

COTTAGE FOOD LAW REPORT

Harris County

Texas · Houston · FIPS 48201 · Population 4,726,177 ·
Crosodo Index #185*

STATE BASELINE

Tex. Health & Safety §437.001 et seq.

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: HARRIS COUNTY

CROSODO INDEX #185* · FIPS 48201 · Houston

Harris County

Population 4,726,177 · State baseline: Tex. Health & Safety §437.001 et seq. · **HIGH**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Harris County has no county-level zoning in its unincorporated areas, meaning no county zoning ordinance applies to home-based cottage food businesses. Deed restrictions and HOA covenants may restrict commercial activity on residential properties. The state law preempts local government from licensing or inspecting cottage food operations.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

State baseline applies

HOME OCCUPATION PERMIT?

No (Harris County has no county-level zoning in unincorporated areas; no home occupation permit required from the county. Cities within Harris County (including Houston) have their own zoning and may require a home occupation permit.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (Health departments may act only to prevent an immediate and serious threat to human life or health (state law preemption). No routine or complaint-driven inspection authority for CFPO.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Harris County has no county-level zoning in its unincorporated areas, meaning no county zoning ordinance applies to home-based cottage food businesses. Deed restrictions and HOA covenants may restrict commercial activity on residential properties. The state law preempts local government from licensing or inspecting cottage food operations.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	State baseline applies
WATER SUPPLY	State baseline applies
HANDWASHING	State baseline applies
FOOD STORAGE	State baseline applies

Inspection & permitting

INSPECTION REQUIRED	No — Health departments may act only to prevent an immediate and serious threat to human life or health (state law preemption). No routine or complaint-driven inspection authority for CFPO.
HOME OCCUPATION PERMIT	No — Harris County has no county-level zoning in unincorporated areas; no home occupation permit required from the county. Cities within Harris County (including Houston) have their own zoning and may require a home occupation permit.
LOCAL BUSINESS LICENSE	Varies by city

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Yes
DELIVERY / PICKUP RULES	State law allows direct sales, indirect sales (to restaurants and retailers), and online/delivery sales. No county-level restriction. Texas Local Government Code Ch. 231 Subchapter M prohibits counties from imposing zoning restrictions that would effectively ban CFPOs in residential areas.
MAX EMPLOYEES IN HOME	State baseline applies

Relevant county code

none — unincorporated areas only; Tex. Local Gov't Code §231.181-186 (Subchapter M) limits county zoning of CFPOs

RESEARCH NOTES

Harris County is unique among large Texas counties: it has NO county-level zoning in unincorporated areas, meaning cottage food operators there face zero county land-use restrictions beyond state law. However, the City of Houston and other incorporated cities within Harris County do have zoning codes that could require home occupation permits. Texas SB 541 (2025) raised the annual sales cap to \$150,000 and created a registry for operators selling TCS foods or selling to other vendors (effective Sept 1, 2025).

SOURCES VERIFIED AT RESEARCH TIME

<https://publichealth.harriscountytexas.gov>

<https://www.harriscountytexas.gov>

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

<https://law.justia.com/codes/texas/local-government-code/title-7/subtitle-b/chapter-231/subchapter-m/>

<https://www.cityrulelookup.com/home-business/zoning/harris-county-tx>

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

State context — Texas cottage food law

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

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