

COTTAGE FOOD LAW REPORT

Clay County

North Carolina · Hayesville · FIPS 37043 · Population 11,377 ·
Crosodo Index #2540*

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.

How to start — 60-second path

Clay County, North Carolina — permit, pickup, and label steps before the full county rules.

HOME KITCHEN ALLOWED?

Yes

STATE SALES CAP

—

HOME OCCUPATION PERMIT?

Varies

ON-SITE / PORCH PICKUP?

Yes

INSPECTION

Yes

PETS

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

BEFORE YOU SELL FROM THIS ADDRESS

- ☐ **1. Menu** — Confirm each product under North Carolina 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
- ☐ North Carolina home-kitchen disclaimer (see live label one-pager)

CONTINUE ONLINE

Open the live county page →

North Carolina label one-pager →

Local notes & questions →

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

NORTH CAROLINA: CLAY COUNTY

CROSODO INDEX #2540* · FIPS 37043 · Hayesville

Clay County

Population 11,377 · 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. Clay County is a small mountainous county in far western NC near the Georgia/Tennessee border. Zoning ordinance governs unincorporated areas. No Clay 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

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 DEDICATED KITCHEN

No

PET RESTRICTIONS

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

WATER SUPPLY

Potable water supply required. Private well users must verify water safety.

HANDWASHING

Required per NCDA&CS home kitchen inspection standards and 21 CFR 117 Subpart B (GMP).

FOOD STORAGE

All products must be shelf-stable. No refrigeration required for finished products. Ingredients and products stored per good manufacturing practices.

Inspection & permitting

INSPECTION REQUIRED

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

HOME OCCUPATION PERMIT

Varies — NC state program requires checking with local county planning/zoning department before starting. Clay County is a small mountainous county in far western NC near the Georgia/Tennessee border. Zoning ordinance governs unincorporated areas. No Clay County-specific cottage food ordinances found via research.

LOCAL BUSINESS LICENSE

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 Clay County-specific cottage food ordinances found. Small mountain county. State baseline applied.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.claycounty.gov>

<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 about this county? Local notes and a place to leave a question: crosodo.com/nb/north-carolina/clay-county-discuss

Bordering counties — cottage food law

Regulation	Clay County	Cherokee County	Macon 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 — 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...
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.	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...
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 ...	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...
FOOD STORAGE	All products must be shelf-stable. No refrigeration required for finished products. Ingredients and products stored per good manufacturing ...	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.
POPULATION	11,377	28,612	36,227

State context — North Carolina cottage food law

Clay 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.

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.	

For the full state-level analysis including the verbatim statute text, see the **North Carolina cottage food law report** on Crosodo, or open the live guide: crosodo.com/states/north-carolina.

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/>

Questions about Clay 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/north-carolina/clay-county-discuss

Classifieds

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

NATIONAL

SUPPLIES

Advertise here — Supplies

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

COURSES

Advertise here — Courses

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

INSURANCE

Advertise here — Insurance

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

LOCAL

Advertise here

Reach home bakers in Clay County, North Carolina. 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 on Crosodo.

crosodo.com/nb/north-carolina/clay-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.

Ads are paid placements. Crosodo does not endorse listed vendors. Verify all information independently. · To advertise: crosodo.com/advertise