

COTTAGE FOOD LAW REPORT

Bastrop County

Texas · Bastrop · FIPS 48021 · Population 98,435 · Crosodo
Index #911*

STATE BASELINE

Tex. Health & Safety §437.001 et seq.

STATE TIER

Great

ANNUAL SALES CAP (STATE)

150000

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.

TEXAS: BASTROP COUNTY

CROSODO INDEX #911* · FIPS 48021 · Bastrop

Bastrop County

Population 98,435 · State baseline: Tex. Health & Safety §437.001 et seq. · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Texas cottage food law (§437.001 et seq.) is highly permissive: no registration, no permit, no inspection required. Annual gross sales cap \$150,000 (raised by SB 541, 2025). Allowed: all non-TCS foods including baked goods, candy, jams/jellies, pickles, dried herbs, roasted coffee, granola, vinegar, acidified foods, fermented vegetable products, dried meats. Prohibited: meat/poultry/seafood, ice cream, low-acid canned goods, CBD/THC products, raw milk.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific restriction under Texas cottage food law; health departments have no inspection authority.

HOME OCCUPATION PERMIT?

Varies (Bastrop County is semi-rural and growing rapidly (Austin metro area). No county-wide home occupation permit for cottage food identified; individual municipalities within the county may have requirements. Operators should check Bastrop city or county planning rules.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (DSHS or local health authority may only act to prevent an immediate and serious threat to human life or health.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Texas cottage food law (§437.001 et seq.) is highly permissive: no registration, no permit, no inspection required. Annual gross sales cap \$150,000 (raised by SB 541, 2025). Allowed: all non-TCS foods including baked goods, candy, jams/jellies, pickles, dried herbs, roasted coffee, granola, vinegar, acidified foods, fermented vegetable products, dried meats. Prohibited: meat/poultry/seafood, ice cream, low-acid canned goods, CBD/ THC products, raw milk.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No specific restriction under Texas cottage food law; health departments have no inspection authority.
WATER SUPPLY	No specific requirement under Texas cottage food law.
HANDWASHING	No specific statutory requirement.
FOOD STORAGE	Non-TCS foods only; must be labeled and stored appropriately.

Inspection & permitting

INSPECTION REQUIRED	No — DSHS or local health authority may only act to prevent an immediate and serious threat to human life or health.
HOME OCCUPATION PERMIT	Varies — Bastrop County is semi-rural and growing rapidly (Austin metro area). No county-wide home occupation permit for cottage food identified; individual municipalities within the county may have requirements. Operators should check Bastrop city or county planning rules.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct and indirect sales allowed. Online sales, home delivery, farmers markets, events, and retail stores all permitted. Internet sales expressly allowed per Texas law.
MAX EMPLOYEES IN HOME	No limit specified in Texas cottage food law.

Relevant county code

No Bastrop County-specific cottage food code identified.

RESEARCH NOTES

Bastrop County (Austin exurb) has provided county govt URL. No county-specific cottage food rules found beyond Texas state baseline. Texas SB 541 (2025) raised cap to \$150,000 and added nonprofits as eligible operators. Bastrop County is one of the fastest growing counties in Texas; local business license requirements may apply within city limits. DSHS has no authority to inspect cottage food operations.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.bastropcounty.gov>

<https://www.dshs.texas.gov/food-establishments/cottage-food-production-operations>

<https://statutes.capitol.texas.gov/Docs/HS/htm/HS.437.htm>

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

State context — Texas cottage food law

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

STATUTE Tex. Health & Safety §437.001 et seq.	ANNUAL SALES CAP 150000
REGISTRATION REQUIRED No	FOOD HANDLER CERT No
KITCHEN INSPECTION No	DIRECT SALES ONLY No

INDIRECT SALES
 Limited (see notes) — Sales must be made directly to consumers or to a 'cottage food vendor' (a new category created by SB 541 in 2025 – a person with a contractual relationship who sells on behalf of the cottage food operation to consumers in-state). Cottage food products may not be sold as ingredients to a food service establishment. No retail grocery store or wholesale sales permitted under the pre-2025 framework; SB 541 (2025) adds the cottage food vendor intermediary option. Products must be delivered to consumer or vendor at point of sale or consumer-designated location.

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

STATE-LEVEL REFERENCES

- State statute: <https://statutes.capitol.texas.gov/Docs/HS/htm/HS.437.htm>
 - State dept cottage food page: <https://www.dshs.texas.gov/food-establishments/cottage-food-production-operations>
 - Forrager.com: <https://forrager.com/law/texas/>
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Questions?

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

<https://crosodo.com/nb/texas/bastrop-county-discuss>
