

COTTAGE FOOD LAW REPORT

Burke County

Georgia · Waynesboro · FIPS 13033 · Population 24,472 ·
Crosodo Index #2250*

STATE BASELINE

O.C.G.A. §26-2-470 et seq. (eff. July 2025); prior: GA R&R 40-7-19

STATE TIER

Okay

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.

GEORGIA: BURKE COUNTY

CROSODO INDEX #2250* · FIPS 13033 · Waynesboro

Burke County

Population 24,472 · State baseline: O.C.G.A. §26-2-470 et seq. (eff. July 2025); prior: GA R&R 40-7-19 ·

MEDIUM

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Must be produced in operator’s primary domestic residence home kitchen only. Secondary homes, vacation homes, or motor homes do not qualify. Only non-potentially hazardous foods permitted.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Not specified in state law; products must not be contaminated

HOME OCCUPATION PERMIT?

Conditional (Georgia state law does not preempt local zoning. Cottage food operators must check with Burke County and the City of Waynesboro to determine if a home-based business is allowed in their zoning district and whether a home occupation permit is required.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

Upon-complaint (Complaint-based only under HB 398 (eff. July 2025). GDA may enter premises upon complaint or public health emergency.)

Home kitchen rules

| | |
|-----------------------------------|--|
| HOME KITCHEN ALLOWED | Yes — Must be produced in operator’s primary domestic residence home kitchen only. Secondary homes, vacation homes, or motor homes do not qualify. Only non-potentially hazardous foods permitted. |
| SEPARATE DEDICATED KITCHEN | No |
| PET RESTRICTIONS | Not specified in state law; products must not be contaminated |
| WATER SUPPLY | Potable water required; annual coliform testing required if using a private well |
| HANDWASHING | Standard sanitation practices required; ANSI-accredited food safety training required |
| FOOD STORAGE | Ingredients and finished products must be stored appropriately in the domestic residence |

Inspection & permitting

| | |
|-------------------------------|---|
| INSPECTION REQUIRED | Upon-complaint — Complaint-based only under HB 398 (eff. July 2025). GDA may enter premises upon complaint or public health emergency. |
| HOME OCCUPATION PERMIT | Conditional — Georgia state law does not preempt local zoning. Cottage food operators must check with Burke County and the City of Waynesboro to determine if a home-based business is allowed in their zoning district and whether a home occupation permit is required. |
| LOCAL BUSINESS LICENSE | Varies |

Customer-facing rules

| | |
|-------------------------|---|
| ON-SITE CUSTOMER PICKUP | Yes |
| ON-SITE SIGNAGE | Conditional |
| DELIVERY / PICKUP RULES | Under HB 398 (eff. July 2025): direct-to-consumer sales, online sales, sales to retail stores, restaurants, and interstate sales are all permitted. Events and farmers markets permitted. |
| MAX EMPLOYEES IN HOME | Unknown |

Relevant county code

O.C.G.A. §26-2-470 et seq.; local zoning must be checked independently

RESEARCH NOTES

Burke County is a rural east Georgia county near Augusta. No county-specific cottage food ordinance variations found. Defaulted to GA state baseline (post-HB 398) with medium confidence.

SOURCES VERIFIED AT RESEARCH TIME

<https://dph.georgia.gov/burke-county>

<https://agr.georgia.gov/cottage-food>

<https://rules.sos.ga.gov/gac/40-7-19>

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

State context — Georgia cottage food law

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

| | |
|---|---|
| STATUTE O.C.G.A. §26-2-470 et seq. (eff. July 2025); prior: GA R&R 40-7-19 | ANNUAL SALES CAP — |
| REGISTRATION REQUIRED No | FOOD HANDLER CERT Yes (specific course) |
| KITCHEN INSPECTION Upon-complaint | DIRECT SALES ONLY No |
| INDIRECT SALES Yes — As of July 1, 2025 (HB 398), Georgia allows wholesale, online, retail store, restaurant, and mail-order sales; third-party sellers must display cottage food products separately and label the section as products from residential kitchens exempt from state inspection. | |

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

STATE-LEVEL REFERENCES

State statute: <https://law.justia.com/codes/georgia/2020/title-26/chapter-2/>

State dept cottage food page: <https://agr.georgia.gov/cottage-food-program>

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

Questions?

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

<https://crosodo.com/nb/georgia/burke-county-discuss>
