

COTTAGE FOOD LAW REPORT

Durham County

North Carolina · Durham · FIPS 37063 · Population 325,101 ·
Crosodo Index #2183*

STATE BASELINE

02 NCAC 9C.0307; initial home kitchen inspection required; no sales cap; direct and indirect sales; no pets in home at any time

STATE TIER	ANNUAL SALES CAP (STATE)	CONFIDENCE	LAST VERIFIED
Good	—	HIGH	2026-05-05

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: DURHAM COUNTY

CROSODO INDEX #2183* · FIPS 37063 · Durham

Durham County

Population 325,101 · State baseline: 02 NCAC 9C.0307; initial home kitchen inspection required; no sales cap; direct and indirect sales; no pets in home at any time · **HIGH**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Initial home kitchen inspection required; no pets/animals in home at any time; kitchen must be in primary residence (not separate building); business plan and labeling required before inspection; well water must be tested for coliform bacteria)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No pets or animals in the home at any time — strict NC requirement

HOME OCCUPATION PERMIT?

Yes (City of Durham requires a Home Occupation Permit (\$52 fee) for home-based businesses. Application submitted through Durham Planning & Development portal at durhamnc.gov/4760/Home-Occupation-Permit. Business must first be registered with NC Secretary of State)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

Yes (Initial inspection before operating; subsequent complaint-based inspections possible)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Initial home kitchen inspection required; no pets/animals in home at any time; kitchen must be in primary residence (not separate building); business plan and labeling required before inspection; well water must be tested for coliform bacteria
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No pets or animals in the home at any time — strict NC requirement
WATER SUPPLY	Municipal water or tested well water (coliform test required)
HANDWASHING	Adequate handwashing facility required
FOOD STORAGE	Shelf-stable foods stored in sanitary conditions

Inspection & permitting

INSPECTION REQUIRED	Yes — Initial inspection before operating; subsequent complaint-based inspections possible
HOME OCCUPATION PERMIT	Yes — City of Durham requires a Home Occupation Permit (\$52 fee) for home-based businesses. Application submitted through Durham Planning & Development portal at durhamnc.gov/4760/Home-Occupation-Permit . Business must first be registered with NC Secretary of State
LOCAL BUSINESS LICENSE	Yes

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct and indirect sales; retail stores, restaurants, farmers markets, online all permitted within NC
MAX EMPLOYEES IN HOME	Not specified

Relevant county code

City of Durham Planning & Development home occupation permit requirement

RESEARCH NOTES

City of Durham confirmed: \$52 Home Occupation Permit required for home-based businesses. NC NCAGR explicitly requires local zoning check before applying for home processor status. Durham city permit applies to unincorporated county operations through Durham's planning jurisdiction.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.dconnc.gov>

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

<https://www.durhamnc.gov/4760/Home-Occupation-Permit>

<https://ij.org/issues/economic-liberty/homemade-food-seller/north-carolina/>

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

Bordering counties — cottage food law

Regulation	Durham County	Wake County	Orange County
HOME KITCHEN ALLOWED	Yes	Yes	Conditional
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No pets or animals in the home at any time — strict NC requirement	No pets in the home — not just during production, but at any time. This is a state rule (21 CFR 117 Subpart B GMP). Indoor pets constitute ...	Pets in the home DISQUALIFY the applicant from a Home Processor permit. No pets allowed in the residence where cottage food is produced.
INSPECTION REQUIRED	Yes	Yes	Yes
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Direct and indirect sales; retail stores, restaurants, farmers markets, online all permitted within NC	Indirect sales to retail stores and restaurants allowed. No sales cap. Products may be sold statewide. Wake County EHS notes that commissar...	Direct sales and indirect sales allowed (no sales cap). Permitted venues: farm, farm stand, farmers market, other direct-to-consumer and so...
HOME OCCUPATION PERMIT	Yes	Conditional	Conditional
LOCAL BUSINESS LICENSE	Yes	Varies by city	Varies
RESTRICTIONS	Initial home kitchen inspection required; no pets/ animals in home at any time; kitchen must be in primary residence (not separate building)...	Wake County follows NC state baseline: home processors are regulated by NCDA&CS, which requires an annual kitchen inspection before approva...	North Carolina requires annual home kitchen inspection by NCDA&CS and registration (Home Processor permit). No sales cap. Allowed: shelf-st...
FOOD STORAGE	Shelf-stable foods stored in sanitary conditions	State baseline applies	Shelf-stable, non-refrigerated products only. Products in compliant packaging required.
POPULATION	325,101	1,132,103	145,919

State context — North Carolina cottage food law

Durham 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 02 NCAC 9C.0307	ANNUAL SALES CAP —
REGISTRATION REQUIRED Yes	FOOD HANDLER CERT No
KITCHEN INSPECTION Yes	DIRECT SALES ONLY 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](#).

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

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

Classifieds

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

NATIONAL

SUPPLIES

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

COURSES

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LOCAL

Advertise here

Reach home bakers in Durham 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 free on the Crosodo Forum.

crosodo.com/nb/north-carolina/durham-county-discuss

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