craft fairs) if vendor displays required allergen/unlicensed disclosure placard.
MAX EMPLOYEES IN HOME	Not specified in state law; local home occupation rules may restrict.

### Relevant county code

Bartlesville-Washington County Metropolitan Planning Area Zoning Regulations (Section 7.2 Home Occupations); 2 O.S. §5-4.1 et seq.

#### RESEARCH NOTES

Oklahoma’s Homemade Food Freedom Act (HB 1032, 2021) is highly permissive. City of Bartlesville requires both a Business License and a Home Occupation License for home-based businesses. Washington County-Bartlesville joint zoning regulations apply to unincorporated areas within the Metropolitan Planning Area. State law explicitly allows counties to enact non-conflicting ordinances. No county-level cottage food restrictions beyond the city/planning area zoning rules found. \$75,000 annual sales cap applies statewide.

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#### SOURCES VERIFIED AT RESEARCH TIME

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

<https://cityofbartlesville.org/community-development/business-development/>

<https://mcclibraryfunctions.azurewebsites.us/api/ordinanceDownload/16053/460564/pdf>

[https://www.oklegislature.gov/cf\\_pdf/2021-22%20ENR/hB/HB1032%20ENR.PDF](https://www.oklegislature.gov/cf_pdf/2021-22%20ENR/hB/HB1032%20ENR.PDF)

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

## State context — Oklahoma cottage food law

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

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

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