

COTTAGE FOOD LAW REPORT

# Hempstead County

Arkansas · Hope · FIPS 05057 · Population 19,105 · Crosodo  
Index #599\*

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: HEMPSTEAD COUNTY**

CROSODO INDEX #599\* · FIPS 05057 · Hope

# Hempstead County

Population 19,105 · 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 operate from a primary residence kitchen; commercial kitchen use is prohibited under the Food Freedom Act. State law expressly preempts local government restrictions on home food producers.)

**SEPARATE KITCHEN REQUIRED?**

No

**PETS ALLOWED?**

Not specified in state statute; good manufacturing practices apply

**HOME OCCUPATION PERMIT?**

No — state law preempts local restrictions (A.C.A. §20-57-201 explicitly preempts both state and local government from restricting home food producers; no county-level home occupation permit required for cottage food)

**ON-SITE / PORCH PICKUP?**

Yes

**INSPECTION REQUIRED?**

No (No routine inspection required under Act 1040; complaint-based investigation possible)

**Home kitchen rules**

<b>HOME KITCHEN ALLOWED</b>	Yes — Must operate from a primary residence kitchen; commercial kitchen use is prohibited under the Food Freedom Act. State law expressly preempts local government restrictions on home food producers.
<b>SEPARATE DEDICATED KITCHEN</b>	No
<b>PET RESTRICTIONS</b>	Not specified in state statute; good manufacturing practices apply
<b>WATER SUPPLY</b>	Potable water required; residential water supply acceptable
<b>HANDWASHING</b>	Standard sanitary practices required; dedicated handwashing sink not mandated by statute
<b>FOOD STORAGE</b>	Safe food storage practices required; no separate storage room mandated

**Inspection & permitting**

<b>INSPECTION REQUIRED</b>	No — No routine inspection required under Act 1040; complaint-based investigation possible
<b>HOME OCCUPATION PERMIT</b>	No — state law preempts local restrictions — A.C.A. §20-57-201 explicitly preempts both state and local government from restricting home food producers; no county-level home occupation permit required for cottage food
<b>LOCAL BUSINESS LICENSE</b>	No — preempted by state law

**Customer-facing rules**

<b>ON-SITE CUSTOMER PICKUP</b>	Yes
<b>ON-SITE SIGNAGE</b>	Yes
<b>DELIVERY / PICKUP RULES</b>	Direct sales permitted; indirect sales through retail/wholesale allowed; interstate sales permitted
<b>MAX EMPLOYEES IN HOME</b>	No statutory limit specified

## Relevant county code

N/A — state preemption applies; no applicable county code

### RESEARCH NOTES

Arkansas Food Freedom Act (Act 1040 of 2021, A.C.A. §20-57-201) is one of the most permissive cottage food laws in the US. It expressly preempts local government restrictions. No county-specific regulations found or applicable. Allowed foods: nonperishable, non-potentially hazardous foods including baked goods, candy, condiments, dry goods, preserves, fermented foods, carbonated drinks. Prohibited: perishable baked goods, low-acid canned goods, nut butters, oils, meat jerkies. Acidified foods require pH testing. No sales cap, no registration, no inspection required.

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### SOURCES VERIFIED AT RESEARCH TIME

<https://www.healthy.arkansas.gov/programs-services/topics/county-health-units>

<https://www.hempsteadcounty.org/>

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

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

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

## State context — Arkansas cottage food law

Hempstead 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.

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<p><b>STATUTE</b> A.C.A. §20-57-201 (Act 1040 of 2021)</p> <p><b>REGISTRATION REQUIRED</b> No</p> <p><b>KITCHEN INSPECTION</b> No</p> <p><b>INDIRECT SALES</b> 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.</p>	<p><b>ANNUAL SALES CAP</b> —</p> <p><b>FOOD HANDLER CERT</b> No</p> <p><b>DIRECT SALES ONLY</b> No</p>
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For the full state-level analysis including the verbatim statute text, see the [Arkansas cottage food law report](#).

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### 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/>

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## Questions?

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

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

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