

COTTAGE FOOD LAW REPORT

Ellis County

Texas · Waxahachie · FIPS 48139 · Population 195,509 ·
Crosodo Index #539*

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: ELLIS COUNTY

CROSODO INDEX #539* · FIPS 48139 · Waxahachie

Ellis County

Population 195,509 · 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., most recently amended by SB 541 in 2025) allows almost all non-TCS foods from a home kitchen. No registration, permit, or inspection required. Annual sales cap: \$150,000 gross income (raised by SB 541, 2025). No licensing requirement. Health departments have no regulatory authority over cottage food operations (may only act to prevent immediate threat to human life/health). Ellis County is south of Dallas in the DFW metro area.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No explicit pet restriction in Texas cottage food statute. Standard food safety practices apply.

HOME OCCUPATION PERMIT?

Conditional (Texas cottage food law provides no statewide home occupation preemption. Ellis County and municipalities (Waxahachie, Midlothian, Ennis, Corsicana) may have home occupation zoning requirements. Contact Ellis County or relevant municipal planning/zoning office.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (Health departments may only act to prevent an immediate and serious threat to human life or health. No routine inspections.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Texas cottage food law (§437.001 et seq., most recently amended by SB 541 in 2025) allows almost all non-TCS foods from a home kitchen. No registration, permit, or inspection required. Annual sales cap: \$150,000 gross income (raised by SB 541, 2025). No licensing requirement. Health departments have no regulatory authority over cottage food operations (may only act to prevent immediate threat to human life/health). Ellis County is south of Dallas in the DFW metro area.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No explicit pet restriction in Texas cottage food statute. Standard food safety practices apply.
WATER SUPPLY	No water testing requirement under Texas cottage food law.
HANDWASHING	Standard food safety practices; no specific statutory handwashing requirement.
FOOD STORAGE	Non-TCS foods only. Standard safe storage. Excluded: meat, poultry, seafood, ice products, low-acid canned goods, CBD/THC products, raw milk.

Inspection & permitting

INSPECTION REQUIRED	No — Health departments may only act to prevent an immediate and serious threat to human life or health. No routine inspections.
HOME OCCUPATION PERMIT	Conditional — Texas cottage food law provides no statewide home occupation preemption. Ellis County and municipalities (Waxahachie, Midlothian, Ennis, Corsicana) may have home occupation zoning requirements. Contact Ellis County or relevant municipal planning/zoning office.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Texas cottage food permits direct sales, home pickup, delivery, online sales, farmers markets, and events. Nonprofit organizations may now operate under cottage food framework (SB 541, 2025). \$150,000 annual cap.
MAX EMPLOYEES IN HOME	No explicit employee cap in Texas cottage food statute. Home occupation zoning may restrict non-resident employees.

Relevant county code

Tex. Health & Safety §437.001 et seq.; Ellis County zoning ordinances (contact for home occupation)

RESEARCH NOTES

Texas state baseline applies. Ellis County (county seat: Waxahachie) is south of Dallas in the fast-growing DFW metro area. Texas SB 541 (2025) raised the annual cap from previous level to \$150,000 and added nonprofits as eligible operators. No county-specific URLs or overrides found. Texas cottage food law is producer-friendly with limited health department authority.

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/ellis-county-discuss>

State context — Texas cottage food law

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

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

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