

COTTAGE FOOD LAW REPORT

James City County

Virginia · — · FIPS 51095 · Population 78,818 · Crosodo Index
#1626*

STATE BASELINE

Va. Code §3.2-5130

STATE TIER

Good

ANNUAL SALES CAP (STATE)

Tiered

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.

How to start — 60-second path

James City County, Virginia — permit, pickup, and label steps before the full county rules.

HOME KITCHEN ALLOWED?

Yes

STATE SALES CAP

Tiered

HOME OCCUPATION PERMIT?

Varies

ON-SITE / PORCH PICKUP?

Yes

INSPECTION

No

PETS

Not specified in state statute.

BEFORE YOU SELL FROM THIS ADDRESS

- ☐ **1. Menu** — Confirm each product under Virginia 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
- ☐ Virginia home-kitchen disclaimer (see live label one-pager)

CONTINUE ONLINE

[Open the live county page →](#)

[Virginia label one-pager →](#)

[Print labels for your first market →](#)

[Local notes & questions →](#)

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

VIRGINIA: JAMES CITY COUNTY

CROSODO INDEX #1626* · FIPS 51095 · —

James City County

Population 78,818 · State baseline: Va. Code §3.2-5130 · MEDIUM

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Home kitchen in primary domestic residence allowed. Non-TCS shelf-stable foods only. Pickles and acidified vegetables subject to \$9,000 annual gross sales cap. All products must bear 'NOT FOR RESALE — PROCESSED AND PREPARED WITHOUT STATE INSPECTION' label.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Not specified in state statute.

HOME OCCUPATION PERMIT?

Varies (No state-level permit required. James City County may have local zoning home occupation requirements. No James City County-specific cottage food ordinance found.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (VDACS may inspect upon consumer complaint.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Home kitchen in primary domestic residence allowed. Non-TCS shelf-stable foods only. Pickles and acidified vegetables subject to \$9,000 annual gross sales cap. All products must bear 'NOT FOR RESALE — PROCESSED AND PREPARED WITHOUT STATE INSPECTION' label.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	Not specified in state statute.
WATER SUPPLY	Potable water required.
HANDWASHING	No food handler certification required at state level.
FOOD STORAGE	Non-TCS shelf-stable products must be stored appropriately.

Inspection & permitting

INSPECTION REQUIRED	No — VDACS may inspect upon consumer complaint.
HOME OCCUPATION PERMIT	Varies — No state-level permit required. James City County may have local zoning home occupation requirements. No James City County-specific cottage food ordinance found.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct sales to consumers only. No resale or consignment. No sales to retail food establishments.
MAX EMPLOYEES IN HOME	Not specified.

Relevant county code

No James City County-specific cottage food code section found.

RESEARCH NOTES

James City County follows Virginia state cottage food law (Va. Code §3.2-5130). County has no separate county seat as it is in the Williamsburg area but James City County itself has no incorporated county seat. No county-specific cottage food ordinance found. Confidence: medium (state law verified, no county-specific ordinance confirmed).

SOURCES VERIFIED AT RESEARCH TIME

<https://www.jamescounty.gov>

<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 about this county? Local notes and a place to leave a question: crosodo.com/nb/virginia/james-city-county-discuss

James City County and nearby places

Regulation	James City County	York County	Isle of Wight County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Not specified in state statute.	Not specified in state law	No specific state cottage food pet restriction.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Conditional	Yes
ON-SITE SIGNAGE	Conditional	No	Conditional
DELIVERY / PICKUP	Direct sales to consumers only. No resale or consignment. No sales to retail food establishments.	Off-premises sales (markets, delivery) allowed without Special Use Permit. On-site retail requires Special Use Permit with appointment-only...	Direct sales only at home, farmers markets, or temporary events (up to 14 consecutive days). No online ordering, no shipping, no wholesale.
HOME OCCUPATION PERMIT	Varies	Yes	Varies
LOCAL BUSINESS LICENSE	Varies	Yes	Likely
RESTRICTIONS	Home kitchen in primary domestic residence allowed. Non-TCS shelf-stable foods only. Pickles and acidified vegetables subject to \$9,000 ann...	No food handler cert required. No registration required. Direct-to-consumer sales only; no internet or mail order sales; no retail outside ...	Virginia Home Kitchen Food Processing Exemption (Va. Code §3.2-5130) permits direct-to-consumer sale of non-TCS shelf-stable foods from a p...
FOOD STORAGE	Non-TCS shelf-stable products must be stored appropriately.	Appropriate storage for non-PHF products	Non-TCS shelf-stable foods only.
POPULATION	78,818	70,238	38,898

State context — Virginia cottage food law

James City 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.

STATUTE

Va. Code §3.2-5130 (HB 402 / 2026 c. 605)

ANNUAL SALES CAP

Tiered

REGISTRATION REQUIRED

No

FOOD HANDLER CERT

No

KITCHEN INSPECTION

No

DIRECT SALES ONLY

Yes

INDIRECT SALES

No — As amended by HB 402 (Acts of Assembly 2026 Ch. 605), effective July 1, 2026: exempt foods may be sold at any location, through the internet, or by phone to an individual in Virginia for their own consumption, and delivered in person, by mail, or by delivery service in Virginia. Still no resale, consignment, restaurants, retail food establishments, or out-of-state sales. Local zoning still applies. The VDACS home-food-processor FAQ PDF is stale (still says no online sales); the statute controls. <https://lis.virginia.gov/bill-details/2026/HB402>

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

STATE-LEVEL REFERENCES

State statute: <https://law.lis.virginia.gov/vacode/title3.2/chapter51/section3.2-5130/>

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/>

Questions about James City 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/virginia/james-city-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 James City County, 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 on Crosodo.

crosodo.com/nb/virginia/james-city-county-discuss

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