

COTTAGE FOOD LAW REPORT

Breathitt County

Kentucky · Jackson · FIPS 21025 · Population 12,630 ·
Crosodo Index #1274*

STATE BASELINE	STATE TIER	ANNUAL SALES CAP (STATE)	CONFIDENCE	LAST VERIFIED
KRS §217.136	Okay	60000	MEDIUM	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.

KENTUCKY: BREATHITT COUNTY

CROSODO INDEX #1274* · FIPS 21025 · Jackson

Breathitt County

Population 12,630 · State baseline: KRS §217.136 · **MEDIUM****QUICK VIEW FOR BAKERS IN THIS COUNTY****HOME KITCHEN ALLOWED?**

Yes (Kentucky home-based processor law (KRS §217.136) allows direct-to-consumer sales of non-TCS foods from a home kitchen. Registration with CHFS is required (\$50/year). Annual sales cap of \$60,000. Direct sales only — farmers markets, farm stands, home pickup, and events permitted. No more than two non-commercial ranges/ovens and three refrigerators permitted.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific pet restriction in state statute, but good manufacturing practices expected.

HOME OCCUPATION PERMIT?

No (Breathitt County is a small rural eastern Kentucky county in the Appalachian Mountains. No county-specific cottage food or home occupation ordinance beyond the state registration requirement was identified. CHFS registration (\$50/year) is the primary permit requirement.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

Upon-complaint (No routine inspection; complaint-driven only per state baseline.)

Home kitchen rules**HOME KITCHEN ALLOWED**

Yes — Kentucky home-based processor law (KRS §217.136) allows direct-to-consumer sales of non-TCS foods from a home kitchen. Registration with CHFS is required (\$50/year). Annual sales cap of \$60,000. Direct sales only — farmers markets, farm stands, home pickup, and events permitted. No more than two non-commercial ranges/ovens and three refrigerators permitted.

SEPARATE DEDICATED KITCHEN

No

PET RESTRICTIONS

No specific pet restriction in state statute, but good manufacturing practices expected.

WATER SUPPLY

No specific state cottage food water testing requirement.

HANDWASHING

No specific state handwashing mandate beyond general food safety practices.

FOOD STORAGE

Non-TCS shelf-stable foods only. No more than three refrigerators for storage.

Inspection & permitting**INSPECTION REQUIRED**

Upon-complaint — No routine inspection; complaint-driven only per state baseline.

HOME OCCUPATION PERMIT

No — Breathitt County is a small rural eastern Kentucky county in the Appalachian Mountains. No county-specific cottage food or home occupation ordinance beyond the state registration requirement was identified. CHFS registration (\$50/year) is the primary permit requirement.

LOCAL BUSINESS LICENSE

Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Yes
DELIVERY / PICKUP RULES	Direct sales only. Sales at farmers markets, farm stands, events, and home pickup permitted. No wholesale, retail stores, or internet-based indirect sales.
MAX EMPLOYEES IN HOME	Not specified; commercial equipment and separate commercial kitchen prohibited.

Relevant county code

No specific Breathitt County cottage food ordinance identified.

RESEARCH NOTES

Breathitt County is a small rural eastern Kentucky county in the Appalachian region (pop. ~12,630). No county-specific cottage food ordinance was found. Defaulting to Kentucky state baseline.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.breathittcounty.gov>

<https://chfs.ky.gov/agencies/dph/dphps/fsb/Pages/homebasedprocessing.aspx>

<https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=48558>

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

Bordering counties — cottage food law

Regulation	Breathitt County	Knott County	Lee County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No specific pet restriction in state statute, but good manufacturing practices expected.	Pets and children must be excluded from the kitchen during food production per KRS §217.136 and associated regulations.	Pets and children must be excluded from the kitchen during food production per KRS §217.136 and associated regulations.
INSPECTION REQUIRED	Upon-complaint	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Yes	Conditional	Conditional
DELIVERY / PICKUP	Direct sales only. Sales at farmers markets, farm stands, events, and home pickup permitted. No wholesale, retail stores, or internet-based...	Direct-to-consumer only. Permitted venues: home (on-premises pickup), farmers markets, certified roadside stands, community events, fairs, ...	Direct-to-consumer only. Permitted venues: home (on-premises pickup), farmers markets, certified roadside stands, community events, fairs, ...
HOME OCCUPATION PERMIT	No	Varies	Varies
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Kentucky home-based processor law (KRS §217.136) allows direct-to-consumer sales of non-TCS foods from a home kitchen. Registration with CH...	Kentucky Home-Based Processor (HBP) law (KRS §217.136) allows production and direct sale of non-TCS shelf-stable foods from a primary resid...	Kentucky Home-Based Processor (HBP) law (KRS §217.136) allows production and direct sale of non-TCS shelf-stable foods from a primary resid...
FOOD STORAGE	Non-TCS shelf-stable foods only. No more than three refrigerators for storage.	Non-TCS (non-potentially hazardous), shelf-stable foods only. No commercial refrigerators permitted beyond household limits (up to three st...	Non-TCS (non-potentially hazardous), shelf-stable foods only. No commercial refrigerators permitted beyond household limits (up to three st...
POPULATION	12,630	14,282	7,338

State context — Kentucky cottage food law

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

STATUTE	ANNUAL SALES CAP
KRS §217.137	60000
REGISTRATION REQUIRED	FOOD HANDLER CERT
Yes	No
KITCHEN INSPECTION	DIRECT SALES ONLY
Upon-complaint	Yes
INDIRECT SALES	
No — Sales limited to direct-to-consumer only within Kentucky — from home (pickup or delivery), markets, roadside stands, community events, and online; shipping outside Kentucky is prohibited, and sales to restaurants or retail stores for resale are not allowed.	

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

STATE-LEVEL REFERENCES

State statute: <https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=44478>

State dept cottage food page: <https://www.chfs.ky.gov/agencies/dph/dphps/fsb/Pages/cottage-foods.aspx>

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

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

<https://crosodo.com/nb/kentucky/breathitt-county-discuss>

Classifieds

Resources for cottage food & home bakers · crosodo.com/advertise

NATIONAL

SUPPLIES

Advertise here — Supplies

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Advertise here — Insurance

Reach home bakers across the country. crosodo.com/advertise

LOCAL

Advertise here

Reach home bakers in Breathitt County, Kentucky. Supply stores, farmers markets, kitchen rentals, and bakery services welcome.

crosodo.com/advertise

Your business here

Local cottage food listings, kitchen rentals, co-packer referrals, and community events — post yours free on the Crosodo Forum.

crosodo.com/nb/kentucky/breathitt-county-discuss

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