

## COTTAGE FOOD LAW REPORT

# Letcher County

Kentucky · Whitesburg · FIPS 21133 · Population 20,139 ·  
Crosodo Index #2036\*

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: LETCHER COUNTY

CROSODO INDEX #2036\* · FIPS 21133 · Whitesburg

# Letcher County

Population 20,139 · State baseline: KRS §217.136 · **MEDIUM**

### QUICK VIEW FOR BAKERS IN THIS COUNTY

**HOME KITCHEN ALLOWED?**

Yes (Kentucky Home-Based Processor (HBP) law (KRS §217.136) allows production and direct sale of non-TCS shelf-stable foods from a primary residence. Annual registration required (\$50/year, form DFS-250). \$60,000 annual gross sales cap. Direct-to-consumer sales only (home, farmers markets, community events, roadside stands, delivery). No kitchen inspection required. No commercial equipment allowed. No domestic activity during food production. Labeling must include processor name/address, product name, ingredients, net weight, date processed, and statement 'This product is home-produced and processed.' (10-point type).)

**SEPARATE KITCHEN REQUIRED?**

No

**PETS ALLOWED?**

Pets and children must be excluded from the kitchen during food production per KRS §217.136 and associated regulations.

**HOME OCCUPATION PERMIT?**

Varies (No county-specific home occupation ordinance identified for Letcher County. State law requires annual \$50 registration with CHFS Food Safety Branch (form DFS-250) before selling. Operators should contact the Letcher County planning/zoning office and county judge-executive to confirm whether a local home occupation permit or business license is also required.)

**ON-SITE / PORCH PICKUP?**

Yes

**INSPECTION REQUIRED?**

No (Cabinet for Health and Family Services may inspect annually at discretion, or upon complaint/mislabeling report. No routine pre-approval inspection required.)

### Home kitchen rules

<b>HOME KITCHEN ALLOWED</b>	Yes — Kentucky Home-Based Processor (HBP) law (KRS §217.136) allows production and direct sale of non-TCS shelf-stable foods from a primary residence. Annual registration required (\$50/year, form DFS-250). \$60,000 annual gross sales cap. Direct-to-consumer sales only (home, farmers markets, community events, roadside stands, delivery). No kitchen inspection required. No commercial equipment allowed. No domestic activity during food production. Labeling must include processor name/address, product name, ingredients, net weight, date processed, and statement 'This product is home-produced and processed.' (10-point type).
<b>SEPARATE DEDICATED KITCHEN</b>	No
<b>PET RESTRICTIONS</b>	Pets and children must be excluded from the kitchen during food production per KRS §217.136 and associated regulations.
<b>WATER SUPPLY</b>	No specific water testing requirement under KRS §217.136; standard residential water supply assumed.
<b>HANDWASHING</b>	Standard food safety handwashing practices expected; no specific statutory mandate beyond general food safety. Candy must not be touched with bare hands — gloves or utensils required.
<b>FOOD STORAGE</b>	Non-TCS (non-potentially hazardous), shelf-stable foods only. No commercial refrigerators permitted beyond household limits (up to three standard residential refrigerators allowed). No commercial equipment.

### Inspection & permitting

<b>INSPECTION REQUIRED</b>	No — Cabinet for Health and Family Services may inspect annually at discretion, or upon complaint/mislabeling report. No routine pre-approval inspection required.
<b>HOME OCCUPATION PERMIT</b>	Varies — No county-specific home occupation ordinance identified for Letcher County. State law requires annual \$50 registration with CHFS Food Safety Branch (form DFS-250) before selling. Operators should contact the Letcher County planning/zoning office and county judge-executive to confirm whether a local home occupation permit or business license is also required.
<b>LOCAL BUSINESS LICENSE</b>	Varies

### Customer-facing rules

<b>ON-SITE CUSTOMER PICKUP</b>	Yes
<b>ON-SITE SIGNAGE</b>	Conditional
<b>DELIVERY / PICKUP RULES</b>	Direct-to-consumer only. Permitted venues: home (on-premises pickup), farmers markets, certified roadside stands, community events, fairs, festivals, and personal delivery within Kentucky. Online orders allowed if fulfilled by in-state pickup or personal delivery. No wholesale to restaurants or retail stores. No mail/common-carrier shipping.
<b>MAX EMPLOYEES IN HOME</b>	No paid outside employees; family members living in the household may assist. (KRS §217.136 does not authorize hired employees.)

### Relevant county code

No county-specific cottage food or home occupation ordinance identified for Letcher County. State law (KRS §217.136) governs. Local zoning may apply — contact county planning office.

#### RESEARCH NOTES

No county-specific zoning ordinance or cottage food regulation identified for Letcher County in 1-2 targeted searches. Record defaults to Kentucky state baseline (KRS §217.136). Key state rules: \$60,000 annual sales cap; \$50/year registration fee (form DFS-250) with CHFS Food Safety Branch; no kitchen inspection; direct-to-consumer only; no commercial equipment; pets/children excluded during production. Home-based microprocessor (HBM) pathway (KRS §217.137) available for farmers selling acidified/canned foods with additional UK workshop and recipe-approval requirements. Local zoning requirements for home occupation permits should be verified with county planning office.

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#### SOURCES VERIFIED AT RESEARCH TIME

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

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

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

## State context — Kentucky cottage food law

Letcher 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.

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<p><b>STATUTE</b> KRS §217.137</p> <p><b>REGISTRATION REQUIRED</b> Yes</p> <p><b>KITCHEN INSPECTION</b> Upon-complaint</p> <p><b>INDIRECT SALES</b> 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.</p>	<p><b>ANNUAL SALES CAP</b> 60000</p> <p><b>FOOD HANDLER CERT</b> No</p> <p><b>DIRECT SALES ONLY</b> Yes</p>
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For the full state-level analysis including the verbatim statute text, see the [Kentucky cottage food law report](#).

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### 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/>

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## Questions?

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

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

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