

COTTAGE FOOD LAW REPORT

Fayette County

Georgia · Fayetteville · FIPS 13113 · Population 119,259 ·
Crosodo Index #2689*

STATE BASELINE

O.C.G.A. §26-2-470 et seq. (eff. July 1, 2025, HB 398); no sales cap; no license required;
complaint-based inspection; broad food list; interstate sales now 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: FAYETTE COUNTY

CROSODO INDEX #2689* · FIPS 13113 · Fayetteville

Fayette County

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MEDIUM

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Georgia HB 398 (eff. July 1, 2025) dramatically expanded cottage food law. No license or fee required. Complaint-based inspections only. Interstate sales now allowed. Fayette County (Atlanta suburb) follows state baseline.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Annual coliform testing required if using private well water.

HOME OCCUPATION PERMIT?

Varies (No specific Fayette County home occupation permit requirements found for cottage food. Georgia HB 398 eliminated prior GDA license requirement. Fayette County zoning may require home occupation permits for home-based businesses. Contact Fayette County Planning and Zoning or Fayetteville city planning.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

Upon-complaint (Complaint-based only per Georgia HB 398. No routine inspections.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Georgia HB 398 (eff. July 1, 2025) dramatically expanded cottage food law. No license or fee required. Complaint-based inspections only. Interstate sales now allowed. Fayette County (Atlanta suburb) follows state baseline.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	Annual coliform testing required if using private well water.
WATER SUPPLY	Annual coliform testing required if using private well water. Public water: standard requirements.
HANDWASHING	No mandatory specific course requirement under HB 398 no-license pathway.
FOOD STORAGE	Non-potentially hazardous shelf-stable products. No perishable baked goods, fruit butters, low-acid canned foods, or meat jerkies.

Inspection & permitting

INSPECTION REQUIRED	Upon-complaint — Complaint-based only per Georgia HB 398. No routine inspections.
HOME OCCUPATION PERMIT	Varies — No specific Fayette County home occupation permit requirements found for cottage food. Georgia HB 398 eliminated prior GDA license requirement. Fayette County zoning may require home occupation permits for home-based businesses. Contact Fayette County Planning and Zoning or Fayetteville city planning.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Georgia HB 398 allows wholesale/retail/online/restaurant sales and interstate sales. No sales cap.
MAX EMPLOYEES IN HOME	No specific state limit; local zoning may apply.

Relevant county code

O.C.G.A. §26-2-470 et seq.

RESEARCH NOTES

Georgia HB 398 (eff. July 1, 2025) dramatically expanded cottage food law. The input state_tier 'Okay' reflects pre-July 2025 law. Fayette County is a wealthy Atlanta suburb. No county-specific URLs provided. Confidence medium.

SOURCES VERIFIED AT RESEARCH TIME

<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/fayette-county-discuss>

State context — Georgia cottage food law

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

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