

COTTAGE FOOD LAW REPORT

Elbert County

Georgia · Elberton · FIPS 13105 · Population 20,152 · Crosodo Index #2768*

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: ELBERT COUNTY

CROSODO INDEX #2768* · FIPS 13105 · Elberton

Elbert County

Population 20,152 · 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 (Georgia HB 398 (eff. July 1, 2025) dramatically expanded cottage food rules. No license or fee required. Complaint-based inspections only. Interstate sales now allowed. Wholesale, retail, online, and restaurant sales permitted. Food handler certification (specific course) required. Must label 'NOT MADE IN A STATE-INSPECTED FACILITY.' Under HB 398, counties may opt out of allowing third-party vendor sales but cannot otherwise directly regulate cottage food operators.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific state prohibition, but pets should be excluded from food prep areas per good manufacturing practices.

HOME OCCUPATION PERMIT?

Varies (No county-specific cottage food overlay found. Elbert County may require a business license for commercial activity. Home occupation rules vary by zoning district under Elbert County's zoning ordinance.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

Upon-complaint (GDA may inspect upon consumer complaint or reported foodborne illness.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Georgia HB 398 (eff. July 1, 2025) dramatically expanded cottage food rules. No license or fee required. Complaint-based inspections only. Interstate sales now allowed. Wholesale, retail, online, and restaurant sales permitted. Food handler certification (specific course) required. Must label 'NOT MADE IN A STATE-INSPECTED FACILITY.' Under HB 398, counties may opt out of allowing third-party vendor sales but cannot otherwise directly regulate cottage food operators.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No specific state prohibition, but pets should be excluded from food prep areas per good manufacturing practices.
WATER SUPPLY	Private water supply (well) requires annual coliform bacteria testing per state rules.
HANDWASHING	Adequate handwashing required per GDA cottage food guidelines.
FOOD STORAGE	All cottage food products must be stored to prevent contamination; non-TCS foods only.

Inspection & permitting

INSPECTION REQUIRED	Upon-complaint — GDA may inspect upon consumer complaint or reported foodborne illness.
HOME OCCUPATION PERMIT	Varies — No county-specific cottage food overlay found. Elbert County may require a business license for commercial activity. Home occupation rules vary by zoning district under Elbert County's zoning ordinance.
LOCAL BUSINESS LICENSE	Yes

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Under HB 398, sales permitted via wholesale, retail, online, and direct. Delivery allowed. No geographic sales restriction within Georgia; interstate sales now permitted.
MAX EMPLOYEES IN HOME	Not specified by state law; local home occupation rules may limit non-resident employees.

Relevant county code

Elbert County Zoning Ordinance (home occupation provisions); Elbert County Code of Ordinances

RESEARCH NOTES

Pattern county — no county-specific cottage food rules found. State baseline (GA HB 398, eff. July 1, 2025) governs. Georgia’s 2025 law significantly expanded cottage food rights. Under HB 398, cities/ counties may opt out of third-party vendor sales via ordinance but cannot impose broader cottage food regulations. Local business licensing and zoning still apply. No Elbert County-specific cottage food code identified in research.

SOURCES VERIFIED AT RESEARCH TIME

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

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

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

State context — Georgia cottage food law

Elbert 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.

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

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

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