

COTTAGE BAKERY FROM HOME

Can I sell from my kitchen in West Virginia?

Home kitchen sales in West Virginia. Then check your city or county. Not a shop or rented commercial kitchen. Last verified 2026-05-05.

STATE FOOD PERMIT	KITCHEN INSPECTION	SALES CAP	PLACES IN THIS FILE
Depends	Upon-complaint	—	55

WEST VIRGINIA RULES

[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 the state asks for a home cottage bakery. Local zoning still applies even when the state requires no food permit.

What the state asks

Registration: Depends. Routine inspection: Upon-complaint. Sales cap: —.

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 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 \(Nonpotentially hazardous foods at farmers markets\)](#)

West Virginia cottage food law: crosodo.com/states/west-virginia. Pick your city or county: crosodo.com/what-permits.

West Virginia counties and independent cities

Each city or county can add zoning and a business license. Independent cities are listed separately from the surrounding county.

Place	Home occupation	Business license	Pickup
Ritchie County	No	No	Yes
Randolph County	No	No	Yes
Tucker County	No	No	Yes
Roane County	No	No	Yes
Wirt County	No	No	Yes
Wetzel County	No	No	Yes
Webster County	No	No	Yes
Wayne County	No	No	Yes
Upshur County	No	No	Yes
Tyler County	No	No	Yes
Wyoming County	No	No	Yes
Taylor County	No	No	Yes
Summers County	No	No	Yes
Preston County	No	No	Yes
Pocahontas County	No	No	Yes
Putnam County	Conditional	No	Conditional
Jackson County	Conditional	No	Conditional
Hardy County	Conditional	No	Conditional
Hampshire County	Conditional	No	Conditional
Grant County	Conditional	No	Conditional
Gilmer County	Conditional	No	Conditional

Place	Home occupation	Business license	Pickup
Doddridge County	Conditional	No	Conditional
Clay County	Conditional	No	Conditional
Calhoun County	Conditional	No	Conditional
Braxton County	Conditional	No	Conditional
Boone County	Conditional	No	Conditional
Barbour County	Conditional	No	Conditional
Pendleton County	Conditional	No	Conditional
Lincoln County	Conditional	No	Conditional
Nicholas County	Conditional	No	Conditional
Monroe County	Conditional	No	Conditional
Mingo County	Conditional	No	Conditional
Mineral County	Conditional	No	Conditional
Mason County	Conditional	No	Conditional
McDowell County	Conditional	No	Conditional
Logan County	Conditional	No	Conditional
Lewis County	Conditional	No	Conditional
Pleasants County	Conditional	No	Conditional
Brooke County	Conditional	Conditional	Conditional
Fayette County	Conditional	Conditional	Conditional
Greenbrier County	Conditional	Conditional	Conditional
Hancock County	Conditional	Conditional	Conditional
Marshall County	Conditional	Conditional	Conditional
Morgan County	Conditional	Conditional	Conditional
Ohio County	Conditional	Conditional	Conditional
Raleigh County	Varies	Varies	Yes
Harrison County	Varies	Varies	Yes
Kanawha County	Yes	Varies	Yes
Wood County	Varies	Varies	Yes
Cabell County	Varies	Varies	Yes
Monongalia County	Yes	Yes	Conditional
Berkeley County	Yes	Varies	Conditional
Jefferson County	Varies	Varies	Conditional
Marion County	Varies	Varies	Conditional
Mercer County	Varies	Varies	Conditional