

COTTAGE FOOD LAW REPORT

Denton County

Texas · Denton · FIPS 48121 · Population 914,870 · Crosodo Index #361*

STATE BASELINE

Tex. Health & Safety §437.001 et seq. (SB 541, 2025; cap raised to \$150,000)

STATE TIER

Great

ANNUAL SALES CAP (STATE)

150000

CONFIDENCE

HIGH

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: DENTON COUNTY

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Denton County

Population 914,870 · State baseline: Tex. Health & Safety §437.001 et seq. (SB 541, 2025; cap raised to \$150,000) · **HIGH**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (State law preempts local health department regulation of cottage food production. No county/city can require permits, fees, or inspections for cottage food. Must be produced in a private home kitchen. Annual gross sales cap \$150,000 (inflation-adjusted CPI-U from 2025). Food handler certification required.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Not specified; standard sanitation applies

HOME OCCUPATION PERMIT?

Conditional (Municipal zoning ordinances cannot prevent a cottage food operation in a home. However, city/county zoning rules on traffic, parking, noise, and nuisance still apply. Cities within Denton County (Denton, Lewisville, Flower Mound, etc.) may have home occupation permit requirements. Contact the City of Denton Development Services or applicable city planning department. Denton County Planning may apply for unincorporated areas.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (Local health departments have NO regulatory authority to inspect cottage food operations. DSHS or local health authority may only act to prevent immediate and serious threat to human life or health.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — State law preempts local health department regulation of cottage food production. No county/city can require permits, fees, or inspections for cottage food. Must be produced in a private home kitchen. Annual gross sales cap \$150,000 (inflation-adjusted CPI-U from 2025). Food handler certification required.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	Not specified; standard sanitation applies
WATER SUPPLY	Potable water required; state baseline applies
HANDWASHING	Food handler certification from accredited program required under state law
FOOD STORAGE	Standard food storage practices; no additional county requirements

Inspection & permitting

INSPECTION REQUIRED	No — Local health departments have NO regulatory authority to inspect cottage food operations. DSHS or local health authority may only act to prevent immediate and serious threat to human life or health.
HOME OCCUPATION PERMIT	Conditional — Municipal zoning ordinances cannot prevent a cottage food operation in a home. However, city/county zoning rules on traffic, parking, noise, and nuisance still apply. Cities within Denton County (Denton, Lewisville, Flower Mound, etc.) may have home occupation permit requirements. Contact the City of Denton Development Services or applicable city planning department. Denton County Planning may apply for unincorporated areas.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Broad direct-to-consumer sales permitted: in-person, online (with personal delivery by operator/household member within Texas), farmers markets, roadside stands. Online sales allowed if operator personally delivers. No mail/carrier shipping. Since SB 541 (2025), wholesale to registered cottage food vendors also permitted for non-TCS foods.
MAX EMPLOYEES IN HOME	Unknown

Relevant county code

Tex. Health & Safety §437.001 et seq.; municipal zoning ordinances vary by city

RESEARCH NOTES

Texas is one of the strongest state preemption states for cottage food. Local health departments explicitly cannot require permits, fees, or inspections. SB 541 (2025) raised cap to \$150,000 and added cottage food vendor pathway. The texascottagefoodlaw.com resource confirms no municipal zoning ordinance can prevent a CFO. Denton County is heavily suburban with many incorporated municipalities — check applicable city for home occupation permit (separate from food safety regulation). DSHS registration available optionally for label ID number in lieu of home address.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.dentoncounty.gov/health>

<https://www.dentoncounty.gov/planning>

<https://www.dentoncounty.gov>

<https://texascottagefoodlaw.com/basics/>

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

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

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

State context — Texas cottage food law

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

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