



OPEN LETTER RE: COTTAGE FOOD LAW AND SB 541

The Farm and Ranch Freedom Alliance and Homemade Texas have both worked with cottage food producers across the state since the passage of the first Texas Cottage Food Law in 2011.

The Texas Cottage Food Law, now entering its 15th year, has led to the creation of thousands of low-entry-barrier jobs that significantly benefit women, minorities, and the economically disadvantaged. It has facilitated a boom in the availability of local, minimally processed foods, while cottage food producers in Texas and nationally have maintained an excellent record of food safety.

We want to ensure that local officials are aware of the changes to the Texas Cottage Food Law that take effect on September 1, 2025:

- The annual gross sales limit for sales of cottage foods will be raised from \$50,000 to \$150,000, adjusted for inflation from this point forward.
- The list of foods allowed for direct sale to consumers has been expanded to include anything *except*:
 - meat, meat products, poultry, or poultry products
 - seafood, seafood products, fish, fish products, shellfish, and shellfish products;
 - ice or ice products, including shaved ice, ice cream, frozen custard, popsicles, and gelato;
 - low-acid canned goods;
 - products containing cannabidiol or tetrahydrocannabinol; or
 - raw milk and raw milk products
- Cottage food operators will be able to sell non-time-and-temperature-control-for-safety foods to a third-party vendor who can then sell that food at wholesale at a farmer's market, farm stand, food service establishment, or any retail store.
- A local government authority, including a local health department, may not regulate the production of food at a cottage food production operation, or require a cottage food production operation to obtain any type of license or permit or pay any fee to produce or sell directly to a consumer or cottage food vendor, or to provide samples directly to a consumer, of cottage foods.
- A local government authority, including a local health department, may not employ or continue to employ a person who knowingly requires or attempts to require a cottage food production operation to obtain a license or permit in violation of this section.

Beginning on September 1, 2025, all local Texas health departments must discontinue the practice of requiring cottage food operators to obtain any kind of permit or pay any fee to produce, sell, or sample their food.

SB 541 not only provides growth opportunities to cottage food operators, but it also creates new sources for local, healthy meals and snacks. Cottage food operators can play an important role in a flourishing, transparent, and accountable food system, and we are excited about what the new law offers for both producers and consumers.