

## COTTAGE FOOD LAW REPORT

# Henry County

Virginia · Martinsville · FIPS 51089 · Population 50,760 ·  
Crosodo Index #678\*

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: HENRY COUNTY

CROSODO INDEX #678\* · FIPS 51089 · Martinsville

# Henry County

Population 50,760 · State baseline: Va. Code §3.2-5130 · **MEDIUM**

## QUICK VIEW FOR BAKERS IN THIS COUNTY

**HOME KITCHEN ALLOWED?**

Yes (Must be primary private home. Products must be non-TCS shelf-stable foods. Pickles/acidified vegetables (pH ≤4.6) allowed with \$9,000 annual cap. No TCS foods. No resale/consignment. Label must state 'NOT FOR RESALE — PROCESSED AND PREPARED WITHOUT STATE INSPECTION'.)

**SEPARATE KITCHEN REQUIRED?**

No

**PETS ALLOWED?**

Not specified in state law.

**HOME OCCUPATION PERMIT?**

Conditional (Henry County may have home occupation zoning requirements. The City of Martinsville (an independent city adjacent to Henry County) has separate zoning. Recommend verifying with Henry County Planning and Zoning.)

**ON-SITE / PORCH PICKUP?**

Yes

**INSPECTION REQUIRED?**

No (No routine inspection. Department may inspect upon consumer complaint.)

## Home kitchen rules

<b>HOME KITCHEN ALLOWED</b>	Yes — Must be primary private home. Products must be non-TCS shelf-stable foods. Pickles/acidified vegetables (pH ≤4.6) allowed with \$9,000 annual cap. No TCS foods. No resale/consignment. Label must state 'NOT FOR RESALE — PROCESSED AND PREPARED WITHOUT STATE INSPECTION'.
<b>SEPARATE DEDICATED KITCHEN</b>	No
<b>PET RESTRICTIONS</b>	Not specified in state law.
<b>WATER SUPPLY</b>	Not specified in state law.
<b>HANDWASHING</b>	Standard sanitation practices; not explicitly required.
<b>FOOD STORAGE</b>	Products must be shelf-stable and non-TCS.

## Inspection & permitting

<b>INSPECTION REQUIRED</b>	No — No routine inspection. Department may inspect upon consumer complaint.
<b>HOME OCCUPATION PERMIT</b>	Conditional — Henry County may have home occupation zoning requirements. The City of Martinsville (an independent city adjacent to Henry County) has separate zoning. Recommend verifying with Henry County Planning and Zoning.
<b>LOCAL BUSINESS LICENSE</b>	Varies

## Customer-facing rules

<b>ON-SITE CUSTOMER PICKUP</b>	Yes
<b>ON-SITE SIGNAGE</b>	Conditional
<b>DELIVERY / PICKUP RULES</b>	Direct-to-consumer sales only. No resale or consignment through retail food establishments. All-caps label disclaimer required.
<b>MAX EMPLOYEES IN HOME</b>	Not specified in state law.

## Relevant county code

Va. Code §3.2-5130; Henry County Zoning Code (home occupation provisions)

### RESEARCH NOTES

Virginia state law allows cottage food from home without inspection or registration. No Henry County-specific cottage food rules found. Note: county\_seat field in input was blank; county seat is Martinsville (an independent city). The \$9,000 cap for acidified/pickle products is among the lowest in the US.

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### 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/henry-county-discuss>

## State context — Virginia cottage food law

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

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

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