

COTTAGE FOOD LAW REPORT

# Nacogdoches County

Texas · Nacogdoches · FIPS 48347 · Population 64,768 ·  
Crosodo Index #86\*

STATE BASELINE

Tex. Health & Safety §437.001 et seq. (as amended by SB 541, 2025)

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: NACOGDOCHES COUNTY

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# Nacogdoches County

Population 64,768 · State baseline: Tex. Health & Safety §437.001 et seq. (as amended by SB 541, 2025) · **MEDIUM**

## QUICK VIEW FOR BAKERS IN THIS COUNTY

**HOME KITCHEN ALLOWED?**

Yes (Cottage food must be produced in the home kitchen of operator’s primary domestic residence. Local health departments have NO authority to inspect or require permits. Food handler certification required. Annual sales cap \$150,000.)

**SEPARATE KITCHEN REQUIRED?**

No

**PETS ALLOWED?**

No specific statutory prohibition; food handler training covers safe practices

**HOME OCCUPATION PERMIT?**

No (Texas law expressly prohibits municipal zoning ordinances from banning cottage food production in homes. No local permit required. Nacogdoches County is a deep east Texas county with a university (SFA). Business registration and sales tax compliance may be required.)

**ON-SITE / PORCH PICKUP?**

Yes

**INSPECTION REQUIRED?**

No (Health departments have no regulatory authority to inspect. DSHS/local may act only to prevent immediate and serious threat.)

## Home kitchen rules

<b>HOME KITCHEN ALLOWED</b>	Yes — Cottage food must be produced in the home kitchen of operator’s primary domestic residence. Local health departments have NO authority to inspect or require permits. Food handler certification required. Annual sales cap \$150,000.
<b>SEPARATE DEDICATED KITCHEN</b>	No
<b>PET RESTRICTIONS</b>	No specific statutory prohibition; food handler training covers safe practices
<b>WATER SUPPLY</b>	Potable water required
<b>HANDWASHING</b>	Standard handwashing per food handler training
<b>FOOD STORAGE</b>	Non-TCS foods primarily; proper storage required

## Inspection & permitting

<b>INSPECTION REQUIRED</b>	No — Health departments have no regulatory authority to inspect. DSHS/local may act only to prevent immediate and serious threat.
<b>HOME OCCUPATION PERMIT</b>	No — Texas law expressly prohibits municipal zoning ordinances from banning cottage food production in homes. No local permit required. Nacogdoches County is a deep east Texas county with a university (SFA). Business registration and sales tax compliance may be required.
<b>LOCAL BUSINESS LICENSE</b>	No

### Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Yes
DELIVERY / PICKUP RULES	Direct sales and wholesale to registered cottage food vendors allowed (SB 541, 2025). Sales at home, farmers markets, events, and retail stores permitted.
MAX EMPLOYEES IN HOME	No specific limit under TX cottage food law

### Relevant county code

Texas law preempts local zoning restrictions on cottage food operations

#### RESEARCH NOTES

Nacogdoches County is home to Stephen F. Austin State University. Texas SB 541 (2025) raised cap to \$150,000 and added wholesale channel through registered cottage food vendors. No county-specific restrictions apply due to TX state preemption. No county URLs in input.

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#### 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/nacogdoches-county-discuss>

## State context — Texas cottage food law

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

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

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