

COTTAGE FOOD LAW REPORT

Cabell County

West Virginia · Huntington · FIPS 54011 · Population 93,965 ·
Crosodo Index #2499*

STATE BASELINE

W. Va. Code §19-40-1 through §19-40-6 (enacted 2026); §19-35-6

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.

WEST VIRGINIA: CABELL COUNTY

CROSODO INDEX #2499* · FIPS 54011 · Huntington

Cabell County

Population 93,965 · State baseline: W. Va. Code §19-40-1 through §19-40-6 (enacted 2026); §19-35-6

• MEDIUM

QUICK VIEW FOR BAKERS IN THIS COUNTY**HOME KITCHEN ALLOWED?**

Yes (West Virginia SB 44 (2026, effective June 12, 2026) creates new Article 40 (§19-40-1 through §19-40-6) as the operative cottage food law. Two categories: (1) Nonpotentially hazardous foods — fully exempt from licensing, permitting, and inspection; (2) Potentially hazardous cottage foods — require a WV Department of Agriculture permit (statewide), but no food establishment permit needed for home sales. No sales cap. All sales must occur within West Virginia.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific restriction under WV cottage food law.

HOME OCCUPATION PERMIT?

Varies (Cabell County (Huntington) may have local home occupation zoning requirements. No Cabell County-specific cottage food permit identified. Operators should check with Cabell County Commission or City of Huntington for home-based business rules.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

Upon-complaint (WV Department of Agriculture may inspect upon complaint for potentially hazardous cottage foods. Nonpotentially hazardous foods are fully exempt from inspection.)

Home kitchen rules**HOME KITCHEN ALLOWED**

Yes — West Virginia SB 44 (2026, effective June 12, 2026) creates new Article 40 (§19-40-1 through §19-40-6) as the operative cottage food law. Two categories: (1) Nonpotentially hazardous foods — fully exempt from licensing, permitting, and inspection; (2) Potentially hazardous cottage foods — require a WV Department of Agriculture permit (statewide), but no food establishment permit needed for home sales. No sales cap. All sales must occur within West Virginia.

SEPARATE DEDICATED KITCHEN

No

PET RESTRICTIONS

No specific restriction under WV cottage food law.

WATER SUPPLY

No specific requirement stated.

HANDWASHING

No specific statutory requirement; recommended as part of good manufacturing practices.

FOOD STORAGE

Nonpotentially hazardous cottage foods: no restriction. Potentially hazardous: require WV DOA permit and appropriate storage.

Inspection & permitting

INSPECTION REQUIRED	Upon-complaint — WV Department of Agriculture may inspect upon complaint for potentially hazardous cottage foods. Nonpotentially hazardous foods are fully exempt from inspection.
HOME OCCUPATION PERMIT	Varies — Cabell County (Huntington) may have local home occupation zoning requirements. No Cabell County-specific cottage food permit identified. Operators should check with Cabell County Commission or City of Huntington for home-based business rules.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct-to-consumer sales within West Virginia. No out-of-state sales. Farmers markets, events, home pickup permitted. Prohibited: meat, poultry, seafood, Grade A dairy. No commercial food establishment sales.
MAX EMPLOYEES IN HOME	No limit specified in WV cottage food law.

Relevant county code

No Cabell County-specific cottage food code identified.

RESEARCH NOTES

No Cabell County-specific cottage food rules found. West Virginia SB 44 (2026) is a major new cottage food law signed March 27, 2026, effective June 12, 2026. Cabell County (Huntington) is WV's second-largest city. The old WV cottage food rules under §16-7-1 are superseded by the new Article 40. The WV state baseline input URL (oeh.dhhr.wv.gov) may reflect prior rules; the new §19-40-1 et seq. is the operative citation.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.cabellcounty.gov>

<https://oeh.dhhr.wv.gov/foodprotection/Pages/Cottage-Food.aspx>

<https://code.wvlegislature.gov/16-7/>

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

Bordering counties — cottage food law

Regulation	Cabell County	Putnam County	Lincoln County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No specific restriction under WV cottage food law.	No specific WV state rule on pets in home kitchens for cottage food; standard good manufacturing practice recommends exclusion during produ...	No specific WV state rule on pets in home kitchens for cottage food; standard good manufacturing practice recommends exclusion during produ...
INSPECTION REQUIRED	Upon-complaint	Upon-complaint	Upon-complaint
ON-SITE CUSTOMER PICKUP	Yes	Conditional	Conditional
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Direct-to-consumer sales within West Virginia. No out-of-state sales. Farmers markets, events, home pickup permitted. Prohibited: meat, pou...	Direct to consumer sales permitted under WV law. Customer pickup at home is generally allowed under home occupation definition if incidenta...	Direct to consumer sales permitted under WV law. Customer pickup at home is generally allowed. Delivery also allowed. All sales must remain...
HOME OCCUPATION PERMIT	Varies	Conditional	Conditional
LOCAL BUSINESS LICENSE	Varies	No	No
RESTRICTIONS	West Virginia SB 44 (2026, effective June 12, 2026) creates new Article 40 (§19-40-1 through §19-40-6) as the operative cottage food law. T...	Nonpotentially hazardous cottage foods fully exempt from licensing, permitting, and inspection under WV Code §19-40-6. Potentially hazardou...	Nonpotentially hazardous cottage foods fully exempt from licensing, permitting, and inspection under WV Code §19-40-6. Potentially hazardou...
FOOD STORAGE	Nonpotentially hazardous cottage foods: no restriction. Potentially hazardous: require WV DOA permit and appropriate storage.	Foods must remain nonpotentially hazardous (shelf-stable); proper storage to prevent contamination recommended.	Foods must remain nonpotentially hazardous (shelf-stable); proper storage to prevent contamination recommended.
POPULATION	93,965	57,347	20,428

State context — West Virginia cottage food law

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

STATUTE

W. Va. Code §19-40-1 through §19-40-6 (Article 40, Cottage Foods, enacted 2026); §19-35-6 (Nonpotentially hazardous foods at farmers markets)

ANNUAL SALES CAP

—

REGISTRATION REQUIRED

Depends

FOOD HANDLER CERT

No

KITCHEN INSPECTION

Upon-complaint

DIRECT SALES ONLY

Yes

INDIRECT SALES

No — Cottage food must be sold directly to consumers. The new Article 40 (effective June 12, 2026) establishes that potentially hazardous cottage food vendors need a statewide permit but nonpotentially hazardous food sellers are fully exempt from permit and inspection. Local health departments may invoke cessation of production only if an imminent health hazard exists, in consultation with the Department of Agriculture. The input batch cited §16-7-1 (a general adulteration statute), but the operative cottage food framework is now Article 40 (§19-40-1 through §19-40-6), signed March 27, 2026.

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

STATE-LEVEL REFERENCES

State statute: <https://code.wvlegislature.gov/16-7/>

State dept cottage food page: <https://oeh.dhhr.wv.gov/foodprotection/Pages/Cottage-Food.aspx>

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

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

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

Classifieds

Resources for cottage food & home bakers · crosodo.com/advertise

NATIONAL

SUPPLIES

Advertise here — Supplies

Reach home bakers across the country. crosodo.com/advertise

COURSES

Advertise here — Courses

Reach home bakers across the country. crosodo.com/advertise

INSURANCE

Advertise here — Insurance

Reach home bakers across the country. crosodo.com/advertise

LOCAL

Advertise here

Reach home bakers in Cabell County, West Virginia. Supply stores, farmers markets, kitchen rentals, and bakery services welcome.

crosodo.com/advertise

Your business here

Local cottage food listings, kitchen rentals, co-packer referrals, and community events — post yours free on the Crosodo Forum.

crosodo.com/nb/west-virginia/cabell-county-discuss

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