

COTTAGE FOOD LAW REPORT

# Rusk County

Texas · Henderson · FIPS 48401 · Population 52,755 ·  
Crosodo Index #902\*

STATE BASELINE

Tex. Health & Safety §437.001 et seq. (amended by SB 541, 2025; cap \$150,000)

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: RUSK COUNTY

CROSODO INDEX #902\* · FIPS 48401 · Henderson

# Rusk County

Population 52,755 · State baseline: Tex. Health & Safety §437.001 et seq. (amended by SB 541, 2025; cap \$150,000) · **MEDIUM**

### QUICK VIEW FOR BAKERS IN THIS COUNTY

**HOME KITCHEN ALLOWED?**

Yes (All non-TCS foods allowed. Annual cap \$150,000. No inspection or registration required.)

**SEPARATE KITCHEN REQUIRED?**

No

**PETS ALLOWED?**

No specific TX or Rusk County restriction.

**HOME OCCUPATION PERMIT?**

Varies (Rusk County is an East Texas county (Henderson, near Kilgore oil fields). Texas state law preempts local health regulation. Contact Rusk County government or City of Henderson for home occupation/business license requirements.)

**ON-SITE / PORCH PICKUP?**

Yes

**INSPECTION REQUIRED?**

No (Only to prevent immediate and serious public health threat.)

### Home kitchen rules

**HOME KITCHEN ALLOWED** Yes — All non-TCS foods allowed. Annual cap \$150,000. No inspection or registration required.

**SEPARATE DEDICATED KITCHEN** No

**PET RESTRICTIONS** No specific TX or Rusk County restriction.

**WATER SUPPLY** No formal requirement.

**HANDWASHING** No formal requirement.

**FOOD STORAGE** Non-TCS products. Prohibited: meat, poultry, seafood, ice/frozen treats, low-acid canned goods, CBD/THC, raw milk.

### Inspection & permitting

**INSPECTION REQUIRED** No — Only to prevent immediate and serious public health threat.

**HOME OCCUPATION PERMIT** Varies — Rusk County is an East Texas county (Henderson, near Kilgore oil fields). Texas state law preempts local health regulation. Contact Rusk County government or City of Henderson for home occupation/business license requirements.

**LOCAL BUSINESS LICENSE** Varies

### Customer-facing rules

**ON-SITE CUSTOMER PICKUP** Yes

**ON-SITE SIGNAGE** Conditional

**DELIVERY / PICKUP RULES** Direct and some indirect sales. Online orders permitted.

**MAX EMPLOYEES IN HOME** TX statute does not specify a cap.

### Relevant county code

Tex. Health & Safety Code §437.001 et seq.; no Rusk County-specific ordinance identified

#### RESEARCH NOTES

Rusk County is in the Piney Woods of East Texas. No county-specific cottage food rules found. State TX baseline applies.

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#### SOURCES VERIFIED AT RESEARCH TIME

<https://www.dshs.texas.gov/food-establishments/cottage-food-production-operations>

**Questions?** Join the Crosodo Forum to discuss your county's specific zoning rules at <https://crosodo.com/nb/texas/rusk-county-discuss>

## State context — Texas cottage food law

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

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

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

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