

COTTAGE FOOD LAW REPORT

Upson County

Georgia · Thomaston · FIPS 13293 · Population 26,834 ·
Crosodo Index #2230*

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: UPSON COUNTY

CROSODO INDEX #2230* · FIPS 13293 · Thomaston

Upson County

Population 26,834 · 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 (effective July 1, 2025): no license or fee required, complaint-based inspections only, interstate sales allowed, all sales channels permitted. Food handler certification required. Private water source requires annual coliform testing.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No explicit pet restriction in Georgia HB 398 cottage food law.

HOME OCCUPATION PERMIT?

Conditional (Upson County is in unincorporated Georgia. Georgia HB 398 removed state licensing requirements effective July 1, 2025, but local zoning and home occupation rules may still apply. Check with Upson County Planning/Zoning for home occupation permit requirements.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

Upon-complaint (Complaint-based only under Georgia HB 398 (eff. July 2025). No routine or pre-operational inspections.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Georgia HB 398 (effective July 1, 2025): no license or fee required, complaint-based inspections only, interstate sales allowed, all sales channels permitted. Food handler certification required. Private water source requires annual coliform testing.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No explicit pet restriction in Georgia HB 398 cottage food law.
WATER SUPPLY	Private water source requires annual coliform testing.
HANDWASHING	Food handler certification required, covering handwashing and hygiene.
FOOD STORAGE	Non-TCS foods only. Standard GMP storage.

Inspection & permitting

INSPECTION REQUIRED	Upon-complaint — Complaint-based only under Georgia HB 398 (eff. July 2025). No routine or pre-operational inspections.
HOME OCCUPATION PERMIT	Conditional — Upson County is in unincorporated Georgia. Georgia HB 398 removed state licensing requirements effective July 1, 2025, but local zoning and home occupation rules may still apply. Check with Upson County Planning/Zoning for home occupation permit requirements.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Georgia HB 398 allows all sales channels including direct from home, online, through retailers, restaurants, wholesalers, and interstate sales.
MAX EMPLOYEES IN HOME	No explicit employee cap in Georgia HB 398. Home occupation zoning may restrict non-resident employees.

Relevant county code

O.C.G.A. §26-2-470 et seq. (HB 398, eff. July 2025)

RESEARCH NOTES

Georgia state baseline applies with July 2025 HB 398 expansion. Mid-size county. Thomaston is county seat. No county-specific cottage food overrides documented.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.upsoncountyga.org>

<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/upson-county-discuss>

State context — Georgia cottage food law

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

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