

COTTAGE FOOD LAW REPORT

Clayton County

Iowa · Elkader · FIPS 19043 · Population 17,549 · Crosodo Index #497*

STATE BASELINE

Iowa Code §137F.1 / §137F.20

STATE TIER

Good

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.

IOWA: CLAYTON COUNTY

CROSODO INDEX #497* · FIPS 19043 · Elkader

Clayton County

Population 17,549 · State baseline: Iowa Code §137F.1 / §137F.20 · **MEDIUM****QUICK VIEW FOR BAKERS IN THIS COUNTY****HOME KITCHEN ALLOWED?**

Yes (No license, registration, or inspection required under Iowa cottage food exemption (Iowa Code §137F.20). Allowed non-TCS foods include baked goods, candies, condiments, dried goods, pastries, preserves, and snacks. Acidified foods (pickles, salsas) allowed if each batch is pH-tested ($\text{pH} \leq 4.6$) or water-activity tested ($A_w \leq 0.85$) with production date labeled. Iowa Code §137F.20(1) expressly preempts local governments from adding restrictions beyond state law.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No state or county-specific rule found; good practice is to exclude pets from food prep areas.

HOME OCCUPATION PERMIT?

Conditional (Iowa rural county zoning ordinances typically require a home occupation permit or conditional use approval for home-based businesses in unincorporated areas. Business must be incidental to residential use with no exterior evidence of commercial activity and limited customer traffic. Iowa Code §137F.20(1) preempts food-specific restrictions; Iowa Code §414.33 preempts city-level home business restrictions. County zoning governs unincorporated areas.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (No routine inspection. Iowa DIAL (Dept. of Inspections, Appeals, and Licensing) may investigate upon complaint of foodborne illness.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — No license, registration, or inspection required under Iowa cottage food exemption (Iowa Code §137F.20). Allowed non-TCS foods include baked goods, candies, condiments, dried goods, pastries, preserves, and snacks. Acidified foods (pickles, salsas) allowed if each batch is pH-tested ($\text{pH} \leq 4.6$) or water-activity tested ($A_w \leq 0.85$) with production date labeled. Iowa Code §137F.20(1) expressly preempts local governments from adding restrictions beyond state law.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No state or county-specific rule found; good practice is to exclude pets from food prep areas.
WATER SUPPLY	No specific private water testing required under Iowa cottage food law.
HANDWASHING	Standard handwashing practices expected; no formal county requirement beyond state food safety guidance.
FOOD STORAGE	Cottage food products must be stored to prevent contamination; TCS foods not permitted under the cottage food exemption.

Inspection & permitting

INSPECTION REQUIRED	No — No routine inspection. Iowa DIAL (Dept. of Inspections, Appeals, and Licensing) may investigate upon complaint of foodborne illness.
HOME OCCUPATION PERMIT	Conditional — Iowa rural county zoning ordinances typically require a home occupation permit or conditional use approval for home-based businesses in unincorporated areas. Business must be incidental to residential use with no exterior evidence of commercial activity and limited customer traffic. Iowa Code §137F.20(1) preempts food-specific restrictions; Iowa Code §414.33 preempts city-level home business restrictions. County zoning governs unincorporated areas.
LOCAL BUSINESS LICENSE	No

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct-to-consumer sales only under the cottage food exemption. Customers may pick up at home, or operator may sell at farmers markets, roadside stands, or events. No wholesale or retail indirect sales under the cottage food exemption (separate HFPE license required for indirect sales).
MAX EMPLOYEES IN HOME	No specific limit under Iowa cottage food law; county home occupation rules may limit non-resident employees.

Relevant county code

Iowa Code §137F.20 (state preemption of local cottage food restrictions); county zoning ordinance home occupation provisions

RESEARCH NOTES

Iowa state baseline applies. Iowa Code §137F.20 expressly preempts local governments from restricting cottage food operations beyond state law. No Clayton County-specific cottage food ordinance found. County zoning may require a home occupation permit for the business aspect but cannot add food safety restrictions beyond state law. Iowa DIAL reorganized in 2023 but cottage food rules unchanged. Medium confidence — county zoning ordinance text not directly retrieved.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.co.clayton.ia.us>

<https://www.legis.iowa.gov/docs/code/137F.pdf>

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

Bordering counties — cottage food law

Regulation	Clayton County	Allamakee County	Buchanan County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No state or county-specific rule found; good practice is to exclude pets from food prep areas.	No state or county-specific rule found; good practice is to exclude pets from food prep areas.	No state or county-specific rule found; good practice is to exclude pets from food prep areas.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Direct-to-consumer sales only under the cottage food exemption. Customers may pick up at home, or operator may sell at farmers markets, roa...	Direct-to-consumer sales only under the cottage food exemption. Customers may pick up at home, or operator may sell at farmers markets, roa...	Direct-to-consumer sales only under the cottage food exemption. Customers may pick up at home, or operator may sell at farmers markets, roa...
HOME OCCUPATION PERMIT	Conditional	Conditional	Conditional
LOCAL BUSINESS LICENSE	No	No	No
RESTRICTIONS	No license, registration, or inspection required under Iowa cottage food exemption (Iowa Code §137F.20). Allowed non-TCS foods include bake...	No license, registration, or inspection required under Iowa cottage food exemption (Iowa Code §137F.20). Allowed non-TCS foods include bake...	No license, registration, or inspection required under Iowa cottage food exemption (Iowa Code §137F.20). Allowed non-TCS foods include bake...
FOOD STORAGE	Cottage food products must be stored to prevent contamination; TCS foods not permitted under the cottage food exemption.	Cottage food products must be stored to prevent contamination; TCS foods not permitted under the cottage food exemption.	Cottage food products must be stored to prevent contamination; TCS foods not permitted under the cottage food exemption.
POPULATION	17,549	13,687	21,099

State context — Iowa cottage food law

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

STATUTE	ANNUAL SALES CAP
Iowa Code §137F.1 / §137F.20	—
REGISTRATION REQUIRED	FOOD HANDLER CERT
No	No
KITCHEN INSPECTION	DIRECT SALES ONLY
No	Yes
INDIRECT SALES	
Limited (see notes) — Cottage food direct-to-consumer sales only; however, a separate Home Food Processing Establishment (HFPE) license allows indirect retail and wholesale sales of almost any food including perishables.	

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

STATE-LEVEL REFERENCES

State statute: <https://www.legis.iowa.gov/docs/code/137F.pdf>

State dept cottage food page: <https://dia.iowa.gov/food-safety/home-food-establishment>

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

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/iowa/clayton-county-discuss>
