

COTTAGE FOOD LAW REPORT

Wise County

Texas · Decatur · FIPS 48497 · Population 70,062 · Crosodo Index #1038*

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: WISE COUNTY

CROSODO INDEX #1038* · FIPS 48497 · Decatur

Wise County

Population 70,062 · State baseline: Tex. Health & Safety §437.001 et seq. · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (No food handler cert required. No state registration required. Annual sales cap \$150,000. No TCS foods. Indirect sales allowed at limited venues (farmers markets, roadside stands, flea markets). No wholesale to distributors.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Not specified in state law

HOME OCCUPATION PERMIT?

Varies (No county govt URL provided. Wise County unincorporated areas follow county zoning. City of Decatur has its own zoning and business licensing. No county-specific cottage food overlay identified.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (No routine inspection; complaint-based investigation possible)

Home kitchen rules

| | |
|-----------------------------------|---|
| HOME KITCHEN ALLOWED | Yes — No food handler cert required. No state registration required. Annual sales cap \$150,000. No TCS foods. Indirect sales allowed at limited venues (farmers markets, roadside stands, flea markets). No wholesale to distributors. |
| SEPARATE DEDICATED KITCHEN | No |
| PET RESTRICTIONS | Not specified in state law |
| WATER SUPPLY | Standard residential water supply |
| HANDWASHING | Good sanitation practices implied |
| FOOD STORAGE | Appropriate storage for shelf-stable products |

Inspection & permitting

| | |
|-------------------------------|---|
| INSPECTION REQUIRED | No — No routine inspection; complaint-based investigation possible |
| HOME OCCUPATION PERMIT | Varies — No county govt URL provided. Wise County unincorporated areas follow county zoning. City of Decatur has its own zoning and business licensing. No county-specific cottage food overlay identified. |
| LOCAL BUSINESS LICENSE | Varies |

Customer-facing rules

| | |
|--------------------------------|--|
| ON-SITE CUSTOMER PICKUP | Yes |
| ON-SITE SIGNAGE | Conditional |
| DELIVERY / PICKUP RULES | Direct delivery and third-party sales at designated venues permitted |
| MAX EMPLOYEES IN HOME | Not specified |

Relevant county code

Not identified

RESEARCH NOTES

Texas Great-tier state with \$150,000 cap. No county-specific sources available. Wise County is a rural/exurban county in North Texas. Pattern county.

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/wise-county-discuss>

State context — Texas cottage food law

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

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