

COTTAGE FOOD LAW REPORT

Portsmouth city

Virginia · Portsmouth · FIPS 51740 · Population 97,384 ·
Crosodo Index #2573*

STATE BASELINE

Va. Code §3.2-5130

STATE TIER

Good

ANNUAL SALES CAP (STATE)

Tiered

CONFIDENCE

HIGH

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

Portsmouth city, Virginia — permit, pickup, and label steps before the full county rules.

HOME KITCHEN ALLOWED?

Yes

STATE SALES CAP

Tiered

HOME OCCUPATION PERMIT?

Yes

ON-SITE / PORCH PICKUP?

Conditional

INSPECTION

Upon-complaint

PETS

No state restriction; Portsmouth home occupation rules do not specifically address pets.

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: PORTSMOUTH CITY

CROSODO INDEX #2573* · FIPS 51740 · Portsmouth

Portsmouth city

Population 97,384 · State baseline: Va. Code §3.2-5130 · **HIGH**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Virginia state law (Va. Code §3.2-5130) allows home kitchen production of non-TCS shelf-stable cottage foods with no registration or inspection required. Direct sales only; no wholesale. No stated sales cap for non-acidified cottage foods; \$9,000 annual cap for pickles/acidified vegetables. Label must include 'NOT FOR RESALE — PROCESSED AND PREPARED WITHOUT STATE INSPECTION.' Portsmouth City requires a home occupation permit and business license for home-based businesses; home occupation rules require business conducted inside dwelling, no signage, and restrict customer visits.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No state restriction; Portsmouth home occupation rules do not specifically address pets.

HOME OCCUPATION PERMIT?

Yes (Portsmouth City requires a home occupation permit for home-based businesses. Portsmouth Zoning Ordinance (amended Dec. 12, 2023) governs home occupations. Home occupations must be conducted inside the dwelling, no exterior signage, restricted to residential character. Operators should contact Portsmouth Zoning/ Planning Department and the Revenue Office for business license requirements.)

ON-SITE / PORCH PICKUP?

Conditional

INSPECTION REQUIRED?

Upon-complaint (VDACS may inspect upon consumer complaint per Va. Code §3.2-5130(D).)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Virginia state law (Va. Code §3.2-5130) allows home kitchen production of non-TCS shelf-stable cottage foods with no registration or inspection required. Direct sales only; no wholesale. No stated sales cap for non-acidified cottage foods; \$9,000 annual cap for pickles/acidified vegetables. Label must include 'NOT FOR RESALE — PROCESSED AND PREPARED WITHOUT STATE INSPECTION.' Portsmouth City requires a home occupation permit and business license for home-based businesses; home occupation rules require business conducted inside dwelling, no signage, and restrict customer visits.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No state restriction; Portsmouth home occupation rules do not specifically address pets.
WATER SUPPLY	No specific requirement under Virginia cottage food law.
HANDWASHING	No specific statutory requirement.
FOOD STORAGE	Non-TCS shelf-stable foods only.

Inspection & permitting

INSPECTION REQUIRED	Upon-complaint — VDACS may inspect upon consumer complaint per Va. Code §3.2-5130(D).
HOME OCCUPATION PERMIT	Yes — Portsmouth City requires a home occupation permit for home-based businesses. Portsmouth Zoning Ordinance (amended Dec. 12, 2023) governs home occupations. Home occupations must be conducted inside the dwelling, no exterior signage, restricted to residential character. Operators should contact Portsmouth Zoning/ Planning Department and the Revenue Office for business license requirements.
LOCAL BUSINESS LICENSE	Yes

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Conditional
ON-SITE SIGNAGE	No
DELIVERY / PICKUP RULES	Virginia allows direct sales; Portsmouth home occupation rules may restrict customer visits to the home. Customer pickup may be limited. Farmers markets, events, online (in-state) delivery all permitted.
MAX EMPLOYEES IN HOME	Limited to residential character; typically family members only for home occupation.

Relevant county code

Portsmouth Zoning Ordinance (amended Dec. 12, 2023); Portsmouth Ch. 402

RESEARCH NOTES

Portsmouth City (independent city, FIPS 51740) zoning ordinance (Ch. 402, amended Dec. 12, 2023) governs home occupations. Confirmed: home occupation permit required, business license required, no exterior commercial signage, customer visits to home restricted. Portsmouth follows Virginia state cottage food baseline with local home occupation overlay. City-specific rules confirmed via portsmouthva.gov document portal and cityrulelookup.com (March 2026 data).

SOURCES VERIFIED AT RESEARCH TIME

<https://www.portsmouthva.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/>

<https://www.portsmouthva.gov/DocumentCenter/View/9550/Portsmouth-Ch-402-Portsmouth-Zoning-Ordinance---Amended-Dec-12-2023>

<https://www.cityrulelookup.com/home-business/cottage-food/portsmouth-va>

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

Portsmouth city and nearby places

Regulation	Portsmouth city	Suffolk city	Hampton city
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No state restriction; Portsmouth home occupation rules do not specifically address pets.	No state restriction; local home occupation rules may apply.	Not prohibited by state statute; kitchen must remain sanitary.
INSPECTION REQUIRED	Upon-complaint	Upon-complaint	No
ON-SITE CUSTOMER PICKUP	Conditional	Conditional	Yes
ON-SITE SIGNAGE	No	Conditional	Conditional
DELIVERY / PICKUP	Virginia allows direct sales; Portsmouth home occupation rules may restrict customer visits to the home. Customer pickup may be limited. Fa...	Virginia allows direct sales; Suffolk City home occupation rules govern customer visits. In-state online sales, farmers markets, and events...	Direct sales only per state law. Sales from home, farmers markets, roadside stands, and online with local delivery.
HOME OCCUPATION PERMIT	Yes	Conditional	Varies
LOCAL BUSINESS LICENSE	Yes	Yes	Varies
RESTRICTIONS	Virginia state law (Va. Code §3.2-5130) allows home kitchen production of non-TCS shelf-stable cottage foods with no registration or inspec...	Virginia state law (Va. Code §3.2-5130) allows home kitchen production of non-TCS shelf-stable cottage foods with no registration or inspec...	Hampton is an independent city in Virginia. Non-TCS shelf-stable foods only. No state registration required. Pickles/acidified vegetables c...
FOOD STORAGE	Non-TCS shelf-stable foods only.	Non-TCS shelf-stable foods only.	Non-TCS shelf-stable products only; stored in food-safe containers.
POPULATION	97,384	94,856	137,217

State context — Virginia cottage food law

Portsmouth city'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 Portsmouth city? 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/portsmouth-city-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 Portsmouth city, 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/portsmouth-city-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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