

## COTTAGE FOOD LAW REPORT

# Fayette County

Tennessee · Somerville · FIPS 47047 · Population 44,476 ·  
Crosodo Index #1079\*

## STATE BASELINE

Tenn. Code §53-1-125 (Food Freedom Act)

## STATE TIER

Good

## ANNUAL SALES CAP (STATE)

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## CONFIDENCE

MEDIUM

## LAST VERIFIED

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.

TENNESSEE: FAYETTE COUNTY

CROSODO INDEX #1079\* · FIPS 47047 · Somerville

# Fayette County

Population 44,476 · State baseline: Tenn. Code §53-1-125 (Food Freedom Act) · **MEDIUM**

## QUICK VIEW FOR BAKERS IN THIS COUNTY

**HOME KITCHEN ALLOWED?**

Yes (Tennessee Food Freedom Act (Tenn. Code §53-1-125, effective July 1, 2022) broadly allows any non-TCS homemade food from a private residence. No license, permit, inspection, or registration required. No sales cap. No labeling requirements beyond a disclosure statement.)

**SEPARATE KITCHEN REQUIRED?**

No

**PETS ALLOWED?**

No specific pet restriction in state law; standard food safety hygiene practices apply.

**HOME OCCUPATION PERMIT?**

Varies (Fayette County is adjacent to the Memphis metro and may have more developed zoning. Operators should check with Fayette County Planning in Somerville.)

**ON-SITE / PORCH PICKUP?**

Yes

**INSPECTION REQUIRED?**

No (DOH may investigate only in connection with a foodborne illness investigation; no routine or complaint-only inspection authority for cottage food.)

## Home kitchen rules

<b>HOME KITCHEN ALLOWED</b>	Yes — Tennessee Food Freedom Act (Tenn. Code §53-1-125, effective July 1, 2022) broadly allows any non-TCS homemade food from a private residence. No license, permit, inspection, or registration required. No sales cap. No labeling requirements beyond a disclosure statement.
<b>SEPARATE DEDICATED KITCHEN</b>	No
<b>PET RESTRICTIONS</b>	No specific pet restriction in state law; standard food safety hygiene practices apply.
<b>WATER SUPPLY</b>	No specific state cottage food water supply requirement.
<b>HANDWASHING</b>	No specific state cottage food handwashing mandate; standard hygiene practices recommended.
<b>FOOD STORAGE</b>	No specific state cottage food storage requirement; non-TCS foods must be stored appropriately.

## Inspection & permitting

<b>INSPECTION REQUIRED</b>	No — DOH may investigate only in connection with a foodborne illness investigation; no routine or complaint-only inspection authority for cottage food.
<b>HOME OCCUPATION PERMIT</b>	Varies — Fayette County is adjacent to the Memphis metro and may have more developed zoning. Operators should check with Fayette County Planning in Somerville.
<b>LOCAL BUSINESS LICENSE</b>	Varies

### Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Broad — direct and indirect sales permitted. Online, in-person, delivery, farmers markets, retail stores all allowed under Tennessee Food Freedom Act.
MAX EMPLOYEES IN HOME	Not specified in state law.

### Relevant county code

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

#### RESEARCH NOTES

No county-specific cottage food ordinance found for Fayette County, TN. Applied Tennessee Food Freedom Act state baseline (Tenn. Code §53-1-125, eff. July 1, 2022). Fayette County is in western TN adjacent to the Memphis metro (seat: Somerville). County zoning for home occupation should be verified locally.

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#### SOURCES VERIFIED AT RESEARCH TIME

<https://www.tn.gov/agriculture/businesses/food/food-manufacturing/domestic-kitchen.html>

<https://publications.tnsosfiles.com/acts/112/pub/pc0862.pdf>

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

## Bordering counties — cottage food law

Regulation	Fayette County	Hardeman County	Haywood County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No specific pet restriction in state law; standard food safety hygiene practices apply.	No specific pet restriction in state law; standard food safety hygiene practices apply.	No specific pet restriction in state law; standard food safety hygiene practices apply.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Broad — direct and indirect sales permitted. Online, in-person, delivery, farmers markets, retail stores all allowed under Tennessee Food F...	Broad — direct and indirect sales permitted. Online, in-person, delivery, farmers markets, retail stores all allowed under Tennessee Food F...	Broad — direct and indirect sales permitted. Online, in-person, delivery, farmers markets, retail stores all allowed under Tennessee Food F...
HOME OCCUPATION PERMIT	Varies	Varies	Varies
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Tennessee Food Freedom Act (Tenn. Code §53-1-125, effective July 1, 2022) broadly allows any non-TCS homemade food from a private residence...	Tennessee Food Freedom Act (Tenn. Code §53-1-125, effective July 1, 2022) broadly allows any non-TCS homemade food from a private residence...	Tennessee Food Freedom Act (Tenn. Code §53-1-125, effective July 1, 2022) broadly allows any non-TCS homemade food from a private residence...
FOOD STORAGE	No specific state cottage food storage requirement; non-TCS foods must be stored appropriately.	No specific state cottage food storage requirement; non-TCS foods must be stored appropriately.	No specific state cottage food storage requirement; non-TCS foods must be stored appropriately.
POPULATION	42,228	25,519	17,806

## State context — Tennessee cottage food law

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

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<b>STATUTE</b> Tenn. Code §53-1-125 (Food Freedom Act)	<b>ANNUAL SALES CAP</b> —
<b>REGISTRATION REQUIRED</b> No	<b>FOOD HANDLER CERT</b> No
<b>KITCHEN INSPECTION</b> No	<b>DIRECT SALES ONLY</b> No

**INDIRECT SALES**  
 Yes — The Tennessee Food Freedom Act (Public Chapter 862, effective July 1, 2022) broadly exempts production and sale of non-TCS homemade food items from all licensing, permitting, inspecting, packaging, and labeling laws. Sales may be direct to consumer in person or remotely. Local government ordinances restricting homemade food sales are preempted. Note: Prior to the 2022 Food Freedom Act, the older domestic kitchen regulations (TDA Chapter 0080-4-11) required a permit, inspection, and food safety certification, and limited sales to 100 units/week; the Food Freedom Act supersedes these requirements for qualifying non-TCS homemade foods.

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

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### STATE-LEVEL REFERENCES

State statute: <https://law.justia.com/codes/tennessee/2021/title-53/chapter-8/>

State dept cottage food page: <https://www.tn.gov/agriculture/businesses/food/food-manufacturing/domestic-kitchen.html>

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

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## Questions?

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

<https://crosodo.com/nb/tennessee/fayette-county-discuss>

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