

COTTAGE FOOD LAW REPORT

Albemarle County

Virginia · Charlottesville · FIPS 51003 · Population 112,513 ·
Crosodo Index #1683*

STATE BASELINE

Va. Code §3.2-5130; no stated dollar cap for standard cottage foods; \$9,000 cap for pickles/acidified vegetables; no registration; no inspection; direct sales only; non-TCS shelf-stable foods

STATE TIER	ANNUAL SALES CAP (STATE)	CONFIDENCE	LAST VERIFIED
Good	Tiered	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.

VIRGINIA: ALBEMARLE COUNTY

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QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Virginia allows non-TCS shelf-stable cottage foods with no registration or inspection. Direct sales only (no resale/consignment). All-caps label required: 'NOT FOR RESALE — PROCESSED AND PREPARED WITHOUT STATE INSPECTION.' Albemarle County requires a Home Occupation Clearance for home-based businesses, plus a Business License.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific state prohibition; standard food safety practices apply.

HOME OCCUPATION PERMIT?

Yes (Albemarle County requires a Home Occupation Clearance for all home-based businesses regardless of profitability. Two categories: Rural Area and Residential District, each with different client/customer visit limits (Rural Area: up to 10 students/visitors per week; Residential District: up to 7). Clearance required even if the business is run from dining table. Additionally, a Business License is required from Albemarle County Finance Department (434-296-5851). Apply for Home Occupation Clearance at albemarle.org/government/community-development/apply-for/home-occupations.)

ON-SITE / PORCH PICKUP?

Conditional

INSPECTION REQUIRED?

No (Virginia §3.2-5130: Department may inspect upon consumer complaint. No routine inspections.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Virginia allows non-TCS shelf-stable cottage foods with no registration or inspection. Direct sales only (no resale/consignment). All-caps label required: 'NOT FOR RESALE — PROCESSED AND PREPARED WITHOUT STATE INSPECTION.' Albemarle County requires a Home Occupation Clearance for home-based businesses, plus a Business License.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No specific state prohibition; standard food safety practices apply.
WATER SUPPLY	Potable water required per state food safety standards.
HANDWASHING	Standard food safety practices; no mandatory certification under Virginia cottage food law.
FOOD STORAGE	Non-TCS shelf-stable products only. Pickles/acidified vegetables with pH ≤4.6 allowed but subject to \$9,000/year cap.

Inspection & permitting

INSPECTION REQUIRED	No — Virginia §3.2-5130: Department may inspect upon consumer complaint. No routine inspections.
HOME OCCUPATION PERMIT	Yes — Albemarle County requires a Home Occupation Clearance for all home-based businesses regardless of profitability. Two categories: Rural Area and Residential District, each with different client/customer visit limits (Rural Area: up to 10 students/visitors per week; Residential District: up to 7). Clearance required even if the business is run from dining table. Additionally, a Business License is required from Albemarle County Finance Department (434-296-5851). Apply for Home Occupation Clearance at albemarle.org/government/community-development/apply-for/home-occupations .
LOCAL BUSINESS LICENSE	Yes

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Conditional
ON-SITE SIGNAGE	No
DELIVERY / PICKUP RULES	Virginia allows direct sales only: home, farmers markets, events, online (no resale to retail/restaurants). Customer pickup permitted subject to Albemarle County Home Occupation Clearance conditions and client visit limits.
MAX EMPLOYEES IN HOME	Albemarle County home occupation: depends on Rural Area vs. Residential District classification. Contact county for specifics. No state limit on employees for cottage food.

Relevant county code

Albemarle County Code §26-279 (Home Occupations); Va. Code §3.2-5130

RESEARCH NOTES

County-specific data confirmed from official Albemarle County government website (albemarle.org). Both a Home Occupation Clearance AND a Business License are required per official FAQ. Rural Area vs. Residential District rules vary client visit limits. Note: county_seat in input is blank but is Charlottesville (independent city adjacent to county; the county surrounds Charlottesville). Virginia’s distinctive all-caps label requirement and \$9,000 pickle/acidified vegetable cap are state baseline features. Confidence high: both state law and county requirements confirmed from official .gov sources.

SOURCES VERIFIED AT RESEARCH TIME

- <https://www.albemarle.org/government/community-development/apply-for/home-occupations>
- <https://www.albemarle.org>
- <https://www.albemarle.org/government/community-development/apply-for/home-occupations>
- <https://albemarle1.prod-as.govaccess.org/government/community-development/learn-more-about/home-occupations>
- <https://www.vdacs.virginia.gov/food-information-for-vendors-and-businesses-home-food-processors.shtml>
- <https://law.lis.virginia.gov/vacode/3.2-5130/>

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

Bordering counties — cottage food law

Regulation	Albemarle County	Rockingham County	Augusta County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No specific state prohibition; standard food safety practices apply.	Not specified in state law.	Not specified in state statute.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Conditional	Yes	Yes
ON-SITE SIGNAGE	No	Conditional	Conditional
DELIVERY / PICKUP	Virginia allows direct sales only: home, farmers markets, events, online (no resale to retail/restaurants). Customer pickup permitted subje...	Direct sales only (in-person). No resale, no consignment, no sales to retail food establishments. Products must be sold directly from produ...	Direct sales to consumers only. No resale or consignment. No sales to retail food establishments.
HOME OCCUPATION PERMIT	Yes	Varies	Varies
LOCAL BUSINESS LICENSE	Yes	Varies	Varies
RESTRICTIONS	Virginia allows non-TCS shelf-stable cottage foods with no registration or inspection. Direct sales only (no resale/consignment). All-caps ...	Virginia cottage food: non-TCS shelf-stable foods from private home. Allowed: candies, jams, jellies, dried fruits, dry herbs, dry seasonin...	Home kitchen in primary domestic residence allowed. Non-TCS shelf-stable foods only. Pickles and acidified vegetables subject to \$9,000 ann...
FOOD STORAGE	Non-TCS shelf-stable products only. Pickles/acidified vegetables with pH ≤4.6 allowed but subject to \$9,000/year cap.	No specific statutory requirement.	Non-TCS shelf-stable products must be stored appropriately.
POPULATION	112,513	83,905	77,433

State context — Virginia cottage food law

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

STATUTE

Va. Code §3.2-5130

ANNUAL SALES CAP

Tiered

REGISTRATION REQUIRED

No

FOOD HANDLER CERT

No

KITCHEN INSPECTION

No

DIRECT SALES ONLY

Yes

INDIRECT SALES

No — Products must be sold in person in the Commonwealth to an individual for his own consumption and not for resale or consignment. They cannot be offered for sale to be used in or offered for consumption in retail food establishments. Sales venues are limited to: private home, temporary event (no more than 14 consecutive days), or farmers market. Internet advertising is explicitly permitted but sales must remain in-person and in-state.

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

STATE-LEVEL REFERENCES

State statute: <https://law.lis.virginia.gov/vacode/3.2-5130/>

State dept cottage food page: <https://www.vdacs.virginia.gov/food-information-for-vendors-and-businesses-home-food-processors.shtml>

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

Questions?

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

<https://crosodo.com/nb/virginia/albemarle-county-discuss>
