

COTTAGE FOOD LAW REPORT

Madison County

Arkansas · Huntsville · FIPS 05087 · Population 17,865 ·
Crosodo Index #617*

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: MADISON COUNTY

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Madison County

Population 17,865 · 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

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 DEDICATED KITCHEN	No
PET RESTRICTIONS	Not specified in state statute; good manufacturing practices apply
WATER SUPPLY	Potable water required; residential water supply acceptable
HANDWASHING	Standard sanitary practices required; dedicated handwashing sink not mandated by statute
FOOD STORAGE	Safe food storage practices required; no separate storage room mandated

Inspection & permitting

INSPECTION REQUIRED	No — No routine inspection required under Act 1040; complaint-based investigation possible
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
LOCAL BUSINESS LICENSE	No — preempted by state law

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Yes
DELIVERY / PICKUP RULES	Direct sales permitted; indirect sales through retail/wholesale allowed; interstate sales permitted
MAX EMPLOYEES IN HOME	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.

SOURCES VERIFIED AT RESEARCH TIME

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

<https://www.madisoncountyar.gov/>

<https://www.madisoncountyar.gov/>

<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/madison-county-discuss>

Bordering counties — cottage food law

Regulation	Madison County	Carroll County	Franklin County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Not specified in state statute; good manufacturing 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	Direct sales permitted; indirect sales through retail/wholesale allowed; interstate sales permitted	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	No — state law preempts local restrictions	Conditional	Conditional
LOCAL BUSINESS LICENSE	No — preempted by state law	Varies	Varies
RESTRICTIONS	Must operate from a primary residence kitchen; commercial kitchen use is prohibited under the Food Freedom Act. State law expressly preempt...	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...
FOOD STORAGE	Safe food storage practices required; no separate storage room mandated	Non-TCS foods only — must not require refrigeration to prevent pathogen growth. Acidified foods (pickles, salsas, sauces) require pH testin...	Non-TCS foods only — must not require refrigeration to prevent pathogen growth. Acidified foods (pickles, salsas, sauces) require pH testin...
POPULATION	16,737	28,362	17,160

State context — Arkansas cottage food law

Madison 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 Madison County's specific zoning rules, permits, and what other home bakers are seeing locally.

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