

## COTTAGE FOOD LAW REPORT

# Amherst County

Virginia · Amherst · FIPS 51009 · Population 31,650 · Crosodo  
Index #371\*

STATE BASELINE	STATE TIER	ANNUAL SALES CAP (STATE)	CONFIDENCE	LAST VERIFIED
Va. Code §3.2-5130	Good	Tiered	MEDIUM	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.

VIRGINIA: AMHERST COUNTY

CROSODO INDEX #371\* · FIPS 51009 · Amherst

# Amherst County

Population 31,650 · State baseline: Va. Code §3.2-5130 · **MEDIUM**

## QUICK VIEW FOR BAKERS IN THIS COUNTY

### HOME KITCHEN ALLOWED?

Yes (Va. Code §3.2-5130 provides the home kitchen food processing exemption. No permit, registration, or inspection required at the state level. Local ordinances are NOT preempted — cities and counties may impose additional requirements. Many Virginia localities require a general business license (\$30-\$100/yr). Sales allowed only at the producer’s home or at farmers markets/temporary events (≤14 days). Online sales prohibited (advertising allowed but no e-commerce transactions). Required label: producer name, physical address, phone, processing date, and 'NOT FOR RESALE — PROCESSED AND PREPARED WITHOUT STATE INSPECTION'.)

### SEPARATE KITCHEN REQUIRED?

No

### PETS ALLOWED?

No specific pet restriction in state cottage food law.

### HOME OCCUPATION PERMIT?

No (Amherst County is subject to Virginia cottage food law (Va. Code §3.2-5130), which requires no state permit, registration, or inspection. Virginia does NOT preempt local ordinances — cities and counties may impose additional requirements. Many Virginia localities require a general business license (\$30-\$100/yr). Contact the Amherst County administrator or county clerk for any local business license or home occupation permit requirements.)

### ON-SITE / PORCH PICKUP?

Yes

### INSPECTION REQUIRED?

No (No routine inspection required at state level.)

## Home kitchen rules

<b>HOME KITCHEN ALLOWED</b>	Yes — Va. Code §3.2-5130 provides the home kitchen food processing exemption. No permit, registration, or inspection required at the state level. Local ordinances are NOT preempted — cities and counties may impose additional requirements. Many Virginia localities require a general business license (\$30-\$100/yr). Sales allowed only at the producer’s home or at farmers markets/temporary events (≤14 days). Online sales prohibited (advertising allowed but no e-commerce transactions). Required label: producer name, physical address, phone, processing date, and 'NOT FOR RESALE — PROCESSED AND PREPARED WITHOUT STATE INSPECTION'.
<b>SEPARATE DEDICATED KITCHEN</b>	No
<b>PET RESTRICTIONS</b>	No specific pet restriction in state cottage food law.
<b>WATER SUPPLY</b>	No specific state cottage food water testing requirement.
<b>HANDWASHING</b>	No specific state cottage food handwashing mandate beyond general food safety practice.
<b>FOOD STORAGE</b>	Non-potentially hazardous (non-TCS), shelf-stable foods only.

### Inspection & permitting

INSPECTION REQUIRED	No — No routine inspection required at state level.
HOME OCCUPATION PERMIT	No — Amherst County is subject to Virginia cottage food law (Va. Code §3.2-5130), which requires no state permit, registration, or inspection. Virginia does NOT preempt local ordinances — cities and counties may impose additional requirements. Many Virginia localities require a general business license (\$30–\$100/yr). Contact the Amherst County administrator or county clerk for any local business license or home occupation permit requirements.
LOCAL BUSINESS LICENSE	Varies

### Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Sales allowed only at the producer’s home or at farmers markets and temporary events (events capped at 14 consecutive days). No online sales, mail order, wholesale, or retail sales. No shipping.
MAX EMPLOYEES IN HOME	Not specified in state statute.

### Relevant county code

Va. Code §3.2-5130 (Home Kitchen Food Processing Exemptions); local ordinances not preempted — verify local business license requirements.

#### RESEARCH NOTES

State baseline applied. Good tier state. Allowed foods: Non-TCS shelf-stable foods including candies, jams/jellies, dried fruits, dry herbs, dry seasonings, dry mixtures, nuts, vinegars, popcorn, cotton candy, dried pasta, dry baking mixes, roasted coffee, dried tea, cereals, trail mixes, granola, and baked goods not requiring temperature control. Pickles/acidified vegetables (equilibrium pH 4.6 or lower) subject to a separate annual cap. Prohibited: TCS (time/temperature control for safety) foods are prohibited. Products cannot be sold online, via mail order, to retailers, or for resale.

#### SOURCES VERIFIED AT RESEARCH TIME

<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/amherst-county-discuss>

## Bordering counties — cottage food law

Regulation	Amherst County	Appomattox County	Nelson County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No specific pet restriction in state cottage food law.	No specific pet restriction in state cottage food law.	No specific state cottage food pet restriction.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Sales allowed only at the producer’s home or at farmers markets and temporary events (events capped at 14 consecutive days). No online sale...	Sales allowed only at the producer’s home or at farmers markets and temporary events (events capped at 14 consecutive days). No online sale...	Direct sales only at home, farmers markets, or temporary events (up to 14 consecutive days). No online ordering, no shipping, no wholesale.
HOME OCCUPATION PERMIT	No	No	Varies
LOCAL BUSINESS LICENSE	Varies	Varies	Likely
RESTRICTIONS	Va. Code §3.2-5130 provides the home kitchen food processing exemption. No permit, registration, or inspection required at the state level...	Va. Code §3.2-5130 provides the home kitchen food processing exemption. No permit, registration, or inspection required at the state level...	Virginia Home Kitchen Food Processing Exemption (Va. Code §3.2-5130) permits direct-to-consumer sale of non-TCS shelf-stable foods from a p...
FOOD STORAGE	Non-potentially hazardous (non-TCS), shelf-stable foods only.	Non-potentially hazardous (non-TCS), shelf-stable foods only.	Non-TCS shelf-stable foods only.
POPULATION	31,426	16,253	14,773

## State context — Virginia cottage food law

Amherst 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.

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### 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.

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

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### 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/>

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# Questions?

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

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

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