

COTTAGE FOOD LAW REPORT

Desha County

Arkansas · Arkansas City · FIPS 05041 · Population 10,321 ·
Crosodo Index #292*

STATE BASELINE

A.C.A. §20-57-201 (Act 1040 of 2021)

STATE TIER

Freedom

ANNUAL SALES CAP (STATE)

—

CONFIDENCE

MEDIUM

LAST VERIFIED

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.

ARKANSAS: DESHA COUNTY

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Desha County

Population 10,321 · State baseline: A.C.A. §20-57-201 (Act 1040 of 2021) · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Must be produced at producer’s private residence. Foods must be non-TCS (non-time/temperature control for safety). Labeling required: producer name, address, phone (or ID number), date produced, ingredients, and disclosure statement that product is not inspected. No state registration, license, or inspection required.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific restriction under state law; standard food safety sanitation practices apply.

HOME OCCUPATION PERMIT?

Conditional (No state permit required under the Food Freedom Act. However, local city or county business licenses may be required — check with local city/county clerk. A.C.A. §14-140-101 limits charges against farmers/producers selling items produced on their property but may not apply in all situations. State law (§20-57-506) expressly preempts county and municipal jurisdictions from prohibiting or regulating home food production.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (Arkansas Department of Health may investigate complaints of adulterated or misbranded food and may inspect pop-up shop operations within third-party retail. No routine inspection of home kitchen.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Must be produced at producer’s private residence. Foods must be non-TCS (non-time/temperature control for safety). Labeling required: producer name, address, phone (or ID number), date produced, ingredients, and disclosure statement that product is not inspected. No state registration, license, or inspection required.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No specific restriction under state law; standard food safety sanitation practices apply.
WATER SUPPLY	Standard potable water; no specific water testing requirement under the Food Freedom Act.
HANDWASHING	Standard food safety practices strongly encouraged; no mandatory food handler certification required under the Food Freedom Act.
FOOD STORAGE	Non-TCS foods only — must not require refrigeration to prevent pathogen growth. Acidified foods (pickles, salsas, sauces) require pH testing to confirm final pH at or below 4.6.

Inspection & permitting

INSPECTION REQUIRED	No — Arkansas Department of Health may investigate complaints of adulterated or misbranded food and may inspect pop-up shop operations within third-party retail. No routine inspection of home kitchen.
HOME OCCUPATION PERMIT	Conditional — No state permit required under the Food Freedom Act. However, local city or county business licenses may be required — check with local city/county clerk. A.C.A. §14-140-101 limits charges against farmers/producers selling items produced on their property but may not apply in all situations. State law (§20-57-506) expressly preempts county and municipal jurisdictions from prohibiting or regulating home food production.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Yes
DELIVERY / PICKUP RULES	May be sold in person, by telephone, or online. Delivery by producer, producer’s agent, or commercial carrier. Sales allowed at farmers markets, county fairs, pop-up shops, from home/farm/ranch/office, or via third-party retail vendors. Cannot be sold to restaurants (not an approved source). Interstate sales allowed if seller complies with applicable federal laws.
MAX EMPLOYEES IN HOME	No explicit limit under state law; an agent (employee, friend) may deliver on behalf of the producer.

Relevant county code

A.C.A. §20-57-506 (preemption of county and municipal regulation); A.C.A. §20-57-201 et seq. (Food Freedom Act definitions and requirements).

RESEARCH NOTES

Arkansas Food Freedom Act (Act 1040 of 2021) expressly preempts county and municipal governments from prohibiting or regulating home food production (§20-57-506). No state registration, inspection, or food handler certification required. Business license may be required locally — some cities (e.g., Little Rock) require a license for home cake sales. No county-specific ordinances found that deviate from state baseline, as state preemption is explicit. Acidified foods require pH at or below 4.6. Foods cannot be sold to restaurants. ADH’s July 2025 Homemade Food Guide confirms current rules.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.arkleg.state.ar.us/Acts/FTPDocument?type=PDF&file=1040&ddBienniumSession=2021%2F2021R>

<https://healthy.arkansas.gov/wp-content/uploads/Homemade-Food-Guide-2025-July.pdf>

<https://www.uaex.uada.edu/business-communities/local-foods/Arkansas%20Food%20Freedom%20Act%20Guidelines.pdf>

Questions? Join the Crosodo Forum to discuss your county’s specific zoning rules at <https://crosodo.com/nb/arkansas/desha-county-discuss>

Bordering counties — cottage food law

Regulation	Desha County	Arkansas County	Chicot County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No specific restriction under state law; standard food safety sanitation practices apply.	No specific restriction under state law; standard food safety sanitation practices apply.	No specific restriction under state law; standard food safety sanitation practices apply.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Yes	Yes	Yes
DELIVERY / PICKUP	May be sold in person, by telephone, or online. Delivery by producer, producer's agent, or commercial carrier. Sales allowed at farmers mar...	May be sold in person, by telephone, or online. Delivery by producer, producer's agent, or commercial carrier. Sales allowed at farmers mar...	May be sold in person, by telephone, or online. Delivery by producer, producer's agent, or commercial carrier. Sales allowed at farmers mar...
HOME OCCUPATION PERMIT	Conditional	Conditional	Conditional
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Must be produced at producer's private residence. Foods must be non-TCS (non-time/temperature control for safety). Labeling required: produ...	Must be produced at producer's private residence. Foods must be non-TCS (non-time/temperature control for safety). Labeling required: produ...	Must be produced at producer's private residence. Foods must be non-TCS (non-time/temperature control for safety). Labeling required: produ...
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POPULATION	11,285	17,024	10,234

State context — Arkansas cottage food law

Desha County’s rules sit on top of Arkansas’s state cottage food framework. The state law sets the floor — counties can add but cannot remove protections.

STATUTE A.C.A. §20-57-201 (Act 1040 of 2021)	ANNUAL SALES CAP —
REGISTRATION REQUIRED No	FOOD HANDLER CERT No
KITCHEN INSPECTION No	DIRECT SALES ONLY No
INDIRECT SALES Yes — Retail and wholesale sales are allowed so long as the product is sold to an informed end consumer who can see the product label; sales to businesses for ingredient use or gift resale are not permitted.	

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

STATE-LEVEL REFERENCES

State statute: <https://www.arkleg.state.ar.us/Acts/Document?type=pdf&act=1040&ddBienniumSession=2021%2F2021R>

State dept cottage food page: <https://www.healthy.arkansas.gov/programs-services/topics/cottage-food>

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

Questions?

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

<https://crosodo.com/nb/arkansas/desha-county-discuss>
