

## COTTAGE FOOD LAW REPORT

# Lynn County

Texas · Tahoka · FIPS 48305 · Population 5,800 · Crosodo  
Index #148\*

## 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: LYNN COUNTY

CROSODO INDEX #148\* · FIPS 48305 · Tahoka

# Lynn County

Population 5,800 · 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. No registration, permit, or inspection required. Annual gross income cap of \$150,000 (raised by SB 541, 2025). Health departments have no authority to inspect 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 (Lynn County is a small rural county in West Texas. No county-level zoning ordinance identified. Texas cottage food law preempts local health regulations. No home occupation permit required at county level.)

**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

|                                   |   |
|-----------------------------------|---|
| <b>HOME KITCHEN ALLOWED</b>       | Yes — Texas allows cottage food from residential home kitchens. No registration, permit, or inspection required. Annual gross income cap of \$150,000 (raised by SB 541, 2025). Health departments have no authority to inspect cottage food operations. Strong state preemption — local governments cannot add licensing or inspection requirements. |
| <b>SEPARATE DEDICATED KITCHEN</b> | No  |
| <b>PET RESTRICTIONS</b>           | No specific state restriction on pets in home for cottage food operations.  |
| <b>WATER SUPPLY</b>               | No specific requirement under Texas cottage food law.   |
| <b>HANDWASHING</b>                | Good manufacturing practices apply; adequate handwashing expected.  |
| <b>FOOD STORAGE</b>               | All products must be shelf-stable, non-TCS. Proper storage to prevent contamination required.   |

## Inspection & permitting

|                               |  |
|-------------------------------|--|
| <b>INSPECTION REQUIRED</b>    | No — DSHS or local health authority may only act to prevent an immediate and serious threat to human life or health.   |
| <b>HOME OCCUPATION PERMIT</b> | No — Lynn County is a small rural county in West Texas. No county-level zoning ordinance identified. Texas cottage food law preempts local health regulations. No home occupation permit required at county level. |
| <b>LOCAL BUSINESS LICENSE</b> | 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. SB 541 (2025) also allows sales through nonprofit organizations. No wholesale to retailers. |
| MAX EMPLOYEES IN HOME   | Not restricted by state cottage food law; local zoning may apply.   |

### Relevant county code

Tex. Health & Safety Code §437.001 et seq.

#### RESEARCH NOTES

Small rural West Texas county. State baseline governs. Texas has strong preemption of local health rules for cottage food. No Lynn County-specific cottage food code identified. Texas SB 541 (2025) raised cap to \$150,000.

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#### 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/lynn-county-discuss>

## State context — Texas cottage food law

Lynn 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.

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|   |                                   |
|---|-----------------------------------|
| <b>STATUTE</b><br>Tex. Health & Safety §437.001 et seq. | <b>ANNUAL SALES CAP</b><br>150000 |
| <b>REGISTRATION REQUIRED</b><br>No                      | <b>FOOD HANDLER CERT</b><br>No    |
| <b>KITCHEN INSPECTION</b><br>No                         | <b>DIRECT SALES ONLY</b><br>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.

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For the full state-level analysis including the verbatim statute text, see the [Texas cottage food law report](#).

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

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

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