

COTTAGE FOOD LAW REPORT

Potter County

Texas · Amarillo · FIPS 48375 · Population 117,905 · Crosodo Index #1003*

STATE BASELINE

Tex. Health & Safety §437.001 et seq.; \$150,000 annual sales cap (2025); no registration; no inspection; direct and limited indirect sales; state preempts local health inspections

STATE TIER	ANNUAL SALES CAP (STATE)	CONFIDENCE	LAST VERIFIED
Great	150000	MEDIUM	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: POTTER COUNTY

CROSODO INDEX #1003* · FIPS 48375 · Amarillo

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QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Texas state law allows cottage food production from a home kitchen. Health departments cannot inspect cottage food operations. Potter County follows state baseline. Note: Amarillo is split between Potter County and Randall County.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific Texas state requirement; standard food safety practices recommended.

HOME OCCUPATION PERMIT?

Varies (Potter County unincorporated areas and Amarillo city may have home occupation permit requirements. Texas state law requires compliance with home-based business rules under §559.955. No specific county-level details found.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (Texas law prohibits health departments from inspecting cottage food operations except to prevent immediate/serious threat to human life or health.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Texas state law allows cottage food production from a home kitchen. Health departments cannot inspect cottage food operations. Potter County follows state baseline. Note: Amarillo is split between Potter County and Randall County.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No specific Texas state requirement; standard food safety practices recommended.
WATER SUPPLY	Potable water required per state food safety standards.
HANDWASHING	Standard food safety practices; no mandatory training or certification.
FOOD STORAGE	Shelf-stable non-TCS products stored per food safety standards.

Inspection & permitting

INSPECTION REQUIRED	No — Texas law prohibits health departments from inspecting cottage food operations except to prevent immediate/serious threat to human life or health.
HOME OCCUPATION PERMIT	Varies — Potter County unincorporated areas and Amarillo city may have home occupation permit requirements. Texas state law requires compliance with home-based business rules under §559.955. No specific county-level details found.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Texas allows direct sales and limited indirect sales. Online/delivery allowed. \$150,000 annual cap.
MAX EMPLOYEES IN HOME	No specific state limit; local home occupation rules may apply.

Relevant county code

Tex. Health & Safety §437.001 et seq.

RESEARCH NOTES

State baseline applied (TX tier Great). Potter County seat is Amarillo (shared with Randall County). No county-specific URLs provided. Confidence medium.

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/potter-county-discuss>

State context — Texas cottage food law

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

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