

## COTTAGE FOOD LAW REPORT

# Kent County

Delaware · Dover · FIPS 10001 · Population 182,400 · Crosodo  
Index #2697\*

## STATE BASELINE

16 Del. Admin. Code 4458A

## STATE TIER

Good

## ANNUAL SALES CAP (STATE)

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## 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.

DELAWARE: KENT COUNTY

CROSODO INDEX #2697\* · FIPS 10001 · Dover

# Kent County

Population 182,400 · State baseline: 16 Del. Admin. Code 4458A · **MEDIUM**

### QUICK VIEW FOR BAKERS IN THIS COUNTY

**HOME KITCHEN ALLOWED?**

Yes (Registration required with Delaware Division of Public Health (DPH). Initial on-site inspection required before registration. 8-hour food safety training course required (~\$175 cost). Annual \$30 fee. Direct sales only to end consumers; no wholesale, consignment, or multi-county distribution. Limited approved food list (baked goods, candy, jams, jellies). No sales cap (removed in December 2023 amendment).)

**SEPARATE KITCHEN REQUIRED?**

No

**PETS ALLOWED?**

DPH may assess home kitchen during inspection; pets likely would be required away from food prep areas.

**HOME OCCUPATION PERMIT?**

Yes (Kent County requires a local zoning permit and Delaware business license for home-based businesses in residential zones. Delaware cottage food law (16 Del. Admin. Code 4458A) requires state registration separately. County zoning requires home occupation to be secondary to residential use with no on-site employees and limited customer visits. Cities within county (Dover, Milford, Smyrna) have their own rules.)

**ON-SITE / PORCH PICKUP?**

Conditional

**INSPECTION REQUIRED?**

Yes (Initial inspection required before registration is issued. Subsequent routine inspections may apply. DPH may inspect for compliance at any time.)

### Home kitchen rules

<b>HOME KITCHEN ALLOWED</b>	Yes — Registration required with Delaware Division of Public Health (DPH). Initial on-site inspection required before registration. 8-hour food safety training course required (~\$175 cost). Annual \$30 fee. Direct sales only to end consumers; no wholesale, consignment, or multi-county distribution. Limited approved food list (baked goods, candy, jams, jellies). No sales cap (removed in December 2023 amendment).
<b>SEPARATE DEDICATED KITCHEN</b>	No
<b>PET RESTRICTIONS</b>	DPH may assess home kitchen during inspection; pets likely would be required away from food prep areas.
<b>WATER SUPPLY</b>	Potable water supply; inspected during pre-registration inspection.
<b>HANDWASHING</b>	Adequate handwashing facilities required; assessed during inspection.
<b>FOOD STORAGE</b>	Products stored in clean, sanitary conditions; assessed during inspection.

### Inspection & permitting

<b>INSPECTION REQUIRED</b>	Yes — Initial inspection required before registration is issued. Subsequent routine inspections may apply. DPH may inspect for compliance at any time.
<b>HOME OCCUPATION PERMIT</b>	Yes — Kent County requires a local zoning permit and Delaware business license for home-based businesses in residential zones. Delaware cottage food law (16 Del. Admin. Code 4458A) requires state registration separately. County zoning requires home occupation to be secondary to residential use with no on-site employees and limited customer visits. Cities within county (Dover, Milford, Smyrna) have their own rules.
<b>LOCAL BUSINESS LICENSE</b>	Yes

### Customer-facing rules

ON-SITE CUSTOMER PICKUP	Conditional
ON-SITE SIGNAGE	No
DELIVERY / PICKUP RULES	Direct sales at home, farmers markets, and similar venues. Home address may be replaced with department-issued ID number on labels since December 2023 amendment.
MAX EMPLOYEES IN HOME	Typically no on-site employees per home occupation zoning conditions.

### Relevant county code

16 Del. Admin. Code 4458A; Kent County zoning code (home occupation provisions)

#### RESEARCH NOTES

Delaware has one of the most restrictive cottage food programs nationally despite removal of sales cap in December 2023. Pre-operational inspection, 8-hour food safety training, \$30 annual fee, and limited approved food list all remain requirements. Kent County requires local zoning permit and business license per CityRuleLookup. County seat 'Dover' was blank in input — confirmed as Dover. DPH cottage food program page accessible at [dhss.delaware.gov](https://dhss.delaware.gov). Program not available in Philadelphia County (PA note, not DE).

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#### SOURCES VERIFIED AT RESEARCH TIME

<https://www.co.kent.de.us>

<https://www.dhss.delaware.gov/dph/hsp/ofpcfe.html>

<https://www.cityrulelookup.com/home-business/zoning/kent-county-de>

**Questions?** Join the Crosodo Forum to discuss your county's specific zoning rules at <https://crosodo.com/nb/delaware/kent-county-discuss>

## State context — Delaware cottage food law

Kent County's rules sit on top of Delaware's state cottage food framework. The state law sets the floor — counties can add but cannot remove protections.

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<b>STATUTE</b> 16 Del. Admin. Code 4458A	<b>ANNUAL SALES CAP</b> —
<b>REGISTRATION REQUIRED</b> Yes	<b>FOOD HANDLER CERT</b> Yes (specific course)
<b>KITCHEN INSPECTION</b> Yes	<b>DIRECT SALES ONLY</b> Yes
<b>INDIRECT SALES</b> No — Delaware prohibits sales at restaurants, retail stores, and online; only direct in-person sales at home, farmers markets, and events are permitted.	

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For the full state-level analysis including the verbatim statute text, see the [Delaware cottage food law report](#).

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### STATE-LEVEL REFERENCES

State statute: <https://delcode.delaware.gov/title16/c001/index.html>

State dept cottage food page: <https://www.dhss.delaware.gov/dhss/dph/hsp/cottagefood.html>

Forrager.com: <https://forrager.com/law/delaware/>

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## Questions?

Join the Crosodo Forum to discuss Kent County's specific zoning rules, permits, and what other home bakers are seeing locally.

<https://crosodo.com/nb/delaware/kent-county-discuss>

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