

## COTTAGE FOOD LAW REPORT

# Clayton County

Georgia · Jonesboro · FIPS 13063 · Population 296,312 ·  
Crosodo Index #2639\*

## STATE BASELINE

O.C.G.A. §26-2-470 et seq. (eff. July 2025); food handler certificate required; no license or inspection required; no sales cap; indirect sales allowed

STATE TIER	ANNUAL SALES CAP (STATE)	CONFIDENCE	LAST VERIFIED
Okay	—	MEDIUM	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.

**GEORGIA: CLAYTON COUNTY**

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# Clayton County

Population 296,312 · State baseline: O.C.G.A. §26-2-470 et seq. (eff. July 2025); food handler certificate required; no license or inspection required; no sales cap; indirect sales allowed ·

**MEDIUM**

**QUICK VIEW FOR BAKERS IN THIS COUNTY**

**HOME KITCHEN ALLOWED?**

Yes (Food handler certificate required; non-TCS foods; no state license or inspection required; labeling required; as of July 2025, expanded to almost any non-PHF food)

**SEPARATE KITCHEN REQUIRED?**

No

**PETS ALLOWED?**

No specific state restriction; general sanitation applies

**HOME OCCUPATION PERMIT?**

Varies (GA does not preempt local zoning. Clayton County and municipalities (Jonesboro, Forest Park, etc.) may have home occupation permit requirements. Operator should verify with local planning department)

**ON-SITE / PORCH PICKUP?**

Yes

**INSPECTION REQUIRED?**

Upon-complaint (GA Dept of Agriculture may investigate complaints)

**Home kitchen rules**

<b>HOME KITCHEN ALLOWED</b>	Yes — Food handler certificate required; non-TCS foods; no state license or inspection required; labeling required; as of July 2025, expanded to almost any non-PHF food
<b>SEPARATE DEDICATED KITCHEN</b>	No
<b>PET RESTRICTIONS</b>	No specific state restriction; general sanitation applies
<b>WATER SUPPLY</b>	Potable water at residence
<b>HANDWASHING</b>	Standard handwashing
<b>FOOD STORAGE</b>	Non-TCS foods stored in sanitary conditions

**Inspection & permitting**

<b>INSPECTION REQUIRED</b>	Upon-complaint — GA Dept of Agriculture may investigate complaints
<b>HOME OCCUPATION PERMIT</b>	Varies — GA does not preempt local zoning. Clayton County and municipalities (Jonesboro, Forest Park, etc.) may have home occupation permit requirements. Operator should verify with local planning department
<b>LOCAL BUSINESS LICENSE</b>	Varies

**Customer-facing rules**

<b>ON-SITE CUSTOMER PICKUP</b>	Yes
<b>ON-SITE SIGNAGE</b>	Conditional
<b>DELIVERY / PICKUP RULES</b>	Direct and indirect sales allowed; farmers markets, events, retail stores, online permitted
<b>MAX EMPLOYEES IN HOME</b>	Not specified

**Relevant county code**

Not identified

**RESEARCH NOTES**

GA expanded cottage food law effective July 2025 (HB 398). Clayton County is Atlanta metro suburb. No county-specific overlay found.

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**SOURCES VERIFIED AT RESEARCH TIME**

<https://www.claytoncountygga.gov>

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

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

## Bordering counties — cottage food law

Regulation	Clayton County	Henry County	DeKalb County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No specific state restriction; general sanitation applies	Not specified at county level; state GMP principles apply	Not specified; standard sanitation
INSPECTION REQUIRED	Upon-complaint	Upon-complaint	Upon-complaint
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Direct and indirect sales allowed; farmers markets, events, retail stores, online permitted	As of July 2025: all sales channels allowed; interstate sales permitted.	As of HB 398 (July 2025): direct-to-consumer, online, retail store sales, and wholesale permitted. No state cap.
HOME OCCUPATION PERMIT	Varies	Conditional	Conditional
LOCAL BUSINESS LICENSE	Varies	Varies	Yes
RESTRICTIONS	Food handler certificate required; non-TCS foods; no state license or inspection required; labeling required; as of July 2025, expanded to ...	As of July 1, 2025 (HB 398): no license or fee required; complaint-based inspection only; broad food list. Food handler certification requi...	State baseline applies. HB 398 (July 1, 2025): no state license required, no cap, retail sales allowed. ANSI food safety training required....
FOOD STORAGE	Non-TCS foods stored in sanitary conditions	Non-TCS shelf-stable foods; July 2025 law broadened allowed foods	Standard food storage practices
POPULATION	296,312	240,853	761,209

## State context — Georgia cottage food law

Clayton 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.

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<p><b>STATUTE</b> O.C.G.A. §26-2-470 et seq. (eff. July 2025); prior: GA R&amp;R 40-7-19</p>	<p><b>ANNUAL SALES CAP</b> —</p>
<p><b>REGISTRATION REQUIRED</b> No</p>	<p><b>FOOD HANDLER CERT</b> Yes (specific course)</p>
<p><b>KITCHEN INSPECTION</b> Upon-complaint</p>	<p><b>DIRECT SALES ONLY</b> No</p>
<p><b>INDIRECT SALES</b> 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.</p>	

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

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### 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/>

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## Questions?

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

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

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