

COTTAGE FOOD LAW REPORT

Waller County

Texas · Hempstead · FIPS 48473 · Population 57,463 ·
Crosodo Index #1055*

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: WALLER COUNTY

CROSODO INDEX #1055* · FIPS 48473 · Hempstead

Waller County

Population 57,463 · State baseline: Tex. Health & Safety §437.001 et seq. · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Texas cottage food law is highly permissive. No registration, no license, no inspection required. \$150,000 annual gross income cap (raised by SB 541, 2025). Almost all non-TCS foods allowed. No local health department inspection authority.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific pet restriction in state cottage food law.

HOME OCCUPATION PERMIT?

Varies (Waller County is partially suburban (near Houston metro); county zoning is limited in Texas. City of Hempstead and other incorporated areas may have home occupation rules. Operators in unincorporated areas generally face minimal local restrictions.)

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

HOME KITCHEN ALLOWED	Yes — Texas cottage food law is highly permissive. No registration, no license, no inspection required. \$150,000 annual gross income cap (raised by SB 541, 2025). Almost all non-TCS foods allowed. No local health department inspection authority.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No specific pet restriction in state cottage food law.
WATER SUPPLY	No specific state cottage food water supply requirement.
HANDWASHING	No specific state cottage food handwashing mandate.
FOOD STORAGE	Non-TCS, non-refrigerated products required.

Inspection & permitting

INSPECTION REQUIRED	No — DSHS or local health authority may only act to prevent an immediate and serious threat to human life or health.
HOME OCCUPATION PERMIT	Varies — Waller County is partially suburban (near Houston metro); county zoning is limited in Texas. City of Hempstead and other incorporated areas may have home occupation rules. Operators in unincorporated areas generally face minimal local restrictions.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Yes
DELIVERY / PICKUP RULES	Almost all channels permitted including direct to consumer, indirect sales, farmers markets, online, delivery, and through a 'cottage food vendor' intermediary (SB 541, 2025). No wholesale to restaurants or distributors.
MAX EMPLOYEES IN HOME	Not specified in state statute.

Relevant county code

Waller County has no specific cottage food county code; state preemption limits local health authority.

RESEARCH NOTES

No county-specific cottage food ordinance found for Waller County. Texas cottage food law applies. Waller County is northwest of Houston in the rapidly growing Houston metro area (Prairie View A&M University is in this county). The proximity to Houston means some suburban incorporated areas may have home occupation rules. Prohibited items: meat, poultry, seafood, ice/ice cream products, CBD/THC foods, raw milk.

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/waller-county-discuss>

State context — Texas cottage food law

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

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