

## COTTAGE FOOD LAW REPORT

# McCreary County

Kentucky · Whitley City · FIPS 21147 · Population 16,824 ·  
Crosodo Index #2047\*

| 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.

## How to start — 60-second path

McCreary County, Kentucky — permit, pickup, and label steps before the full county rules.

### HOME KITCHEN ALLOWED?

**Yes**

### STATE SALES CAP

**60000**

### HOME OCCUPATION PERMIT?

**Varies**

### ON-SITE / PORCH PICKUP?

**Yes**

### INSPECTION

**No**

### PETS

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

### BEFORE YOU SELL FROM THIS ADDRESS

- ☐ **1. Menu** — Confirm each product under Kentucky cottage food rules (county cannot expand a state ban).
- ☐ **2. Pickup & zoning** — Home occupation and porch pickup cells above; HOA/lease may still block customer traffic.
- ☐ **3. Local tax / license** — Business license or sales tax certificate if your city/parish requires it (common even with no state food permit).
- ☐ **4. Training** — Food handler or state registration before market day.
- ☐ **5. Labels** — Disclaimer, allergens, ingredients, net quantity, producer info.
- ☐ **6. Call if unclear** — County health and planning for your exact address.

### LABEL FIELDS TO INCLUDE

- ☐ Product name · producer name · address (or allowed alternative)
- ☐ Ingredients by weight · major allergens · net weight/quantity
- ☐ Kentucky home-kitchen disclaimer (see live label one-pager)

### CONTINUE ONLINE

[Open the live county page →](#)

[Kentucky label one-pager →](#)

[Local notes & questions →](#)

Planning path only — not legal advice. Rules change. Always verify with state and local offices before selling.

KENTUCKY: MCCREARY COUNTY

CROSODO INDEX #2047\* · FIPS 21147 · Whitley City

McCreary County

Population 16,824 · 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 McCreary County. State law requires annual \$50 registration with CHFS Food Safety Branch (form DFS-250) before selling. Operators should contact the McCreary 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

|                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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 DEDICATED KITCHEN | No                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| PET RESTRICTIONS           | Pets and children must be excluded from the kitchen during food production per KRS §217.136 and associated regulations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| WATER SUPPLY               | No specific water testing requirement under KRS §217.136; standard residential water supply assumed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| HANDWASHING                | 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| FOOD STORAGE               | 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

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

## Customer-facing rules

|                         |                                                                                                                                                                                                                                                                                                                                                         |
|-------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ON-SITE CUSTOMER PICKUP | Yes                                                                                                                                                                                                                                                                                                                                                     |
| ON-SITE SIGNAGE         | Conditional                                                                                                                                                                                                                                                                                                                                             |
| DELIVERY / PICKUP RULES | 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. |
| MAX EMPLOYEES IN HOME   | 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 McCreary 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 McCreary 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.

### SOURCES VERIFIED AT RESEARCH TIME

<https://www.mccrearycounty.gov>

<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 about this county?** Local notes and a place to leave a question: [crosodo.com/nb/kentucky/mccreary-county-discuss](https://crosodo.com/nb/kentucky/mccreary-county-discuss)

## Bordering counties — cottage food law

| Regulation                 | McCreary County                                                                                                                                | Wayne County                                                                                                                                     | Whitley County                                                                                                                                   |
|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| HOME KITCHEN ALLOWED       | Yes                                                                                                                                            | Yes                                                                                                                                              | Yes                                                                                                                                              |
| SEPARATE DEDICATED KITCHEN | No                                                                                                                                             | No                                                                                                                                               | No                                                                                                                                               |
| PETS ALLOWED               | Pets and children must be excluded from the kitchen during food production per KRS §217.136 and associated regulations.                        | Not specified in state law                                                                                                                       | Not specified in state law                                                                                                                       |
| INSPECTION REQUIRED        | No                                                                                                                                             | Upon-complaint                                                                                                                                   | Upon-complaint                                                                                                                                   |
| ON-SITE CUSTOMER PICKUP    | Yes                                                                                                                                            | Yes                                                                                                                                              | Yes                                                                                                                                              |
| ON-SITE SIGNAGE            | Conditional                                                                                                                                    | Conditional                                                                                                                                      | Conditional                                                                                                                                      |
| DELIVERY / PICKUP          | Direct-to-consumer only. Permitted venues: home (on-premises pickup), farmers markets, certified roadside stands, community events, fairs, ... | Direct-to-consumer only within KY; farmers markets, roadside stands, fairs, festivals, community events, online orders (in-state); home pic...   | Direct-to-consumer only within KY; farmers markets, roadside stands, fairs, festivals, community events, online orders (in-state); home pic...   |
| HOME OCCUPATION PERMIT     | Varies                                                                                                                                         | Varies                                                                                                                                           | Varies                                                                                                                                           |
| LOCAL BUSINESS LICENSE     | Varies                                                                                                                                         | Varies                                                                                                                                           | Varies                                                                                                                                           |
| RESTRICTIONS               | Kentucky Home-Based Processor (HBP) law (KRS §217.136) allows production and direct sale of non-TCS shelf-stable foods from a primary resid... | Annual sales cap \$60,000. Registration required with KY Dept of Public Health (\$50/year). No food handler cert required. Inspection upon co... | Annual sales cap \$60,000. Registration required with KY Dept of Public Health (\$50/year). No food handler cert required. Inspection upon co... |
| FOOD STORAGE               | Non-TCS (non-potentially hazardous), shelf-stable foods only. No commercial refrigerators permitted beyond household limits (up to three st... | Appropriate storage for non-TCS products                                                                                                         | Appropriate storage for non-TCS products                                                                                                         |
| POPULATION                 | 16,892                                                                                                                                         | 19,666                                                                                                                                           | 36,648                                                                                                                                           |

## State context — Kentucky cottage food law

McCreary 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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|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 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. |                   |

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For the full state-level analysis including the verbatim statute text, see the **Kentucky cottage food law report** on Crosodo, or open the live guide: [crosodo.com/states/kentucky](https://crosodo.com/states/kentucky).

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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 about McCreary County?** Local notes and a place to leave a question are on Crosodo. We monitor new threads — start with zoning, permits, or porch pickup.

[crosodo.com/nb/kentucky/mccreary-county-discuss](https://crosodo.com/nb/kentucky/mccreary-county-discuss)

## Classifieds

Resources for cottage food & home bakers · [crosodo.com/advertise](https://crosodo.com/advertise)

### NATIONAL

#### SUPPLIES

##### Advertise here — Supplies

Reach home bakers across the country. [crosodo.com/advertise](https://crosodo.com/advertise)

#### COURSES

##### Advertise here — Courses

Reach home bakers across the country. [crosodo.com/advertise](https://crosodo.com/advertise)

#### INSURANCE

##### Advertise here — Insurance

Reach home bakers across the country. [crosodo.com/advertise](https://crosodo.com/advertise)

### LOCAL

#### Advertise here

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

[crosodo.com/advertise](https://crosodo.com/advertise)

#### Your business here

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

[crosodo.com/nb/kentucky/mccreary-county-discuss](https://crosodo.com/nb/kentucky/mccreary-county-discuss)

#### Free ad space available

Let us know if you're a non-profit or community organization. Farmers markets, kitchen rentals, and cottage food events near you welcome.

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