

COTTAGE FOOD LAW REPORT

Marion County

Oregon · Salem · FIPS 41047 · Population 345,815 · Crosodo Index #1361*

STATE BASELINE

ORS §616.723; Domestic Kitchen Business (DKB) license required from ODA; \$50,000 annual sales cap; food handler card required

STATE TIER	ANNUAL SALES CAP (STATE)	CONFIDENCE	LAST VERIFIED
Good	50000	MEDIUM	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.

OREGON: MARION COUNTY

CROSODO INDEX #1361* · FIPS 41047 · Salem

Marion County

Population 345,815 · State baseline: ORS §616.723; Domestic Kitchen Business (DKB) license required from ODA; \$50,000 annual sales cap; food handler card required · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (ODA Domestic Kitchen Business license required; \$50,000 annual gross sales cap; food handler card required; no TCS foods; labeling required)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Animals excluded from food production area during production

HOME OCCUPATION PERMIT?

Varies (No Marion County-specific home occupation permit identified for cottage food. Marion County zoning may require home occupation permit; Salem (county seat) is an incorporated city with own zoning code. Operator should verify with Marion County Planning or city planning department)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (No routine inspection under DKB; complaint-based possible)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — ODA Domestic Kitchen Business license required; \$50,000 annual gross sales cap; food handler card required; no TCS foods; labeling required
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	Animals excluded from food production area during production
WATER SUPPLY	Potable water supply required
HANDWASHING	Dedicated handwashing required per ODA standards
FOOD STORAGE	Non-TCS foods stored in sanitary conditions

Inspection & permitting

INSPECTION REQUIRED	No — No routine inspection under DKB; complaint-based possible
HOME OCCUPATION PERMIT	Varies — No Marion County-specific home occupation permit identified for cottage food. Marion County zoning may require home occupation permit; Salem (county seat) is an incorporated city with own zoning code. Operator should verify with Marion County Planning or city planning department
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct sales at farmers markets, roadside stands, events, home, and online; indirect sales to retailers allowed within \$50,000 cap
MAX EMPLOYEES IN HOME	Not specified

Relevant county code

Not identified

RESEARCH NOTES

Oregon requires ODA DKB license — more burdensome than typical states. County seat Salem is separate jurisdiction. No Marion County-specific overlay found beyond state rules.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.co.marion.or.us>

<https://www.oregon.gov/oda/programs/foodsafety/pages/dkb-licensing.aspx>

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

State context — Oregon cottage food law

Marion County’s rules sit on top of Oregon’s state cottage food framework. The state law sets the floor — counties can add but cannot remove protections.

STATUTE ORS §616.723	ANNUAL SALES CAP 50000
REGISTRATION REQUIRED Depends	FOOD HANDLER CERT Yes
KITCHEN INSPECTION No	DIRECT SALES ONLY No

INDIRECT SALES
 Limited (see notes) — Direct sales to end users are permitted in any manner including online, mail, and at events. Sales to retailers (including coffee shops but not restaurants) are permitted if the retailer agrees to store/display the foods separately and clearly indicate they are homemade and not prepared in an inspected food establishment. Sales to institutions (restaurants, schools, hospitals, caterers, day care centers, nursing homes, correctional facilities) are prohibited. A Domestic Kitchen Bakery License (~\$50/year) is required for establishments wishing to sell to retailers under licensed status rather than using the residential-dwelling exemption. The department may provide a unique identification number for use on labels. Annual records must be maintained for 3 years.

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

STATE-LEVEL REFERENCES

State statute: https://oregon.public.law/statutes/ors_616.706

State dept cottage food page: <https://www.oregon.gov/oda/programs/foodsafety/pages/dkb-licensing.aspx>

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

Questions?

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

<https://crosodo.com/nb/oregon/marion-county-discuss>
