

## COTTAGE FOOD LAW REPORT

# Mitchell County

North Carolina · Bakersville · FIPS 37121 · Population 15,042 ·  
Crosodo Index #2522\*

| 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: MITCHELL COUNTY**

CROSODO INDEX #2522\* · FIPS 37121 · Bakersville

# Mitchell County

Population 15,042 · 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 (Mitchell County is a small mountain county. Zoning jurisdiction in unincorporated areas may be limited. Operators should contact Mitchell County for any local home occupation 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**

|                                   |  |
|-----------------------------------|--|
| <b>HOME KITCHEN ALLOWED</b>       | 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. |
| <b>SEPARATE DEDICATED KITCHEN</b> | No   |
| <b>PET RESTRICTIONS</b>           | 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).  |
| <b>WATER SUPPLY</b>               | Must use an approved water supply; well water may require testing.   |
| <b>HANDWASHING</b>                | Adequate handwashing facilities required as part of the kitchen inspection.  |
| <b>FOOD STORAGE</b>               | Shelf-stable storage required; products must be non-refrigerated.  |

**Inspection & permitting**

|                               |   |
|-------------------------------|---|
| <b>INSPECTION REQUIRED</b>    | Yes — Annual inspection of home kitchen by NCDA&CS required before registration renewal each year.  |
| <b>HOME OCCUPATION PERMIT</b> | Varies — Mitchell County is a small mountain county. Zoning jurisdiction in unincorporated areas may be limited. Operators should contact Mitchell County for any local home occupation requirements. |
| <b>LOCAL BUSINESS LICENSE</b> | Varies  |

**Customer-facing rules**

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

## Relevant county code

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

### RESEARCH NOTES

No county-specific cottage food ordinance found for Mitchell County. High-elevation mountain county in far western NC. State baseline (02 NCAC 09C .0307) applies. Annual kitchen inspection and pet disqualification rules apply statewide.

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### 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/mitchell-county-discuss>

## State context — North Carolina cottage food law

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

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

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