

## COTTAGE FOOD LAW REPORT

# Putnam County

West Virginia · Winfield · FIPS 54079 · Population 57,347 ·  
Crosodo Index #1741\*

## STATE BASELINE

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

## STATE TIER

Good

## ANNUAL SALES CAP (STATE)

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## 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: PUTNAM COUNTY

CROSODO INDEX #1741\* · FIPS 54079 · Winfield

# Putnam County

Population 57,347 · 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 (Nonpotentially hazardous cottage foods fully exempt from licensing, permitting, and inspection under WV Code §19-40-6. Potentially hazardous cottage foods require a WV Dept. of Agriculture permit. No sales cap. Must be produced in producer’s domestic residence.)

**SEPARATE KITCHEN REQUIRED?**

No

**PETS ALLOWED?**

No specific WV state rule on pets in home kitchens for cottage food; standard good manufacturing practice recommends exclusion during production.

**HOME OCCUPATION PERMIT?**

Conditional (Putnam County zoning ordinance (Article 150/400 series, amended Oct. 2022 and May 2024) defines home occupation as incidental residential use that does not alter property exterior or neighborhood character. Cottage food operations meeting this definition may operate without a separate special permit in residential districts; operations with customer traffic or signage may require review. Contact Putnam County Planning & Infrastructure at [putnamcountywv.gov](http://putnamcountywv.gov).)

**ON-SITE / PORCH PICKUP?**

Conditional

**INSPECTION REQUIRED?**

Upon-complaint (Consumer complaint or suspected foodborne illness investigation by WV DHHR. WV Code §19-40-5 authorizes WVDA inspection for potentially hazardous cottage foods.)

## Home kitchen rules

<b>HOME KITCHEN ALLOWED</b>	Yes — Nonpotentially hazardous cottage foods fully exempt from licensing, permitting, and inspection under WV Code §19-40-6. Potentially hazardous cottage foods require a WV Dept. of Agriculture permit. No sales cap. Must be produced in producer’s domestic residence.
<b>SEPARATE DEDICATED KITCHEN</b>	No
<b>PET RESTRICTIONS</b>	No specific WV state rule on pets in home kitchens for cottage food; standard good manufacturing practice recommends exclusion during production.
<b>WATER SUPPLY</b>	No specific state requirement for cottage food; public or private water acceptable.
<b>HANDWASHING</b>	Standard sanitation practices required; no formal state inspection trigger.
<b>FOOD STORAGE</b>	Foods must remain nonpotentially hazardous (shelf-stable); proper storage to prevent contamination recommended.

## Inspection & permitting

INSPECTION REQUIRED	Upon-complaint — Consumer complaint or suspected foodborne illness investigation by WV DHHR. WV Code §19-40-5 authorizes WVDA inspection for potentially hazardous cottage foods.
HOME OCCUPATION PERMIT	Conditional — Putnam County zoning ordinance (Article 150/400 series, amended Oct. 2022 and May 2024) defines home occupation as incidental residential use that does not alter property exterior or neighborhood character. Cottage food operations meeting this definition may operate without a separate special permit in residential districts; operations with customer traffic or signage may require review. Contact Putnam County Planning & Infrastructure at <a href="http://putnamcountywv.gov">putnamcountywv.gov</a> .
LOCAL BUSINESS LICENSE	No

## Customer-facing rules

ON-SITE CUSTOMER PICKUP	Conditional
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct to consumer sales permitted under WV law. Customer pickup at home is generally allowed under home occupation definition if incidental. Delivery also allowed.
MAX EMPLOYEES IN HOME	WV statute does not specify an employee cap for cottage food operations.

## Relevant county code

Putnam County Zoning Ordinance Article 150 (Definitions), Article 400 (Single-Family Residential District), Article 1700.17D (Home Occupation) – amended 03/09/22

### RESEARCH NOTES

WV enacted a new Cottage Foods Article 40 (§19-40-1 through §19-40-6) in 2026 via SB 44 (effective June 12, 2026). State law distinguishes nonpotentially hazardous (fully exempt) from potentially hazardous (WVDA permit required). Putnam County zoning confirms home occupation definition allows incidental home-based businesses without altering residential character. No county-specific cottage food override found. All sales must remain within WV. County URLs had no direct cottage food pages; state baseline applies.

### SOURCES VERIFIED AT RESEARCH TIME

<https://putnamcountywv.gov/planning-and-infrastructure/ordinances/>

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

<https://putnamcountywv.gov/planning-and-infrastructure/ordinances/>

<https://putnamcountywv.gov/planning-and-infrastructure/wp-content/uploads/sites/6/2023/09/Complete-Zoning-Ordinance-Amended-October-2022.pdf>

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

## Bordering counties — cottage food law

Regulation	Putnam County	Cabell County	Kanawha County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No specific WV state rule on pets in home kitchens for cottage food; standard good manufacturing practice recommends exclusion during produ...	No specific restriction under WV cottage food law.	No explicit state restriction; good manufacturing practices apply.
INSPECTION REQUIRED	Upon-complaint	Upon-complaint	Upon-complaint
ON-SITE CUSTOMER PICKUP	Conditional	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	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 within West Virginia. No out-of-state sales. Farmers markets, events, home pickup permitted. Prohibited: meat, pou...	Direct sales within West Virginia. In-person and remote sales permitted; delivery by producer, agent, or third-party carrier allowed.
HOME OCCUPATION PERMIT	Conditional	Varies	Yes
LOCAL BUSINESS LICENSE	No	Varies	Varies
RESTRICTIONS	Nonpotentially hazardous cottage foods fully exempt from licensing, permitting, and inspection under WV Code §19-40-6. Potentially hazardou...	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 foods: fully exempt from licensing, permitting, and inspection per §19-40-6 and §19-35-6. Potentially hazardous co...
FOOD STORAGE	Foods must remain nonpotentially hazardous (shelf-stable); proper storage to prevent contamination recommended.	Nonpotentially hazardous cottage foods: no restriction. Potentially hazardous: require WV DOA permit and appropriate storage.	Appropriate storage for cottage food products.
POPULATION	57,347	93,965	179,895

## State context — West Virginia cottage food law

Putnam 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.

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### 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

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### 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.

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

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### 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/>

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## Questions?

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

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

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