

COTTAGE FOOD LAW REPORT

Jeff Davis County

Texas · Fort Davis · FIPS 48243 · Population 2,274 · Crosodo Index #80*

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: JEFF DAVIS COUNTY

CROSODO INDEX #80* · FIPS 48243 · Fort Davis

Jeff Davis County

Population 2,274 · 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 (Jeff Davis County is a very small, rural Trans-Pecos Far West Texas county home to the Davis Mountains. 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 — Jeff Davis County is a very small, rural Trans-Pecos Far West Texas county home to the Davis Mountains. 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

Very small rural Trans-Pecos county in the Davis Mountains, pop. ~2,274. No county-specific cottage food or zoning ordinance identified. State baseline governs. Texas SB 541 (2025) raised cap to \$150,000. No verified county website found.

SOURCES VERIFIED AT RESEARCH TIME

<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/jeff-davis-county-discuss>

State context — Texas cottage food law

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

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