

COTTAGE FOOD LAW REPORT

Washington County

Arkansas · Fayetteville · FIPS 05143 · Population 247,331 ·
Crosodo Index #61*

STATE BASELINE

A.C.A. §20-57-201 (Act 1040 of 2021)

STATE TIER

Freedom

ANNUAL SALES CAP (STATE)

—

CONFIDENCE

MEDIUM

LAST VERIFIED

2026-05-05

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: WASHINGTON COUNTY

CROSODO INDEX #61* · FIPS 05143 · Fayetteville

Washington County

Population 247,331 · State baseline: A.C.A. §20-57-201 (Act 1040 of 2021) · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Arkansas Food Freedom Act (July 2021) — among the most permissive nationally. No registration, no inspection, no sales cap, no food handler certification required. Must operate from primary residence kitchen (commercial kitchen use prohibited). State law expressly preempts both state and local government restrictions on home food producers. Acidified foods require pH testing at or below 4.6.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Not specified; producers must operate from primary residence kitchen

HOME OCCUPATION PERMIT?

No (Arkansas Food Freedom Act expressly preempts local government from restricting home food producers. No home occupation permit can be required for cottage food operations in Washington County.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (State Food Freedom Act preempts all regulation; no inspection authority)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Arkansas Food Freedom Act (July 2021) — among the most permissive nationally. No registration, no inspection, no sales cap, no food handler certification required. Must operate from primary residence kitchen (commercial kitchen use prohibited). State law expressly preempts both state and local government restrictions on home food producers. Acidified foods require pH testing at or below 4.6.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	Not specified; producers must operate from primary residence kitchen
WATER SUPPLY	No specific state testing requirement for cottage food
HANDWASHING	No formal certification required
FOOD STORAGE	No refrigerated TCS finished products; acidified foods (pickles) require pH testing (≤ 4.6) and batch-number labeling

Inspection & permitting

INSPECTION REQUIRED	No — State Food Freedom Act preempts all regulation; no inspection authority
HOME OCCUPATION PERMIT	No — Arkansas Food Freedom Act expressly preempts local government from restricting home food producers. No home occupation permit can be required for cottage food operations in Washington County.
LOCAL BUSINESS LICENSE	No

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Yes
DELIVERY / PICKUP RULES	All sales channels allowed including interstate sales (unusual — Arkansas is one of few states allowing this). Direct, online, retail, wholesale, restaurant sales all permitted.
MAX EMPLOYEES IN HOME	Not specified in statute; must be primary residence

Relevant county code

A.C.A. §20-57-201 et seq. (Food Freedom Act) preempts local ordinances

RESEARCH NOTES

Washington County AR follows the Arkansas Food Freedom Act (A.C.A. §20-57-201), one of the most permissive nationally. The law expressly preempts local restriction. Fayetteville is home to University of Arkansas. No county-specific cottage food rules found or needed due to state preemption. Interstate sales allowed. Confidence medium — state law confirmed but no specific Washington County .gov cottage food source retrieved.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.washingtoncountyar.gov>

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

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

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

Bordering counties — cottage food law

Regulation	Washington County	Benton County	Crawford County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Not specified; producers must operate from primary residence kitchen	No specific state restriction; general sanitation applies	No specific pet restriction in state law.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Yes	Conditional	Yes
DELIVERY / PICKUP	All sales channels allowed including interstate sales (unusual — Arkansas is one of few states allowing this). Direct, online, retail, whol...	Direct and indirect sales; farmers markets, events, retail stores, online permitted	Almost all channels allowed including direct to consumer, retail, wholesale (if informed end consumer is final buyer), internet sales, and ...
HOME OCCUPATION PERMIT	No	Varies	No
LOCAL BUSINESS LICENSE	No	Varies	No
RESTRICTIONS	Arkansas Food Freedom Act (July 2021) — among the most permissive nationally. No registration, no inspection, no sales cap, no food handler...	Non-TCS non-potentially-hazardous foods; no state license, permit, or inspection required; labeling required	Arkansas Food Freedom Act (A.C.A. §20-57-201, eff. July 2021) expressly preempts both state and local government restrictions on home food ...
FOOD STORAGE	No refrigerated TCS finished products; acidified foods (pickles) require pH testing (≤ 4.6) and batch-number labeling	Non-TCS foods stored in sanitary conditions	Non-potentially hazardous foods must be stored appropriately; no specific state mandate.
POPULATION	247,331	286,528	60,593

State context — Arkansas cottage food law

Washington 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.

<p>STATUTE A.C.A. §20-57-201 (Act 1040 of 2021)</p> <p>REGISTRATION REQUIRED No</p> <p>KITCHEN INSPECTION No</p> <p>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.</p>	<p>ANNUAL SALES CAP —</p> <p>FOOD HANDLER CERT No</p> <p>DIRECT SALES ONLY No</p>
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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 Washington County's specific zoning rules, permits, and what other home bakers are seeing locally.

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