

COTTAGE FOOD LAW REPORT

Brooks County

Texas · Falfurrias · FIPS 48047 · Population 6,740 · Crosodo
Index #1123*

STATE BASELINE

Tex. Health & Safety §437.001 et seq.

STATE TIER

Great

ANNUAL SALES CAP (STATE)

150000

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.

TEXAS: BROOKS COUNTY

CROSODO INDEX #1123* · FIPS 48047 · Falfurrias

Brooks County

Population 6,740 · 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 (SB 541, 2025) is highly permissive. No registration required for most operators (registration optional for address privacy or for TCS food sellers). \$150,000 annual gross income cap. Almost all non-TCS foods allowed, plus TCS foods under proper temperature control. No local health department inspection authority over cottage food.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific pet restriction in state cottage food law.

HOME OCCUPATION PERMIT?

Varies (Brooks County is largely unincorporated; counties in Texas have very limited zoning authority. No county-level home occupation ordinance found. Operators within incorporated cities (e.g., Falfurrias) may be subject to city home occupation rules. Unincorporated areas face minimal local restrictions.)

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 (SB 541, 2025) is highly permissive. No registration required for most operators (registration optional for address privacy or for TCS food sellers). \$150,000 annual gross income cap. Almost all non-TCS foods allowed, plus TCS foods under proper temperature control. No local health department inspection authority over cottage food.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No specific pet restriction in state cottage food law.
WATER SUPPLY	No specific state cottage food water supply requirement.
HANDWASHING	No specific state cottage food handwashing mandate.
FOOD STORAGE	Non-TCS foods or TCS foods held at proper temperatures required. No refrigeration mandate for shelf-stable products.

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 — Brooks County is largely unincorporated; counties in Texas have very limited zoning authority. No county-level home occupation ordinance found. Operators within incorporated cities (e.g., Falfurrias) may be subject to city home occupation rules. Unincorporated areas face minimal local restrictions.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Yes
DELIVERY / PICKUP RULES	All channels permitted including direct to consumer, indirect sales, farmers markets, online, delivery, and through a registered cottage food vendor intermediary (SB 541, 2025). Wholesale of non-TCS foods to retail locations now allowed. No wholesale of TCS foods.
MAX EMPLOYEES IN HOME	Not specified in state statute.

Relevant county code

Brooks County has no specific cottage food county code; state preemption limits local health authority.

RESEARCH NOTES

No county-specific cottage food ordinance found for Brooks County. Texas cottage food law (Tex. Health & Safety §437.001 et seq., as amended by SB 541 effective Sept 1, 2025) applies statewide. Rural South Texas county. Primarily ranching and agriculture. No county-level zoning for unincorporated areas; state law governs. Prohibited items include meat, poultry, seafood, ice/ice cream products, CBD/THC foods, and raw milk.

SOURCES VERIFIED AT RESEARCH TIME

<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/brooks-county-discuss>

State context — Texas cottage food law

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

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