

COTTAGE FOOD LAW REPORT

Frio County

Texas · Pearsall · FIPS 48163 · Population 20,306 · Crosodo Index #92*

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: FRIO COUNTY

CROSODO INDEX #92* · FIPS 48163 · Pearsall

Frio County

Population 20,306 · State baseline: Tex. Health & Safety §437.001 et seq. · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Texas allows cottage food from residential home kitchens. Annual gross income cap of \$150,000 (SB 541, 2025). No registration, permit, or inspection required for non-TCS foods. TCS food sellers must register with DSHS. Health departments cannot regulate cottage food operations. Strong state preemption — local governments cannot add licensing or inspection requirements.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific state restriction on pets in home for cottage food operations.

HOME OCCUPATION PERMIT?

No (Frio County is a rural South Texas county near the Nueces River. Unincorporated areas have no county zoning. Texas cottage food law preempts local governments from requiring permits or licenses for cottage food production or direct sales.)

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 allows cottage food from residential home kitchens. Annual gross income cap of \$150,000 (SB 541, 2025). No registration, permit, or inspection required for non-TCS foods. TCS food sellers must register with DSHS. Health departments cannot regulate cottage food operations. Strong state preemption — local governments cannot add licensing or inspection requirements. |
| SEPARATE DEDICATED KITCHEN | No |
| PET RESTRICTIONS | No specific state restriction on pets in home for cottage food operations. |
| WATER SUPPLY | No specific requirement under Texas cottage food law. |
| HANDWASHING | Good manufacturing practices apply; adequate handwashing expected. |
| FOOD STORAGE | Non-TCS products must be shelf-stable. TCS foods allowed under SB 541 with registration. Proper storage to prevent contamination required. |

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 | No — Frio County is a rural South Texas county near the Nueces River. Unincorporated areas have no county zoning. Texas cottage food law preempts local governments from requiring permits or licenses for cottage food production or direct sales. |
| LOCAL BUSINESS LICENSE | No |

Customer-facing rules

| | |
|-------------------------|--|
| ON-SITE CUSTOMER PICKUP | Yes |
| ON-SITE SIGNAGE | Conditional |
| DELIVERY / PICKUP RULES | Sales allowed direct-to-consumer, at farmers markets, online (statewide), fairs, roadside stands, and through nonprofit organizations (SB 541, 2025). Non-TCS cottage foods may also be sold wholesale to registered cottage food vendors. |
| MAX EMPLOYEES IN HOME | Not restricted by state cottage food law. |

Relevant county code

Tex. Health & Safety Code §437.001 et seq. (SB 541, 2025)

RESEARCH NOTES

Rural South Texas county, pop. ~20,306. No county-specific cottage food or zoning ordinance identified. State baseline governs. Texas SB 541 (2025) raised cap to \$150,000. County URL not verified; standard format used.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.co.frio.tx.us>

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

<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/frio-county-discuss>

State context — Texas cottage food law

Frio 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/>
-

Questions?

Join the Crosodo Forum to discuss Frio County's specific zoning rules, permits, and what other home bakers are seeing locally.

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