

## COTTAGE FOOD LAW REPORT

# Midland County

Texas · Midland · FIPS 48329 · Population 169,393 · Crosodo Index #535\*

## 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: MIDLAND COUNTY

CROSODO INDEX #535\* · FIPS 48329 · Midland

# Midland County

Population 169,393 · State baseline: Tex. Health & Safety §437.001 et seq. · **MEDIUM**

### QUICK VIEW FOR BAKERS IN THIS COUNTY

**HOME KITCHEN ALLOWED?**

Yes (Non-TCS foods only. Annual sales cap \$150,000 (SB 541, 2025). No registration or inspection required. Health departments have no regulatory authority over cottage food operations.)

**SEPARATE KITCHEN REQUIRED?**

No

**PETS ALLOWED?**

No explicit state restriction; good manufacturing practices apply.

**HOME OCCUPATION PERMIT?**

Conditional (Texas state law prohibits health department regulation. Midland County unincorporated areas may require home occupation permit under county zoning. County government website confirmed at co.midland.tx.us.)

**ON-SITE / PORCH PICKUP?**

Yes

**INSPECTION REQUIRED?**

No (No routine inspections. Health authority may act only upon immediate and serious threat to human life.)

### Home kitchen rules

<b>HOME KITCHEN ALLOWED</b>	Yes — Non-TCS foods only. Annual sales cap \$150,000 (SB 541, 2025). No registration or inspection required. Health departments have no regulatory authority over cottage food operations.
<b>SEPARATE DEDICATED KITCHEN</b>	No
<b>PET RESTRICTIONS</b>	No explicit state restriction; good manufacturing practices apply.
<b>WATER SUPPLY</b>	Potable water supply required.
<b>HANDWASHING</b>	Adequate handwashing per food safety practices.
<b>FOOD STORAGE</b>	Shelf-stable storage for non-TCS foods.

### Inspection & permitting

<b>INSPECTION REQUIRED</b>	No — No routine inspections. Health authority may act only upon immediate and serious threat to human life.
<b>HOME OCCUPATION PERMIT</b>	Conditional — Texas state law prohibits health department regulation. Midland County unincorporated areas may require home occupation permit under county zoning. County government website confirmed at co.midland.tx.us.
<b>LOCAL BUSINESS LICENSE</b>	Varies

### Customer-facing rules

<b>ON-SITE CUSTOMER PICKUP</b>	Yes
<b>ON-SITE SIGNAGE</b>	Conditional
<b>DELIVERY / PICKUP RULES</b>	Online, in-state delivery, and direct sales from home and farmers markets permitted. No interstate sales.
<b>MAX EMPLOYEES IN HOME</b>	No state restriction specified.

**Relevant county code**

Tex. Health & Safety §437.001 et seq.; Midland County zoning ordinances.

**RESEARCH NOTES**

Midland County government website confirmed. Texas state cottage food law governs; no county-specific cottage food rules found beyond state baseline.

**SOURCES VERIFIED AT RESEARCH TIME**

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

<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/midland-county-discuss>

## State context — Texas cottage food law

Midland 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> Tex. Health & Safety §437.001 et seq.	<b>ANNUAL SALES CAP</b> 150000
<b>REGISTRATION REQUIRED</b> No	<b>FOOD HANDLER CERT</b> No
<b>KITCHEN INSPECTION</b> No	<b>DIRECT SALES ONLY</b> 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 Midland County's specific zoning rules, permits, and what other home bakers are seeing locally.

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

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