

COTTAGE FOOD LAW REPORT

Smith County

Mississippi · Raleigh · FIPS 28129 · Population 14,051 ·
Crosodo Index #2334*

STATE BASELINE

Miss. Code Ann. §75-29-951

STATE TIER

Good

ANNUAL SALES CAP (STATE)

35000

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.

MISSISSIPPI: SMITH COUNTY

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Smith County

Population 14,051 · State baseline: Miss. Code Ann. §75-29-951 · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Mississippi Cottage Food Law (Miss. Code Ann. §75-29-951) allows sale of non-potentially hazardous foods prepared in a private home kitchen. Annual gross sales cap: \$35,000. No permit, license, or food safety training required by state. Direct sales only (in-person from home, farmers markets, roadside stands, events). No internet, mail-order, or wholesale/retail establishment sales. Sales limited to within Mississippi. Products must be labeled with producer name/address, product name/ingredients, net weight, allergen info, and statement that the product was made in a cottage food operation.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific pet restriction in state cottage food law.

HOME OCCUPATION PERMIT?

Varies (No state-level permit is required for cottage food operations under Miss. Code Ann. §75-29-951. However, Smith County (unincorporated areas) may require a local business license or permit — producers should contact the Smith County chancery clerk or board of supervisors to determine if a business license is required. Incorporated municipalities within the county may have additional zoning or business license requirements.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

Upon-complaint (MSDH has authority to investigate upon complaint of unsafe food or violation of Miss. Code Ann. §75-29-951. No routine scheduled inspections.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Mississippi Cottage Food Law (Miss. Code Ann. §75-29-951) allows sale of non-potentially hazardous foods prepared in a private home kitchen. Annual gross sales cap: \$35,000. No permit, license, or food safety training required by state. Direct sales only (in-person from home, farmers markets, roadside stands, events). No internet, mail-order, or wholesale/retail establishment sales. Sales limited to within Mississippi. Products must be labeled with producer name/address, product name/ingredients, net weight, allergen info, and statement that the product was made in a cottage food operation.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No specific pet restriction in state cottage food law.
WATER SUPPLY	No specific state cottage food water testing requirement.
HANDWASHING	No specific state cottage food handwashing mandate beyond general safe food handling per MSDH guidance.
FOOD STORAGE	Non-potentially hazardous, shelf-stable foods only. Must be stored in private home (kitchen or attached rooms used exclusively for storage) following FDA Retail Food Code guidelines to prevent adulteration.

Inspection & permitting

INSPECTION REQUIRED	Upon-complaint — MSDH has authority to investigate upon complaint of unsafe food or violation of Miss. Code Ann. §75-29-951. No routine scheduled inspections.
HOME OCCUPATION PERMIT	Varies — No state-level permit is required for cottage food operations under Miss. Code Ann. §75-29-951. However, Smith County (unincorporated areas) may require a local business license or permit — producers should contact the Smith County chancery clerk or board of supervisors to determine if a business license is required. Incorporated municipalities within the county may have additional zoning or business license requirements.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct sales only. In-person sales from home, farmers markets, roadside stands, fairs, and events are permitted. No internet/mail-order sales. No wholesale or retail establishment sales. Sales must occur within Mississippi only.
MAX EMPLOYEES IN HOME	Not specified in state statute. Products must be made by the cottage food operator in their private home kitchen.

Relevant county code

No county-specific cottage food ordinance identified for Smith County. State law (Miss. Code Ann. §75-29-951) governs statewide. County zoning for unincorporated areas may not exist or may be limited; verify with county planning office.

RESEARCH NOTES

Mississippi is a direct-sales-only state with a \$35,000 annual cap. The cottage food law is governed statewide; no county-specific cottage food ordinance was identified. Many rural Mississippi counties do not have county zoning ordinances for unincorporated areas — Mississippi law (Miss. Code Ann. §17-1-1 et seq.) requires a special legislative act for each county to enact zoning, and most low-population Delta/pine belt counties have not done so. Producers should verify with the county chancery clerk or planning/permitting office whether a business license is required. No county-specific home occupation zoning rules were found that add restrictions beyond state law for this county. Smith County is a predominantly rural Mississippi county. Allowed foods include baked goods (breads, cakes, cookies, pies, pastries), candy, chocolate-covered nonperishables, dried fruit, dried pasta, dried spices, dry baking mixes, granola/cereal/trail mixes, dry rubs, fruit pies, jams/jellies, and other non-PHF items. Prohibited: meat, fish, poultry, dairy (including custard pies), eggs (except air-dried hard-cooked with intact shell), cooked vegetables, raw seed sprouts, sliced melons, garlic/herbs in oil, cooked potatoes, legumes, beans, nut butters, fruit/vegetable juices, rice, low-acid canned foods, smoked fish, pasteurized/pre-cooked foods.

SOURCES VERIFIED AT RESEARCH TIME

<https://msdh.ms.gov/page/30,0,77,620.html>

<https://law.justia.com/codes/mississippi/title-75/chapter-29/article-21/section-75-29-951/>

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

State context — Mississippi cottage food law

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

STATUTE Miss. Code Ann. §75-29-951	ANNUAL SALES CAP 35000
REGISTRATION REQUIRED No	FOOD HANDLER CERT No
KITCHEN INSPECTION Upon-complaint	DIRECT SALES ONLY Yes
INDIRECT SALES No — Mississippi prohibits Internet sales, mail order, wholesale, and retail establishment sales. Cottage food products may only be sold through in-person direct-to-consumer channels including events, farmers markets, home sales, and roadside stands. Advertising on the Internet including social media is permitted even though sales through those channels are not.	

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

STATE-LEVEL REFERENCES

State statute: <https://law.justia.com/codes/mississippi/title-75/chapter-29/article-21/section-75-29-951/>

State dept cottage food page: <https://msdh.ms.gov/page/30,0,76.html>

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

Questions?

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

<https://crosodo.com/nb/mississippi/smith-county-discuss>
