

COTTAGE FOOD LAW REPORT

Henderson County

Texas · Athens · FIPS 48213 · Population 82,627 · Crosodo
Index #1114*

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: HENDERSON COUNTY

CROSODO INDEX #1114* · FIPS 48213 · Athens

Henderson County

Population 82,627 · State baseline: Tex. Health & Safety §437.001 et seq. · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Texas cottage food: no registration, permit, or inspection required. Home kitchen production. Annual gross income cap \$150,000 (SB 541, 2025). Almost all non-TCS foods allowed.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific statutory restriction.

HOME OCCUPATION PERMIT?

Varies (Henderson County and the City of Athens may have home occupation requirements. No Henderson County-specific cottage food ordinance identified.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

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

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Texas cottage food: no registration, permit, or inspection required. Home kitchen production. Annual gross income cap \$150,000 (SB 541, 2025). Almost all non-TCS foods allowed.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No specific statutory restriction.
WATER SUPPLY	No specific statutory requirement.
HANDWASHING	No specific statutory requirement.
FOOD STORAGE	No specific statutory requirement.

Inspection & permitting

INSPECTION REQUIRED	No — Health departments may only act to prevent immediate and serious threat to human life or health.
HOME OCCUPATION PERMIT	Varies — Henderson County and the City of Athens may have home occupation requirements. No Henderson County-specific cottage food ordinance identified.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	All direct and indirect sales permitted within Texas framework.
MAX EMPLOYEES IN HOME	Not specified in state law.

Relevant county code

No Henderson County-specific cottage food code identified.

RESEARCH NOTES

Henderson County follows Texas cottage food framework. No county-specific overrides identified. Confidence is medium.

SOURCES VERIFIED AT RESEARCH TIME

<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/henderson-county-discuss>

State context — Texas cottage food law

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

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