

COTTAGE BAKERY FROM HOME

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

Home kitchen sales. Not a shop or rented commercial kitchen. Last verified 2026-05-06.

STATE FOOD PERMIT

Depends

HOME OCCUPATION

Conditional

BUSINESS LICENSE

Conditional

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 Morgan County. Confirm each step with Planning, Health, and the license office before you sell.

What you need

Morgan 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

Conditional

LOCAL HEALTH

Upon-complaint

BUSINESS LICENSE

Conditional

PICKUP AT THE HOUSE

Conditional

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/morgan-county>

Morgan County cottage food law page →

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

Conditional. Morgan County is in the Eastern Panhandle of West Virginia, known for Berkeley Springs (America's first spa town) and a growing arts/tourism community. The county seat of Berkeley Springs has an artisan and foodie culture that may support cottage food markets. Local zoning may be more developed in the Berkeley Springs area; home occupation rules may apply. Verify with the Morgan County Commission or Town of Bath (Berkeley Springs).

Health

Upon-complaint. Consumer complaint or suspected foodborne illness investigation by WV DHHR. WV Code §19-40-5 authorizes WVDA inspection for potentially hazardous cottage foods.

Business license

Conditional

Pickup / delivery

Direct to consumer sales permitted under WV law. Customer pickup at home is generally allowed. Delivery also allowed. All sales must remain within WV.

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.morgancounty.gov>

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.morgancounty.gov>

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

Morgan County and nearby places

Regulation	Morgan County	Hampshire County	Berkeley County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No specific WV state rule on pets in home kitchens for cottage food; standard good manufacturing practice recommends exclusion during produ...	No specific WV state rule on pets in home kitchens for cottage food; standard good manufacturing practice recommends exclusion during produ...	No specific state prohibition; standard food safety sanitation practices apply.
INSPECTION REQUIRED	Upon-complaint	Upon-complaint	Upon-complaint
ON-SITE CUSTOMER PICKUP	Conditional	Conditional	Conditional
ON-SITE SIGNAGE	Conditional	Conditional	No
DELIVERY / PICKUP	Direct to consumer sales permitted under WV law. Customer pickup at home is generally allowed. Delivery also allowed. All sales must remain...	Direct to consumer sales permitted under WV law. Customer pickup at home is generally allowed. Delivery also allowed. All sales must remain...	WV state law: direct sales only within West Virginia. No wholesale or retail store sales. Berkeley County home occupation permit may restri...
HOME OCCUPATION PERMIT	Conditional	Conditional	Yes
LOCAL BUSINESS LICENSE	Conditional	No	Varies
RESTRICTIONS	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...	West Virginia SB 44 (2026) created §19-40-1 et seq. Nonpotentially hazardous cottage foods fully exempt from licensing/permitting/inspectio...
FOOD STORAGE	Foods must remain nonpotentially hazardous (shelf-stable); proper storage to prevent contamination recommended.	Foods must remain nonpotentially hazardous (shelf-stable); proper storage to prevent contamination recommended.	Non-TCS products stored per food safety standards. PHF products may require additional handling per WVDA permit conditions.
POPULATION	17,352	23,240	123,283

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

Morgan County cottage food law: crosodo.com/states/west-virginia/morgan-county