

## COTTAGE FOOD LAW REPORT

# Marion County

Alabama · Hamilton · FIPS 01093 · Population 29,323 ·  
Crosodo Index #823\*

STATE BASELINE	STATE TIER	ANNUAL SALES CAP (STATE)	CONFIDENCE	LAST VERIFIED
Ala. Code §22-20-5.1	Good	—	MEDIUM	2026-05-06

**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.

ALABAMA: MARION COUNTY

CROSODO INDEX #823\* · FIPS 01093 · Hamilton

# Marion County

Population 29,323 · State baseline: Ala. Code §22-20-5.1 · **MEDIUM**

## QUICK VIEW FOR BAKERS IN THIS COUNTY

**HOME KITCHEN ALLOWED?**

Yes (Must complete a state-approved food safety course (e.g., ACES course, \$25) before selling. Must file paperwork (food safety course certificate, sample product label, completed cottage food review form) with local county health department. Fees vary by county. Business license required from municipality.)

**SEPARATE KITCHEN REQUIRED?**

No

**PETS ALLOWED?**

No specific state restriction; standard sanitation best practices apply.

**HOME OCCUPATION PERMIT?**

Conditional (No state food permit required. However, each municipality (city/town) may require a local business license. The county health department provides a written confirmation of document review, which may be needed for the business license process. Check with local city or county clerk.)

**ON-SITE / PORCH PICKUP?**

Yes

**INSPECTION REQUIRED?**

No (State law (§22-20-5.1(b)) explicitly states cottage food operations are not required to have a food service permit and county health departments may not regulate production except as provided by the section. Inspection only upon suspected foodborne illness investigation.)

## Home kitchen rules

<b>HOME KITCHEN ALLOWED</b>	Yes — Must complete a state-approved food safety course (e.g., ACES course, \$25) before selling. Must file paperwork (food safety course certificate, sample product label, completed cottage food review form) with local county health department. Fees vary by county. Business license required from municipality.
<b>SEPARATE DEDICATED KITCHEN</b>	No
<b>PET RESTRICTIONS</b>	No specific state restriction; standard sanitation best practices apply.
<b>WATER SUPPLY</b>	Standard potable water; no specific state-level home kitchen water testing requirement for cottage food.
<b>HANDWASHING</b>	Standard food safety handwashing practices required per food safety course training.
<b>FOOD STORAGE</b>	Non-potentially hazardous foods only; must be shelf-stable and not require time/temperature control for safety.

## Inspection & permitting

<b>INSPECTION REQUIRED</b>	No — State law (§22-20-5.1(b)) explicitly states cottage food operations are not required to have a food service permit and county health departments may not regulate production except as provided by the section. Inspection only upon suspected foodborne illness investigation.
<b>HOME OCCUPATION PERMIT</b>	Conditional — No state food permit required. However, each municipality (city/town) may require a local business license. The county health department provides a written confirmation of document review, which may be needed for the business license process. Check with local city or county clerk.
<b>LOCAL BUSINESS LICENSE</b>	Yes

### Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Yes
DELIVERY / PICKUP RULES	Direct sales to consumers permitted in person, by phone, online, or via mail within Alabama. Delivery may be in person, by an agent, or by mail. Interstate shipping not permitted under Alabama cottage food law.
MAX EMPLOYEES IN HOME	No explicit state limit; operation must remain home-based.

### Relevant county code

Ala. Code §22-20-5.1 (state law governs; county health departments have no independent regulatory authority over cottage food operations beyond document review).

#### QUICK COMPARISON – BORDERING COUNTIES

Regulation	Marion County	Fayette County	Franklin County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No specific state restriction; standard sanitation best practices apply.	Not specified in state statute.	No specific state restriction; standard sanitation best practices apply.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Yes	Yes	Yes
DELIVERY / PICKUP	Direct sales to consumers permitted in person, by phone, online, or via mail within Alabama. Delivery may be in person, by an agent, or by ...	Direct to consumer only within Alabama.	Direct sales to consumers permitted in person, by phone, online, or via mail within Alabama. Delivery may be in person, by an agent, or by ...
HOME OCCUPATION PERMIT	Conditional	Varies	Conditional
LOCAL BUSINESS LICENSE	Yes	Varies	Yes
RESTRICTIONS	Must complete a state-approved food safety course (e.g., ACES course, \$25) before selling. Must file paperwork (food safety course certific...	Must produce non-potentially hazardous foods only (no meat/poultry/fish). Sales direct to consumer only within Alabama. Must complete ADPH-...	Must complete a state-approved food safety course (e.g., ACES course, \$25) before selling. Must file paperwork (food safety course certific...
FOOD STORAGE	Non-potentially hazardous foods only; must be shelf-stable and not require time/temperature control for safety.	Not specifically regulated.	Non-potentially hazardous foods only; must be shelf-stable and not require time/temperature control for safety.
POPULATION	29,203	16,297	32,011

**RESEARCH NOTES**

Alabama state law (§22-20-5.1) explicitly preempts county health departments from adding requirements beyond reviewing food safety course certification and product labels. No home kitchen inspection required. Business license required at city/municipality level — fees and process vary locally. Food safety course certification (ACES or ANSI-accredited, \$25, valid 3 years) required before selling. County-specific URLs not confirmed; state-level rules apply uniformly across all counties. No county-specific ordinances found that deviate from state baseline.

**SOURCES VERIFIED AT RESEARCH TIME**

<https://law.justia.com/codes/alabama/title-22/title-1/chapter-20/section-22-20-5-1/>

<https://www.alabamapublichealth.gov/foodsafety/assets/cottagefoodlawfaqs.pdf>

<http://www.aces.edu/go/cottagefoodbusiness>

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

## State context — Alabama cottage food law

Marion County’s rules sit on top of Alabama’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> Ala. Code §22-20-5.1	<b>ANNUAL SALES CAP</b> —
<b>REGISTRATION REQUIRED</b> Yes	<b>FOOD HANDLER CERT</b> Yes (specific course)
<b>KITCHEN INSPECTION</b> No	<b>DIRECT SALES ONLY</b> Yes
<b>INDIRECT SALES</b> No — Indirect sales to grocery stores, restaurants, or wholesale are not permitted; producers may use an agent for delivery but cannot sell through retailers.	

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For the full state-level analysis including the verbatim statute text, see the [Alabama cottage food law report](#).

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### STATE-LEVEL REFERENCES

State statute: <https://alison.legislature.state.al.us/code-of-alabama>

State dept cottage food page: <https://www.alabamapublichealth.gov/foodsafety/cottage-food-law.html>

Forrager.com: <https://forrager.com/law/alabama/>

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## Questions?

Join the Crosodo Forum to discuss Marion County's specific zoning rules, permits, and what other home bakers are seeing locally.

<https://crosodo.com/nb/alabama/marion-county-discuss>

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