

COTTAGE FOOD LAW REPORT

Gilmer County

Georgia · Ellijay · FIPS 13123 · Population 33,327 · Crosodo Index #2739*

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

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

HOME KITCHEN ALLOWED?

Yes

STATE SALES CAP

—

HOME OCCUPATION PERMIT?

Varies

ON-SITE / PORCH PICKUP?

Yes

INSPECTION

Upon-complaint

PETS

No specific state prohibition, but pets should be excluded from food prep areas per good manufacturing practices.

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: GILMER COUNTY

CROSODO INDEX #2739* · FIPS 13123 · Ellijay

Gilmer County

Population 33,327 · 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 (Georgia HB 398 (eff. July 1, 2025) dramatically expanded cottage food rules. No license or fee required. Complaint-based inspections only. Interstate sales now allowed. Wholesale, retail, online, and restaurant sales permitted. Food handler certification (specific course) required. Must label 'NOT MADE IN A STATE-INSPECTED FACILITY.' Under HB 398, counties may opt out of allowing third-party vendor sales but cannot otherwise directly regulate cottage food operators.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific state prohibition, but pets should be excluded from food prep areas per good manufacturing practices.

HOME OCCUPATION PERMIT?

Varies (No county-specific cottage food overlay found. Gilmer County may require a business license for commercial activity. Home occupation rules vary by zoning district under Gilmer County's zoning ordinance. Ellijay is a known cottage food and apple orchard market hub; local event permitting may apply for farmers market sales.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

Upon-complaint (GDA may inspect upon consumer complaint or reported foodborne illness.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Georgia HB 398 (eff. July 1, 2025) dramatically expanded cottage food rules. No license or fee required. Complaint-based inspections only. Interstate sales now allowed. Wholesale, retail, online, and restaurant sales permitted. Food handler certification (specific course) required. Must label 'NOT MADE IN A STATE-INSPECTED FACILITY.' Under HB 398, counties may opt out of allowing third-party vendor sales but cannot otherwise directly regulate cottage food operators.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No specific state prohibition, but pets should be excluded from food prep areas per good manufacturing practices.
WATER SUPPLY	Private water supply (well) requires annual coliform bacteria testing per state rules.
HANDWASHING	Adequate handwashing required per GDA cottage food guidelines.
FOOD STORAGE	All cottage food products must be stored to prevent contamination; non-TCS foods only.

Inspection & permitting

INSPECTION REQUIRED	Upon-complaint — GDA may inspect upon consumer complaint or reported foodborne illness.
HOME OCCUPATION PERMIT	Varies — No county-specific cottage food overlay found. Gilmer County may require a business license for commercial activity. Home occupation rules vary by zoning district under Gilmer County's zoning ordinance. Ellijay is a known cottage food and apple orchard market hub; local event permitting may apply for farmers market sales.
LOCAL BUSINESS LICENSE	Yes

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Under HB 398, sales permitted via wholesale, retail, online, and direct. Delivery allowed. No geographic sales restriction within Georgia; interstate sales now permitted.
MAX EMPLOYEES IN HOME	Not specified by state law; local home occupation rules may limit non-resident employees.

Relevant county code

Gilmer County Zoning Ordinance (home occupation provisions); Gilmer County Code of Ordinances

RESEARCH NOTES

Pattern county — no county-specific cottage food rules found. State baseline (GA HB 398, eff. July 1, 2025) governs. Georgia's 2025 law significantly expanded cottage food rights. Under HB 398, cities/counties may opt out of third-party vendor sales via ordinance but cannot impose broader cottage food regulations. Gilmer County (Ellijay) is a mountain tourism county known for apple production and agritourism; event-specific or market-specific permitting from the City of Ellijay or Gilmer County may apply for vendors at local markets. No county-specific cottage food ordinance identified in research.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.gilmercounty.gov>

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

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

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

Bordering counties — cottage food law

Regulation	Gilmer County	Dawson County	Fannin County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No specific state prohibition, but pets should be excluded from food prep areas per good manufacturing practices.	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, sales permitted via wholesale, retail, online, and direct. Delivery allowed. No geographic sales restriction within Georgia; ...	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	Varies	Conditional	Varies
LOCAL BUSINESS LICENSE	Yes	Varies	Yes
RESTRICTIONS	Georgia HB 398 (eff. July 1, 2025) dramatically expanded cottage food rules. No license or fee required. Complaint-based inspections only. ...	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	All cottage food products must be stored to prevent contamination; non-TCS foods only.	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	31,519	27,355	25,436

State context — Georgia cottage food law

Gilmer 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 Gilmer 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/gilmer-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 Gilmer 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/gilmer-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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