

## COTTAGE FOOD LAW REPORT

# Madison County

Tennessee · Jackson · FIPS 47113 · Population 98,644 ·  
Crosodo Index #925\*

## 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

2026-05-05

**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.

TENNESSEE: MADISON COUNTY

CROSODO INDEX #925\* · FIPS 47113 · Jackson

# Madison County

Population 98,644 · 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 (§53-1-125, eff. July 1, 2022) broadly deregulates non-TCS homemade food production and sales. No license, permit, registration, or inspection required. Allowed: all non-TCS homemade foods including baked goods, jams, jellies, candy, dried herbs, non-TCS beverages. Prohibited: TCS foods requiring time/temperature control for safety.)

**SEPARATE KITCHEN REQUIRED?**

No

**PETS ALLOWED?**

No state restriction for Tennessee cottage food operations.

**HOME OCCUPATION PERMIT?**

Varies (Madison County and the City of Jackson may have local home occupation zoning requirements. Tennessee state law does not preempt local zoning for home-based businesses; operators should verify with Madison County Planning or Jackson city zoning.)

**ON-SITE / PORCH PICKUP?**

Yes

**INSPECTION REQUIRED?**

No (DOH may investigate foodborne illness complaints but has no general inspection authority over cottage food under §53-1-125.)

## Home kitchen rules

<b>HOME KITCHEN ALLOWED</b>	Yes — Tennessee Food Freedom Act (§53-1-125, eff. July 1, 2022) broadly deregulates non-TCS homemade food production and sales. No license, permit, registration, or inspection required. Allowed: all non-TCS homemade foods including baked goods, jams, jellies, candy, dried herbs, non-TCS beverages. Prohibited: TCS foods requiring time/temperature control for safety.
<b>SEPARATE DEDICATED KITCHEN</b>	No
<b>PET RESTRICTIONS</b>	No state restriction for Tennessee cottage food operations.
<b>WATER SUPPLY</b>	No specific requirement under Tennessee Food Freedom Act.
<b>HANDWASHING</b>	No specific statutory requirement.
<b>FOOD STORAGE</b>	Non-TCS homemade foods only; store to prevent contamination.

## Inspection & permitting

<b>INSPECTION REQUIRED</b>	No — DOH may investigate foodborne illness complaints but has no general inspection authority over cottage food under §53-1-125.
<b>HOME OCCUPATION PERMIT</b>	Varies — Madison County and the City of Jackson may have local home occupation zoning requirements. Tennessee state law does not preempt local zoning for home-based businesses; operators should verify with Madison County Planning or Jackson city zoning.
<b>LOCAL BUSINESS LICENSE</b>	Varies

### Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct and indirect sales allowed under Tennessee Food Freedom Act. Online sales, home pickup, farmers markets, and events all permitted. No express prohibition on retail/wholesale for non-TCS foods.
MAX EMPLOYEES IN HOME	No limit specified in Tennessee Food Freedom Act.

### Relevant county code

No Madison County-specific cottage food code section identified.

#### RESEARCH NOTES

No Madison County-specific cottage food rules found. Tennessee’s Food Freedom Act is one of the most permissive in the country. The old §53-8-117 domestic kitchen statute was repealed in 2017; current law is §53-1-125 enacted 2022. No sales cap, no registration. City of Jackson (county seat) may have business license requirements. Operators should check local zoning for home occupation standards.

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#### SOURCES VERIFIED AT RESEARCH TIME

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

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

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

## Bordering counties — cottage food law

Regulation	Madison County	Gibson County	Carroll County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No state restriction for Tennessee cottage food operations.	Not specified in state cottage food law.	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	Direct and indirect sales allowed under Tennessee Food Freedom Act. Online sales, home pickup, farmers markets, and events all permitted. N...	No restrictions specified in state law. All non-TCS homemade food sales broadly permitted.	Broad — direct and indirect sales permitted. Online, in-person, delivery, farmers markets, retail stores all allowed under Tennessee Food F...
HOME OCCUPATION PERMIT	Varies	Conditional	Varies
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Tennessee Food Freedom Act (§53-1-125, eff. July 1, 2022) broadly deregulates non-TCS homemade food production and sales. No license, permi...	Any non-TCS homemade food produced at producer's private residence is allowed. No license, permit, inspection, or labeling requirements exc...	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	Non-TCS homemade foods only; store to prevent contamination.	Products must be non-TCS.	No specific state cottage food storage requirement; non-TCS foods must be stored appropriately.
POPULATION	98,644	50,455	28,381

## State context — Tennessee cottage food law

Madison 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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<p><b>STATUTE</b> Tenn. Code §53-1-125 (Food Freedom Act)</p> <p><b>REGISTRATION REQUIRED</b> No</p> <p><b>KITCHEN INSPECTION</b> No</p>	<p><b>ANNUAL SALES CAP</b> —</p> <p><b>FOOD HANDLER CERT</b> No</p> <p><b>DIRECT SALES ONLY</b> No</p>
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**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 Madison County's specific zoning rules, permits, and what other home bakers are seeing locally.

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

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