

## COTTAGE FOOD LAW REPORT

# Culberson County

Texas · Van Horn · FIPS 48109 · Population 2,254 · Crosodo  
Index #957\*

## 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: CULBERSON COUNTY

CROSODO INDEX #957\* · FIPS 48109 · Van Horn

# Culberson County

Population 2,254 · 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 (Culberson 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., Van Horn) 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

|                                   |   |
|-----------------------------------|---|
| <b>HOME KITCHEN ALLOWED</b>       | 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. |
| <b>SEPARATE DEDICATED KITCHEN</b> | No  |
| <b>PET RESTRICTIONS</b>           | No specific pet restriction in state cottage food law.  |
| <b>WATER SUPPLY</b>               | No specific state cottage food water supply requirement.  |
| <b>HANDWASHING</b>                | No specific state cottage food handwashing mandate.   |
| <b>FOOD STORAGE</b>               | Non-TCS foods or TCS foods held at proper temperatures required. No refrigeration mandate for shelf-stable products.  |

## Inspection & permitting

|                               |   |
|-------------------------------|---|
| <b>INSPECTION REQUIRED</b>    | No — DSHS or local health authority may only act to prevent an immediate and serious threat to human life or health.  |
| <b>HOME OCCUPATION PERMIT</b> | Varies — Culberson 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., Van Horn) may be subject to city home occupation rules. Unincorporated areas face minimal local restrictions. |
| <b>LOCAL BUSINESS LICENSE</b> | 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

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

#### RESEARCH NOTES

No county-specific cottage food ordinance found for Culberson County. Texas cottage food law (Tex. Health & Safety §437.001 et seq., as amended by SB 541 effective Sept 1, 2025) applies statewide. Large remote West Texas county near Guadalupe Mountains. Van Horn is the only town of size. No county zoning code; state law governs unincorporated areas. Prohibited items include meat, poultry, seafood, ice/ice cream products, CBD/THC foods, and raw milk.

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#### 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/culberson-county-discuss>

## State context — Texas cottage food law

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

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

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