

COTTAGE BAKERY FROM HOME

Can I sell from my kitchen in Kanawha County, West Virginia?

Home kitchen sales. Not a shop or rented commercial kitchen. Last verified 2026-05-05.

STATE FOOD PERMIT

Depends

HOME OCCUPATION

Yes

BUSINESS LICENSE

Varies

SALES CAP

—

WEST VIRGINIA RULES. OPEN THESE FIRST.

[West Virginia permits PDF](#)[West Virginia cottage food law page](#)[West Virginia Department of Agriculture cottage food program](#)

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)

NOT LEGAL ADVICE

This is what it takes to sell from a home kitchen in Kanawha County. Confirm each step with Planning, Health, and the license office before you sell.

What you need

Kanawha County, West Virginia. File every Yes. Confirm every Check or Ask. Stay under the sales cap.

STATE FOOD PERMIT

Depends

ANNUAL SALES CAP

—

HOME OCCUPATION / ZONING

Yes

LOCAL HEALTH

Upon-complaint

BUSINESS LICENSE

Varies

PICKUP AT THE HOUSE

Yes

HOME KITCHEN ONLY

If you want a shop or a rented commercial kitchen, these rows do not apply.

CONTINUE ONLINE

West Virginia permits PDF →

<https://crosodo.com/reports/pdf/permits/west-virginia.pdf>

West Virginia cottage food law page →

<https://crosodo.com/states/west-virginia>

Permit page for this place →

<https://crosodo.com/what-permits/west-virginia/kanawha-county>

Kanawha County cottage food law page →

<https://crosodo.com/states/west-virginia/kanawha-county>

Not legal advice. Rules change. Confirm with the office before you file.

Where to file

State

West Virginia registration: Depends. Routine kitchen inspection: Upon-complaint. 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.

West Virginia permits PDF: crosodo.com/reports/pdf/permits/west-virginia.pdf

State law page: crosodo.com/states/west-virginia

West Virginia Department of Agriculture: <https://oeh.dhhr.wv.gov/foodprotection/Pages/Cottage-Food.aspx>

Statute: [W. Va. Code §19-40-1 through §19-40-6 \(Article 40, Cottage Foods, enacted 2026\)](#); [§19-35-6 \(Nonpotentially hazardous foods at farmers markets\)](#)

Zoning / home occupation

Yes. Kanawha County requires home occupation permit for home-based businesses in residential zones. Max 25% of home floor area for business use. Only household members as employees. No external signage beyond small nameplate. Limited customer traffic. Charleston (county seat) has its own zoning rules distinct from county. State law preempts county/municipal restrictions on production and sale of homemade food items.

Health

Upon-complaint. State health department may investigate upon complaint of foodborne illness. No routine inspections for nonpotentially hazardous foods.

Business license

Varies

Pickup / delivery

Direct sales within West Virginia. In-person and remote sales permitted; delivery by producer, agent, or third-party carrier allowed.

If you rent a commissary kitchen

A commissary is a food establishment, not cottage food. West Virginia cottage food is a home path. A commissary is a food establishment permitted by the local health department.

Official source: [WV food protection](#)

Local health office we have on file: <https://www.kanawha.us>

This file is the home-kitchen path. A rented kitchen uses a different permit. Ask the kitchen manager which license they expect, then call the local health office.

SOURCES

<https://www.kanawha.us>

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

https://www.wvlegislature.gov/Bill_Text_HTML/2019_SESSIONS/RS/bills/SB285%20SUB2%20ENR.pdf

<https://www.cityrulelookup.com/home-business/zoning/kanawha-county-wv>

Kanawha County and nearby places

Regulation	Kanawha County	Raleigh County	Putnam County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No explicit state restriction; good manufacturing practices apply.	Not specified in state statute.	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	Yes	Conditional
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Direct sales within West Virginia. In-person and remote sales permitted; delivery by producer, agent, or third-party carrier allowed.	Direct sales within West Virginia only. No sales outside the state. Nonpotentially hazardous foods have no sales cap.	Direct to consumer sales permitted under WV law. Customer pickup at home is generally allowed under home occupation definition if incidenta...
HOME OCCUPATION PERMIT	Yes	Varies	Conditional
LOCAL BUSINESS LICENSE	Varies	Varies	No
RESTRICTIONS	Nonpotentially hazardous foods: fully exempt from licensing, permitting, and inspection per §19-40-6 and §19-35-6. Potentially hazardous co...	Nonpotentially hazardous cottage foods fully exempt from licensing, permitting, and inspection. Potentially hazardous cottage foods require...	Nonpotentially hazardous cottage foods fully exempt from licensing, permitting, and inspection under WV Code §19-40-6. Potentially hazardou...
FOOD STORAGE	Appropriate storage for cottage food products.	Non-potentially hazardous products must be stored appropriately.	Foods must remain nonpotentially hazardous (shelf-stable); proper storage to prevent contamination recommended.
POPULATION	179,895	74,303	57,347

More pages for this place

These Crosodo pages cover the same home cottage-food path:

West Virginia permits PDF: crosodo.com/reports/pdf/permits/west-virginia.pdf

West Virginia cottage food law: crosodo.com/states/west-virginia

Kanawha County cottage food law: crosodo.com/states/west-virginia/kanawha-county