

COTTAGE FOOD LAW REPORT

McDowell County

North Carolina · Marion · FIPS 37111 · Population 45,593 ·
Crosodo Index #2518*

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: MCDOWELL COUNTY

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McDowell County

Population 45,593 · State baseline: 02 NCAC 9C.0307 · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (NC state law requires annual home kitchen inspection by NCDA&CS. Pets in the home disqualify the applicant entirely. Shelf-stable, low-risk foods only. Registration required with NC Department of Agriculture. No sales cap.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No pets allowed in the home at all — presence of pet animals in the home disqualifies the applicant under GMP requirements (21 CFR 117 Subpart B as incorporated by 02 NCAC 09C .0307).

HOME OCCUPATION PERMIT?

Varies (McDowell County has zoning jurisdiction in unincorporated areas. Home occupation permit may be required. Operators should contact McDowell County Planning for specific requirements.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

Yes (Annual inspection of home kitchen by NCDA&CS required before registration renewal each year.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — NC state law requires annual home kitchen inspection by NCDA&CS. Pets in the home disqualify the applicant entirely. Shelf-stable, low-risk foods only. Registration required with NC Department of Agriculture. No sales cap.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No pets allowed in the home at all — presence of pet animals in the home disqualifies the applicant under GMP requirements (21 CFR 117 Subpart B as incorporated by 02 NCAC 09C .0307).
WATER SUPPLY	Must use an approved water supply; well water may require testing.
HANDWASHING	Adequate handwashing facilities required as part of the kitchen inspection.
FOOD STORAGE	Shelf-stable storage required; products must be non-refrigerated.

Inspection & permitting

INSPECTION REQUIRED	Yes — Annual inspection of home kitchen by NCDA&CS required before registration renewal each year.
HOME OCCUPATION PERMIT	Varies — McDowell County has zoning jurisdiction in unincorporated areas. Home occupation permit may be required. Operators should contact McDowell County Planning for specific requirements.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Sales permitted at farms, farm stands, farmers markets, craft fairs, home delivery, and online (within NC). Indirect sales to stores permitted under state law.
MAX EMPLOYEES IN HOME	Not specified in state rule; household members may assist.

Relevant county code

McDowell County Zoning Ordinance (home occupation provisions); no specific cottage food county code identified.

RESEARCH NOTES

No county-specific cottage food ordinance found for McDowell County. Western NC foothills county. State baseline (02 NCAC 09C .0307) applies. Annual kitchen inspection and pet disqualification rules apply statewide.

SOURCES VERIFIED AT RESEARCH TIME

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

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

Bordering counties — cottage food law

Regulation	McDowell County	Avery 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 — 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 — 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	Sales permitted at farms, farm stands, farmers markets, craft fairs, home delivery, and online (within NC). Indirect sales to stores permit...	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	NC state law requires annual home kitchen inspection by NCDA&CS. Pets in the home disqualify the applicant entirely. Shelf-stable, low-risk...	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	Shelf-stable storage required; products must be non-refrigerated.	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	45,593	18,289	15,042

State context — North Carolina cottage food law

McDowell 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](#).

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 McDowell County's specific zoning rules, permits, and what other home bakers are seeing locally.

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