

COTTAGE FOOD LAW REPORT

Josephine County

Oregon · Grants Pass · FIPS 41033 · Population 87,994 ·
Crosodo Index #1223*

STATE BASELINE	STATE TIER	ANNUAL SALES CAP (STATE)	CONFIDENCE	LAST VERIFIED
ORS §616.723	Good	50000	MEDIUM	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.

OREGON: JOSEPHINE COUNTY

CROSODO INDEX #1223* · FIPS 41033 · Grants Pass

Josephine County

Population 87,994 · State baseline: ORS §616.723 · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Cottage food exemption (ORS §616.723, enacted by SB 643 in 2023): home kitchens may produce non-potentially-hazardous foods without a license for direct sales up to \$51,200 annually (2025 cap, CPI-adjusted). A valid food handler’s card is required. Pets must be excluded from production area during food prep. Alternative: Domestic Kitchen Bakery/Food Processor License from Oregon Department of Agriculture allows sales to retailers (approximately \$50/year). All production, storage, equipment, and finished products must be within the home kitchen space only; garages/basements/other buildings require a different license.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Pets must be excluded from the production area during cottage food preparation.

HOME OCCUPATION PERMIT?

Conditional (Josephine County has a planning department at <https://www.josephinecounty.gov/planning>. Home-based food businesses may be subject to home occupation provisions in the Josephine County Zoning Ordinance. Producers should check with Josephine County Planning to determine if a home occupation permit is required for cottage food operations, particularly if generating customer traffic at the residence.)

ON-SITE / PORCH PICKUP?

Conditional

INSPECTION REQUIRED?

No (No inspection required for cottage food exemption. ODA may inspect if complaint or foodborne illness reported. County health departments do not license domestic kitchens for food service.)

Home kitchen rules

HOME KITCHEN ALLOWED

Yes — Cottage food exemption (ORS §616.723, enacted by SB 643 in 2023): home kitchens may produce non-potentially-hazardous foods without a license for direct sales up to \$51,200 annually (2025 cap, CPI-adjusted). A valid food handler’s card is required. Pets must be excluded from production area during food prep. Alternative: Domestic Kitchen Bakery/Food Processor License from Oregon Department of Agriculture allows sales to retailers (approximately \$50/year). All production, storage, equipment, and finished products must be within the home kitchen space only; garages/basements/other buildings require a different license.

SEPARATE DEDICATED KITCHEN

No

PET RESTRICTIONS

Pets must be excluded from the production area during cottage food preparation.

WATER SUPPLY

Home kitchen on well and/or septic system has additional requirements under the domestic kitchen license. For cottage food exemption, potable water is expected.

HANDWASHING

Kitchen must be built and maintained in a clean and sanitary manner; implied handwashing facilities required.

FOOD STORAGE

All ingredients, containers, and labels must be kept apart from household foods in separate, closed storage. Separate refrigerated storage required for perishable ingredients. Household cleaning materials stored separately. No medical supplies in the kitchen.

Inspection & permitting

INSPECTION REQUIRED	No — No inspection required for cottage food exemption. ODA may inspect if complaint or foodborne illness reported. County health departments do not license domestic kitchens for food service.
HOME OCCUPATION PERMIT	Conditional — Josephine County has a planning department at https://www.josephinecounty.gov/planning . Home-based food businesses may be subject to home occupation provisions in the Josephine County Zoning Ordinance. Producers should check with Josephine County Planning to determine if a home occupation permit is required for cottage food operations, particularly if generating customer traffic at the residence.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Conditional
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Cottage foods can be sold from home, online, by mail, or at events. May also be sold to retailers if under the Domestic Kitchen License pathway, but cottage food exemption allows retail sales to properly licensed retailers who must separate products and use clear signage indicating homemade/uninspected status.
MAX EMPLOYEES IN HOME	No specific limit in state cottage food law; kitchen must be the producer’s primary kitchen.

Relevant county code

Josephine County Zoning Ordinance (home occupation provisions). No specific county cottage food code identified.

RESEARCH NOTES

Oregon SB 643 (2023) created the cottage food exemption under ORS §616.723, allowing home kitchen production of non-PHF foods up to \$51,200/year (2025 cap) without a license. Food handler’s card required. Josephine County Health page exists but no county-specific cottage food rules identified. County planning department URL confirmed from input. OSU Extension guide (EM-9192) provides authoritative state-level details. Confidence is medium: state law confirmed from authoritative OSU Extension/ODA sources; Josephine County specific zoning rules not verified from official county code text.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.josephinecounty.gov/health>

<https://www.josephinecounty.gov/planning>

<https://www.josephinecounty.gov>

<https://extension.oregonstate.edu/pub/em-9192>

<https://www.oregon.gov/oda/food-safety/fs-licensing/pages/domestic-kitchen.aspx>

<https://www.josephinecounty.gov/planning>

Questions? Join the Crosodo Forum to discuss your county’s specific zoning rules at <https://crosodo.com/nb/oregon/josephine-county-discuss>

State context — Oregon cottage food law

Josephine County’s rules sit on top of Oregon’s state cottage food framework. The state law sets the floor — counties can add but cannot remove protections.

STATUTE ORS §616.723	ANNUAL SALES CAP 50000
REGISTRATION REQUIRED Depends	FOOD HANDLER CERT Yes
KITCHEN INSPECTION No	DIRECT SALES ONLY No

INDIRECT SALES
 Limited (see notes) — Direct sales to end users are permitted in any manner including online, mail, and at events. Sales to retailers (including coffee shops but not restaurants) are permitted if the retailer agrees to store/display the foods separately and clearly indicate they are homemade and not prepared in an inspected food establishment. Sales to institutions (restaurants, schools, hospitals, caterers, day care centers, nursing homes, correctional facilities) are prohibited. A Domestic Kitchen Bakery License (~\$50/year) is required for establishments wishing to sell to retailers under licensed status rather than using the residential-dwelling exemption. The department may provide a unique identification number for use on labels. Annual records must be maintained for 3 years.

For the full state-level analysis including the verbatim statute text, see the [Oregon cottage food law report](#).

STATE-LEVEL REFERENCES

State statute: https://oregon.public.law/statutes/ors_616.706

State dept cottage food page: <https://www.oregon.gov/oda/programs/foodsafety/pages/dkb-licensing.aspx>

Forrager.com: <https://forrager.com/law/oregon/>

Questions?

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

<https://crosodo.com/nb/oregon/josephine-county-discuss>
