

COTTAGE FOOD LAW REPORT

Wake County

North Carolina · — · FIPS 37183 · Population 1,132,103 ·
Crosodo Index #1386*

STATE BASELINE	STATE TIER	ANNUAL SALES CAP (STATE)	CONFIDENCE	LAST VERIFIED
02 NCAC 9C.0307	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: WAKE COUNTY

CROSODO INDEX #1386* · FIPS 37183 · —

Wake County

Population 1,132,103 · State baseline: 02 NCAC 9C.0307 · **HIGH**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Wake County follows NC state baseline: home processors are regulated by NCDA&CS, which requires an annual kitchen inspection before approval. Wake County Division of Environmental Health & Safety regulates TCS (time/temperature control) foods — TCS foods cannot be made at home and require a commercial facility. Low-risk non-TCS foods (baked goods, jams, candies, dried mixes, some sauces) are allowed in home kitchens under NCDA&CS oversight. Pets in the home disqualify applicants.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

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 disqualification from the home processor program.

HOME OCCUPATION PERMIT?

Conditional (NCDA&CS guidance requires operators to check local zoning and licensing requirements with their local government. Wake County municipalities (Raleigh, Cary, Apex, etc.) have their own home occupation ordinances. No specific Wake County-level permit found for cottage food.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

Yes (NCDA&CS Food Regulatory Specialist contacts applicant within 8-12 weeks to arrange a home kitchen inspection. Annual inspection required for renewal. Wake County EHS does not regulate low-risk home processed foods.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Wake County follows NC state baseline: home processors are regulated by NCDA&CS, which requires an annual kitchen inspection before approval. Wake County Division of Environmental Health & Safety regulates TCS (time/temperature control) foods — TCS foods cannot be made at home and require a commercial facility. Low-risk non-TCS foods (baked goods, jams, candies, dried mixes, some sauces) are allowed in home kitchens under NCDA&CS oversight. Pets in the home disqualify applicants.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	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 disqualification from the home processor program.
WATER SUPPLY	Must include copy of recent water bill (municipal water) or have well water tested for coliform bacteria before inspection.
HANDWASHING	Easily accessible restroom and hand-washing facilities with hot and cold running water required.
FOOD STORAGE	State baseline applies

Inspection & permitting

INSPECTION REQUIRED	Yes — NCDA&CS Food Regulatory Specialist contacts applicant within 8-12 weeks to arrange a home kitchen inspection. Annual inspection required for renewal. Wake County EHS does not regulate low-risk home processed foods.
HOME OCCUPATION PERMIT	Conditional — NCDA&CS guidance requires operators to check local zoning and licensing requirements with their local government. Wake County municipalities (Raleigh, Cary, Apex, etc.) have their own home occupation ordinances. No specific Wake County-level permit found for cottage food.
LOCAL BUSINESS LICENSE	Varies by city

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Indirect sales to retail stores and restaurants allowed. No sales cap. Products may be sold statewide. Wake County EHS notes that commissaries/shared kitchens are available as alternatives for TCS food production.
MAX EMPLOYEES IN HOME	State baseline applies

Relevant county code

02 NCAC 09C .0307; 21 CFR 117 Subpart B (federal GMP standards applicable to NC home processors)

RESEARCH NOTES

Wake County (Raleigh area) is notable for having clear public guidance on the bifurcated regulatory structure: NCDA&CS handles low-risk home processed foods; Wake County EHS handles TCS commercial food establishments. No pets in the home at any time is a strict NC requirement. NC requires annual kitchen inspection — unusual compared to most states. Acidic foods (BBQ sauces, pickles) need product testing (NC State Extension offers pH/water activity testing service). All kitchen light bulbs must be shatter-proof or shielded (federal GMP requirement).

SOURCES VERIFIED AT RESEARCH TIME

<https://www.wake.gov>

<https://www.wake.gov/departments-government/environmental-health-safety/regulated-facilities/home-based-food-production-guidelines>

<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/wake-county-discuss>

Bordering counties — cottage food law

Regulation	Wake County	Durham County	Johnston County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	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 ...	No pets or animals in the home at any time — strict NC requirement	Pets in the home are a disqualifying factor under NC home processor program. Indoor pets are considered pests under GMP requirements (21 CF...
INSPECTION REQUIRED	Yes	Yes	Yes
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Indirect sales to retail stores and restaurants allowed. No sales cap. Products may be sold statewide. Wake County EHS notes that commissar...	Direct and indirect sales; retail stores, restaurants, farmers markets, online all permitted within NC	NC home processors may sell to retail stores, restaurants, and directly to consumers. No internet-sale prohibition at state level. Verify l...
HOME OCCUPATION PERMIT	Conditional	Yes	Conditional
LOCAL BUSINESS LICENSE	Varies by city	Yes	Varies
RESTRICTIONS	Wake County follows NC state baseline: home processors are regulated by NCDA&CS, which requires an annual kitchen inspection before approva...	Initial home kitchen inspection required; no pets/ animals in home at any time; kitchen must be in primary residence (not separate building)...	North Carolina requires all home processors to have their home kitchen inspected by the NCDA&CS Food and Drug Protection Division before se...
FOOD STORAGE	State baseline applies	Shelf-stable foods stored in sanitary conditions	Only shelf-stable, non-refrigerated finished products permitted. Standard GMP storage. Ingredient/material storage areas inspected.
POPULATION	1,132,103	325,101	219,042

State context — North Carolina cottage food law

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

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