

COTTAGE FOOD LAW REPORT

Fauquier County

Virginia · Warrenton · FIPS 51061 · Population 73,290 ·
Crosodo Index #1623*

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

CROSODO INDEX #1623* · FIPS 51061 · Warrenton

Fauquier County

Population 73,290 · State baseline: Va. Code §3.2-5130 · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Home kitchen in primary domestic residence allowed. Non-TCS shelf-stable foods only. Pickles and acidified vegetables subject to \$9,000 annual gross sales cap. All products must bear 'NOT FOR RESALE — PROCESSED AND PREPARED WITHOUT STATE INSPECTION' label.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Not specified in state statute.

HOME OCCUPATION PERMIT?

Varies (No state-level permit required. Fauquier County may have local zoning home occupation requirements. County government URL confirmed in input. No Fauquier County-specific cottage food ordinance found.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (VDACS may inspect upon consumer complaint.)

Home kitchen rules

| | |
|-----------------------------------|---|
| HOME KITCHEN ALLOWED | Yes — Home kitchen in primary domestic residence allowed. Non-TCS shelf-stable foods only. Pickles and acidified vegetables subject to \$9,000 annual gross sales cap. All products must bear 'NOT FOR RESALE — PROCESSED AND PREPARED WITHOUT STATE INSPECTION' label. |
| SEPARATE DEDICATED KITCHEN | No |
| PET RESTRICTIONS | Not specified in state statute. |
| WATER SUPPLY | Potable water required. |
| HANDWASHING | No food handler certification required. |
| FOOD STORAGE | Non-TCS shelf-stable products must be stored appropriately. |

Inspection & permitting

| | |
|-------------------------------|--|
| INSPECTION REQUIRED | No — VDACS may inspect upon consumer complaint. |
| HOME OCCUPATION PERMIT | Varies — No state-level permit required. Fauquier County may have local zoning home occupation requirements. County government URL confirmed in input. No Fauquier County-specific cottage food ordinance found. |
| LOCAL BUSINESS LICENSE | Varies |

Customer-facing rules

| | |
|--------------------------------|---|
| ON-SITE CUSTOMER PICKUP | Yes |
| ON-SITE SIGNAGE | Conditional |
| DELIVERY / PICKUP RULES | Direct sales to consumers only. No resale or consignment. No sales to retail food establishments. |
| MAX EMPLOYEES IN HOME | Not specified. |

Relevant county code

No Fauquier County-specific cottage food code section found.

RESEARCH NOTES

Fauquier County follows Virginia state cottage food law. County government URL confirmed in input. No county-specific cottage food ordinance found. Confidence: medium (state law verified, county URL confirmed, no specific county ordinance confirmed).

SOURCES VERIFIED AT RESEARCH TIME

<https://www.fauquiercounty.gov>

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

<https://www.fauquiercounty.gov>

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

Bordering counties — cottage food law

| Regulation | Fauquier County | Culpeper County | Stafford County |
|----------------------------|---|---|---|
| HOME KITCHEN ALLOWED | Yes | Yes | Conditional |
| SEPARATE DEDICATED KITCHEN | No | No | No |
| PETS ALLOWED | Not specified in state statute. | No specific VA or Culpeper County restriction. | If pets are present, food processing and storage areas must be completely enclosed/ separated from the rest of the home with a solid hinged ... |
| INSPECTION REQUIRED | No | No | Upon-complaint |
| ON-SITE CUSTOMER PICKUP | Yes | Yes | Yes |
| ON-SITE SIGNAGE | Conditional | Conditional | Conditional |
| DELIVERY / PICKUP | Direct sales to consumers only. No resale or consignment. No sales to retail food establishments. | Direct sales to end consumers only. No consignment or retail store sales. | Under §3.2-5130 exemption: direct-to-consumer sales only; no resale to food establishments. Under VDACS permit: direct sales and some whole... |
| HOME OCCUPATION PERMIT | Varies | Conditional | Yes |
| LOCAL BUSINESS LICENSE | Varies | Varies | Yes |
| RESTRICTIONS | Home kitchen in primary domestic residence allowed. Non-TCS shelf-stable foods only. Pickles and acidified vegetables subject to \$9,000 ann... | Non-TCS shelf-stable foods from private home. No registration, permit, or inspection. Direct sales only. Allowed: candies, jams/ jellies (no... | Virginia has two pathways: (1) Va. Code §3.2-5130 cottage food exemption — no registration or inspection for direct-to-consumer sales of no... |
| FOOD STORAGE | Non-TCS shelf-stable products must be stored appropriately. | Non-TCS shelf-stable products. Mandatory label: 'NOT FOR RESALE — PROCESSED AND PREPARED WITHOUT STATE INSPECTION'. | Non-TCS shelf-stable foods only under cottage food exemption. Proper storage to prevent contamination. |
| POPULATION | 73,290 | 52,822 | 157,606 |

State context — Virginia cottage food law

Fauquier 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 Fauquier County's specific zoning rules, permits, and what other home bakers are seeing locally.

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