

COTTAGE FOOD LAW REPORT

Harrison County

West Virginia · Clarksburg · FIPS 54033 · Population 65,862 ·
Crosodo Index #2373*

STATE BASELINE

W. Va. Code §19-40-1 through §19-40-6 (enacted 2026, eff. June 12, 2026)

STATE TIER

Good

ANNUAL SALES CAP (STATE)

—

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

Harrison County, West Virginia — 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; good manufacturing practice applies

BEFORE YOU SELL FROM THIS ADDRESS

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

CONTINUE ONLINE

[Open the live county page →](#)

[West Virginia label one-pager →](#)

[Local notes & questions →](#)

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

WEST VIRGINIA: HARRISON COUNTY

CROSODO INDEX #2373* · FIPS 54033 · Clarksburg

Harrison County

Population 65,862 · State baseline: W. Va. Code §19-40-1 through §19-40-6 (enacted 2026, eff. June 12, 2026) · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Nonpotentially hazardous cottage foods are fully exempt from licensing, permitting, and inspection under the new 2026 Article 40. Potentially hazardous cottage foods require a WV Department of Agriculture permit but no separate food establishment permit for home sales.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific state prohibition; good manufacturing practice applies

HOME OCCUPATION PERMIT?

Varies (No specific Harrison County home occupation permit for cottage food identified. Local zoning in Clarksburg or unincorporated Harrison County may apply. Contact Harrison County Commission at (304) 624-8500.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

Upon-complaint (Non-PHF operations: no routine inspection. PHF operations with permit: complaint-based or regulatory oversight)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Nonpotentially hazardous cottage foods are fully exempt from licensing, permitting, and inspection under the new 2026 Article 40. Potentially hazardous cottage foods require a WV Department of Agriculture permit but no separate food establishment permit for home sales.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No specific state prohibition; good manufacturing practice applies
WATER SUPPLY	Potable water required
HANDWASHING	Standard handwashing facilities required
FOOD STORAGE	Non-PHF foods must be properly stored; perishables require temperature control

Inspection & permitting

INSPECTION REQUIRED	Upon-complaint — Non-PHF operations: no routine inspection. PHF operations with permit: complaint-based or regulatory oversight
HOME OCCUPATION PERMIT	Varies — No specific Harrison County home occupation permit for cottage food identified. Local zoning in Clarksburg or unincorporated Harrison County may apply. Contact Harrison County Commission at (304) 624-8500.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct sales only; all sales must occur within West Virginia. Meat, poultry, seafood, and Grade A dairy excluded.
MAX EMPLOYEES IN HOME	No specific limit stated

Relevant county code

Not identified; contact Harrison County or City of Clarksburg for zoning

RESEARCH NOTES

West Virginia enacted SB 44 (2026) creating new Article 40 (§19-40-1 through §19-40-6). Non-PHF cottage foods fully exempt from licensing and inspection. PHF cottage foods need WV Department of Agriculture permit. No sales cap. Harrison County is a mid-size county with Clarksburg as county seat. No specific county health overrides found.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.harrisoncounty.gov>

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

<https://code.wvlegislature.gov/19-40/>

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

Bordering counties — cottage food law

Regulation	Harrison County	Marion County	Barbour County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No specific state prohibition; good manufacturing practice applies	No specific WV state or Marion County rule.	No specific WV state rule on pets in home kitchens for cottage food; standard good manufacturing practice recommends exclusion during produ...
INSPECTION REQUIRED	Upon-complaint	Upon-complaint	Upon-complaint
ON-SITE CUSTOMER PICKUP	Yes	Conditional	Conditional
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Direct sales only; all sales must occur within West Virginia. Meat, poultry, seafood, and Grade A dairy excluded.	Direct to consumer. Sales must remain within West Virginia.	Direct to consumer sales permitted under WV law. Customer pickup at home is generally allowed. Delivery also allowed. All sales must remain...
HOME OCCUPATION PERMIT	Varies	Varies	Conditional
LOCAL BUSINESS LICENSE	Varies	Varies	No
RESTRICTIONS	Nonpotentially hazardous cottage foods are fully exempt from licensing, permitting, and inspection under the new 2026 Article 40. Potential...	Nonpotentially hazardous cottage foods fully exempt from licensing, permitting, and inspection under WV Code §19-40-6. Potentially hazardou...	Nonpotentially hazardous cottage foods fully exempt from licensing, permitting, and inspection under WV Code §19-40-6. Potentially hazardou...
FOOD STORAGE	Non-PHF foods must be properly stored; perishables require temperature control	Products must be nonpotentially hazardous and shelf-stable (or obtain WVDA permit for potentially hazardous). Proper storage required.	Foods must remain nonpotentially hazardous (shelf-stable); proper storage to prevent contamination recommended.
POPULATION	65,862	56,194	16,403

State context — West Virginia cottage food law

Harrison 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.

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.

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

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/>

Questions about Harrison 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/west-virginia/harrison-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 Harrison County, West 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/west-virginia/harrison-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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