

## COTTAGE FOOD LAW REPORT

# Avery County

North Carolina · Newland · FIPS 37011 · Population 18,289 ·  
Crosodo Index #2532\*

STATE BASELINE	STATE TIER	ANNUAL SALES CAP (STATE)	CONFIDENCE	LAST VERIFIED
02 NCAC 9C.0307	Good	—	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.

**NORTH CAROLINA: AVERY COUNTY**

CROSODO INDEX #2532\* · FIPS 37011 · Newland

# Avery County

Population 18,289 · State baseline: 02 NCAC 9C.0307 · **MEDIUM**

**QUICK VIEW FOR BAKERS IN THIS COUNTY**

**HOME KITCHEN ALLOWED?**

Yes (Home kitchen must pass annual inspection by NCDA&CS. Pets in the home disqualify the applicant entirely. Products must be shelf-stable; no refrigerated or frozen products allowed.)

**SEPARATE KITCHEN REQUIRED?**

No

**PETS ALLOWED?**

No pets allowed in the home at all — any pets in the home disqualify the applicant from the NC home processor program.

**HOME OCCUPATION PERMIT?**

Varies (NC state program requires checking with local county planning/zoning department before starting. Avery County is a high-elevation mountain county (Grandfather Mountain area). Zoning ordinance governs unincorporated areas. No Avery County-specific cottage food ordinances found via research.)

**ON-SITE / PORCH PICKUP?**

Yes

**INSPECTION REQUIRED?**

Yes (Annual inspection by NCDA&CS Division of Food and Drug Protection required before registration is issued and annually thereafter.)

**Home kitchen rules**

<b>HOME KITCHEN ALLOWED</b>	Yes — Home kitchen must pass annual inspection by NCDA&CS. Pets in the home disqualify the applicant entirely. Products must be shelf-stable; no refrigerated or frozen products allowed.
<b>SEPARATE DEDICATED KITCHEN</b>	No
<b>PET RESTRICTIONS</b>	No pets allowed in the home at all — any pets in the home disqualify the applicant from the NC home processor program.
<b>WATER SUPPLY</b>	Potable water supply required. Private well users must verify water safety.
<b>HANDWASHING</b>	Required per NCDA&CS home kitchen inspection standards and 21 CFR 117 Subpart B (GMP).
<b>FOOD STORAGE</b>	All products must be shelf-stable. No refrigeration required for finished products. Ingredients and products stored per good manufacturing practices.

**Inspection & permitting**

<b>INSPECTION REQUIRED</b>	Yes — Annual inspection by NCDA&CS Division of Food and Drug Protection required before registration is issued and annually thereafter.
<b>HOME OCCUPATION PERMIT</b>	Varies — NC state program requires checking with local county planning/zoning department before starting. Avery County is a high-elevation mountain county (Grandfather Mountain area). Zoning ordinance governs unincorporated areas. No Avery County-specific cottage food ordinances found via research.
<b>LOCAL BUSINESS LICENSE</b>	Varies

### Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct sales permitted at home, farmers markets, roadside stands, online, restaurants, and retail stores within North Carolina.
MAX EMPLOYEES IN HOME	Not specified; home processor program intended for small-scale individual operations.

### Relevant county code

Not identified; state law (02 NCAC 9C.0307) governs.

#### RESEARCH NOTES

NC Good-tier state. Annual inspection required; pets disqualify applicants. Local ordinances are NOT preempted by state law. No Avery County-specific cottage food ordinances found. Mountain county. State baseline applied.

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#### SOURCES VERIFIED AT RESEARCH TIME

<https://www.ncagr.gov/divisions/food-drug-protection/food-program/fdpd-food-program-home-processor>

<https://www.ncagr.gov/divisions/food-and-drug-protection/home-processor-inspections>

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

## Bordering counties — cottage food law

Regulation	Avery County	McDowell County	Mitchell County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No pets allowed in the home at all — any pets in the home disqualify the applicant from the NC home processor program.	No pets allowed in the home at all — presence of pet animals in the home disqualifies the applicant under GMP requirements (21 CFR 117 Subp...	No pets allowed in the home at all — presence of pet animals in the home disqualifies the applicant under GMP requirements (21 CFR 117 Subp...
INSPECTION REQUIRED	Yes	Yes	Yes
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Direct sales permitted at home, farmers markets, roadside stands, online, restaurants, and retail stores within North Carolina.	Sales permitted at farms, farm stands, farmers markets, craft fairs, home delivery, and online (within NC). Indirect sales to stores permit...	Sales permitted at farms, farm stands, farmers markets, craft fairs, home delivery, and online (within NC). Indirect sales to stores permit...
HOME OCCUPATION PERMIT	Varies	Varies	Varies
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Home kitchen must pass annual inspection by NCDA&CS. Pets in the home disqualify the applicant entirely. Products must be shelf-stable; no ...	NC state law requires annual home kitchen inspection by NCDA&CS. Pets in the home disqualify the applicant entirely. Shelf-stable, low-risk...	NC state law requires annual home kitchen inspection by NCDA&CS. Pets in the home disqualify the applicant entirely. Shelf-stable, low-risk...
FOOD STORAGE	All products must be shelf-stable. No refrigeration required for finished products. Ingredients and products stored per good manufacturing ...	Shelf-stable storage required; products must be non-refrigerated.	Shelf-stable storage required; products must be non-refrigerated.
POPULATION	18,289	45,593	15,042

## State context — North Carolina cottage food law

Avery County's rules sit on top of North Carolina'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
02 NCAC 9C.0307	—
REGISTRATION REQUIRED	FOOD HANDLER CERT
Yes	No
KITCHEN INSPECTION	DIRECT SALES ONLY
Yes	No
INDIRECT SALES	
Yes — Home processors may sell to retail stores, restaurants, and directly to consumers. Sales at farmers markets are permitted. Labels are required for wholesale and packaged self-service retail; direct hand-to-consumer sales (e.g., from home or at events) may be exempt from affixed labels if ingredient info is available on request. NC requires annual home kitchen inspection, which is unusual among no-cap states.	

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

### STATE-LEVEL REFERENCES

State statute: <http://reports.oah.state.nc.us/ncac/title%2002%20-%20agriculture%20and%20consumer%20services/chapter%2009%20-%20food%20and%20drug%20protection/subchapter%20c/02%20ncac%2009c%20.0307.pdf>

State dept cottage food page: <https://www.ncagr.gov/divisions/food-drug-protection/food-program/fdpd-food-program-home-processor>

Forrager.com: <https://forrager.com/law/north-carolina/>

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## Questions?

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

<https://crosodo.com/nb/north-carolina/avery-county-discuss>

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