

COTTAGE FOOD LAW REPORT

McMinn County

Tennessee · Athens · FIPS 47107 · Population 53,532 ·
Crosodo Index #890*

STATE BASELINE

Tenn. Code §53-1-125 (Tennessee Food Freedom Act, eff. July 1, 2022)

STATE TIER

Good

ANNUAL SALES CAP (STATE)

—

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: MCMINN COUNTY

CROSODO INDEX #890* · FIPS 47107 · Athens

McMinn County

Population 53,532 · State baseline: Tenn. Code §53-1-125 (Tennessee Food Freedom Act, eff. July 1, 2022) · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (All non-TCS homemade foods from producer’s private residence. No license, permit, inspection, or sales cap.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific TN state or McMinn County rule.

HOME OCCUPATION PERMIT?

Varies (TN Food Freedom Act preempts local food licensing. McMinn County (Athens area, southeast TN) may have home occupation zoning provisions. Contact McMinn County government in Athens.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (Only DOH may investigate foodborne illness.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — All non-TCS homemade foods from producer’s private residence. No license, permit, inspection, or sales cap.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No specific TN state or McMinn County rule.
WATER SUPPLY	No specific requirement.
HANDWASHING	No formal requirement; recommended best practices.
FOOD STORAGE	Products must be non-TCS.

Inspection & permitting

INSPECTION REQUIRED	No — Only DOH may investigate foodborne illness.
HOME OCCUPATION PERMIT	Varies — TN Food Freedom Act preempts local food licensing. McMinn County (Athens area, southeast TN) may have home occupation zoning provisions. Contact McMinn County government in Athens.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	No channel restrictions; direct, online, retail, delivery all permitted.
MAX EMPLOYEES IN HOME	Not specified in TN statute.

Relevant county code

Tenn. Code §53-1-125; no McMinn County-specific ordinance identified

RESEARCH NOTES

McMinn County (Athens) is in southeast Tennessee. TN Food Freedom Act applies. No county-specific rules found.

SOURCES VERIFIED AT RESEARCH TIME

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

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

Bordering counties — cottage food law

Regulation	McMinn County	Roane County	Loudon County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No specific TN state or McMinn County rule.	No specific TN state or Roane County rule.	No specific TN state or Loudon County rule.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	No channel restrictions; direct, online, retail, delivery all permitted.	No channel restrictions; direct, online, retail, delivery all permitted.	No channel restrictions; direct, online, retail, delivery all permitted.
HOME OCCUPATION PERMIT	Varies	Varies	Varies
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	All non-TCS homemade foods from producer’s private residence. No license, permit, inspection, or sales cap.	All non-TCS homemade foods from producer’s private residence. No license, permit, inspection, or sales cap.	All non-TCS homemade foods from producer’s private residence. No license, permit, inspection, or sales cap.
FOOD STORAGE	Products must be non-TCS.	Products must be non-TCS.	Products must be non-TCS.
POPULATION	53,532	53,777	55,507

State context — Tennessee cottage food law

McMinn 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.

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

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.

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

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/>

Questions?

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

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