

COTTAGE FOOD LAW REPORT

Clay County

Georgia · Fort Gaines · FIPS 13061 · Population 2,815 ·
Crosodo Index #2242*

STATE BASELINE

O.C.G.A. §26-2-470 et seq. (eff. July 2025); prior: GA R&R 40-7-19

STATE TIER

Okay

ANNUAL SALES CAP (STATE)

—

CONFIDENCE

MEDIUM

LAST VERIFIED

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.

How to start — 60-second path

Clay County, Georgia — permit, pickup, and label steps before the full county rules.

HOME KITCHEN ALLOWED?

Yes

STATE SALES CAP

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HOME OCCUPATION PERMIT?

Conditional

ON-SITE / PORCH PICKUP?

Yes

INSPECTION

Upon-complaint

PETS

Not specified in state law; products must not be contaminated

BEFORE YOU SELL FROM THIS ADDRESS

- ☐ **1. Menu** — Confirm each product under Georgia cottage food rules (county cannot expand a state ban).
- ☐ **2. Pickup & zoning** — Home occupation and porch pickup cells above; HOA/lease may still block customer traffic.
- ☐ **3. Local tax / license** — Business license or sales tax certificate if your city/parish requires it (common even with no state food permit).
- ☐ **4. Training** — Food handler or state registration before market day.
- ☐ **5. Labels** — Disclaimer, allergens, ingredients, net quantity, producer info.
- ☐ **6. Call if unclear** — County health and planning for your exact address.

LABEL FIELDS TO INCLUDE

- ☐ Product name · producer name · address (or allowed alternative)
- ☐ Ingredients by weight · major allergens · net weight/quantity
- ☐ Georgia home-kitchen disclaimer (see live label one-pager)

CONTINUE ONLINE

[Open the live county page →](#)

[Georgia label one-pager →](#)

[Local notes & questions →](#)

Planning path only — not legal advice. Rules change. Always verify with state and local offices before selling.

GEORGIA: CLAY COUNTY

CROSODO INDEX #2242* · FIPS 13061 · Fort Gaines

Clay County

Population 2,815 · State baseline: O.C.G.A. §26-2-470 et seq. (eff. July 2025); prior: GA R&R 40-7-19 ·

MEDIUM

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Must be produced in operator's primary domestic residence home kitchen only. Secondary homes, vacation homes, or motor homes do not qualify. Only non-potentially hazardous foods permitted.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Not specified in state law; products must not be contaminated

HOME OCCUPATION PERMIT?

Conditional (Georgia state law does not preempt local zoning. Cottage food operators must check with Clay County to determine if a home-based business is allowed in their zoning district and whether a home occupation permit is required.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

Upon-complaint (Complaint-based only under HB 398 (eff. July 2025). GDA may enter premises upon complaint or public health emergency.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Must be produced in operator's primary domestic residence home kitchen only. Secondary homes, vacation homes, or motor homes do not qualify. Only non-potentially hazardous foods permitted.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	Not specified in state law; products must not be contaminated
WATER SUPPLY	Potable water required; annual coliform testing required if using a private well
HANDWASHING	Standard sanitation practices required; ANSI-accredited food safety training required
FOOD STORAGE	Ingredients and finished products must be stored appropriately in the domestic residence

Inspection & permitting

INSPECTION REQUIRED	Upon-complaint — Complaint-based only under HB 398 (eff. July 2025). GDA may enter premises upon complaint or public health emergency.
HOME OCCUPATION PERMIT	Conditional — Georgia state law does not preempt local zoning. Cottage food operators must check with Clay County to determine if a home-based business is allowed in their zoning district and whether a home occupation permit is required.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Under HB 398 (eff. July 2025): direct-to-consumer sales, online sales, sales to retail stores, restaurants, and interstate sales are all permitted. Events and farmers markets permitted.
MAX EMPLOYEES IN HOME	Unknown

Relevant county code

O.C.G.A. §26-2-470 et seq.; local zoning must be checked independently

RESEARCH NOTES

Clay County is one of Georgia's least populous counties in southwest Georgia. No county-specific cottage food ordinance variations found. Defaulted to GA state baseline (post-HB 398) with medium confidence.

SOURCES VERIFIED AT RESEARCH TIME

<https://dph.georgia.gov/clay-county>

<https://www.claycounty.gov>

<https://agr.georgia.gov/cottage-food>

<https://rules.sos.ga.gov/gac/40-7-19>

Questions about this county? Local notes and a place to leave a question: crosodo.com/nb/georgia/clay-county-discuss

Bordering counties — cottage food law

Regulation	Clay County	Calhoun County	Early County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Not specified in state law; products must not be contaminated	Not specified in state law; products must not be contaminated	No specific state prohibition, but pets should be excluded from food prep areas per good manufacturing practices.
INSPECTION REQUIRED	Upon-complaint	Upon-complaint	Upon-complaint
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Under HB 398 (eff. July 2025): direct-to-consumer sales, online sales, sales to retail stores, restaurants, and interstate sales are all pe...	Under HB 398 (eff. July 2025): direct-to-consumer sales, online sales, sales to retail stores, restaurants, and interstate sales are all pe...	Under HB 398, sales permitted via wholesale, retail, online, and direct. Delivery allowed. No geographic sales restriction within Georgia; ...
HOME OCCUPATION PERMIT	Conditional	Conditional	Varies
LOCAL BUSINESS LICENSE	Varies	Varies	Yes
RESTRICTIONS	Must be produced in operator's primary domestic residence home kitchen only. Secondary homes, vacation homes, or motor homes do not qualify...	Must be produced in operator's primary domestic residence home kitchen only. Secondary homes, vacation homes, or motor homes do not qualify...	Georgia HB 398 (eff. July 1, 2025) dramatically expanded cottage food rules. No license or fee required. Complaint-based inspections only. ...
FOOD STORAGE	Ingredients and finished products must be stored appropriately in the domestic residence	Ingredients and finished products must be stored appropriately in the domestic residence	All cottage food products must be stored to prevent contamination; non-TCS foods only.
POPULATION	2,855	5,594	10,753

State context — Georgia cottage food law

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

STATUTE

O.C.G.A. §26-2-470 et seq. (eff. July 2025); prior: GA R&R 40-7-19

ANNUAL SALES CAP

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REGISTRATION REQUIRED

No

FOOD HANDLER CERT

Yes (specific course)

KITCHEN INSPECTION

Upon-complaint

DIRECT SALES ONLY

No

INDIRECT SALES

Yes — As of July 1, 2025 (HB 398), Georgia allows wholesale, online, retail store, restaurant, and mail-order sales; third-party sellers must display cottage food products separately and label the section as products from residential kitchens exempt from state inspection.

For the full state-level analysis including the verbatim statute text, see the [Georgia cottage food law report](#) on Crosodo, or open the live guide: crosodo.com/states/georgia.

STATE-LEVEL REFERENCES

State statute: <https://law.justia.com/codes/georgia/2020/title-26/chapter-2/>

State dept cottage food page: <https://agr.georgia.gov/cottage-food-program>

Forrager.com: <https://forrager.com/law/georgia/>

Questions about Clay County? Local notes and a place to leave a question are on Crosodo. We monitor new threads — start with zoning, permits, or porch pickup.

crosodo.com/nb/georgia/clay-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 Clay County, Georgia. 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 on Crosodo.

crosodo.com/nb/georgia/clay-county-discuss

Free ad space available

Let us know if you're a non-profit or community organization. Farmers markets, kitchen rentals, and cottage food events near you welcome.

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