

## COTTAGE FOOD LAW REPORT

# Comal County

Texas · New Braunfels · FIPS 48091 · Population 165,201 ·  
Crosodo Index #528\*

## 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: COMAL COUNTY

CROSODO INDEX #528\* · FIPS 48091 · New Braunfels

# Comal County

Population 165,201 · State baseline: Tex. Health & Safety §437.001 et seq. · **MEDIUM**

## QUICK VIEW FOR BAKERS IN THIS COUNTY

**HOME KITCHEN ALLOWED?**

Yes (Non-TCS foods only. Annual sales cap \$150,000 (SB 541, 2025). No registration or inspection required. Health departments prohibited from regulating cottage food operations.)

**SEPARATE KITCHEN REQUIRED?**

No

**PETS ALLOWED?**

No explicit state restriction; good manufacturing practices apply.

**HOME OCCUPATION PERMIT?**

Conditional (Texas state law prohibits health department regulation. Comal County unincorporated areas may require home occupation permit under county zoning. New Braunfels city has its own zoning rules. Comal County government website confirmed at comalcounty.gov.)

**ON-SITE / PORCH PICKUP?**

Yes

**INSPECTION REQUIRED?**

No (No routine inspections. Health authority may act only upon immediate and serious threat to human life.)

## Home kitchen rules

<b>HOME KITCHEN ALLOWED</b>	Yes — Non-TCS foods only. Annual sales cap \$150,000 (SB 541, 2025). No registration or inspection required. Health departments prohibited from regulating cottage food operations.
<b>SEPARATE DEDICATED KITCHEN</b>	No
<b>PET RESTRICTIONS</b>	No explicit state restriction; good manufacturing practices apply.
<b>WATER SUPPLY</b>	Potable water supply required.
<b>HANDWASHING</b>	Adequate handwashing per food safety practices.
<b>FOOD STORAGE</b>	Shelf-stable storage for non-TCS foods.

## Inspection & permitting

<b>INSPECTION REQUIRED</b>	No — No routine inspections. Health authority may act only upon immediate and serious threat to human life.
<b>HOME OCCUPATION PERMIT</b>	Conditional — Texas state law prohibits health department regulation. Comal County unincorporated areas may require home occupation permit under county zoning. New Braunfels city has its own zoning rules. Comal County government website confirmed at comalcounty.gov.
<b>LOCAL BUSINESS LICENSE</b>	Varies

## Customer-facing rules

<b>ON-SITE CUSTOMER PICKUP</b>	Yes
<b>ON-SITE SIGNAGE</b>	Conditional
<b>DELIVERY / PICKUP RULES</b>	Online, in-state delivery, and direct sales from home and farmers markets permitted. No interstate sales.
<b>MAX EMPLOYEES IN HOME</b>	No state restriction specified.

## Relevant county code

Tex. Health & Safety §437.001 et seq.; Comal County zoning ordinances.

### RESEARCH NOTES

Comal County government website confirmed at [comalcounty.gov](http://comalcounty.gov). No county-specific cottage food rules found beyond Texas state baseline. Comal County is rapidly growing (Hill Country, between San Antonio and Austin). Texas strong cottage food protections apply.

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### SOURCES VERIFIED AT RESEARCH TIME

<https://www.comalcounty.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/comal-county-discuss>

## State context — Texas cottage food law

Comal 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.

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

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

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

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

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