

COTTAGE FOOD LAW REPORT

Allen County

Indiana · Fort Wayne · FIPS 18003 · Population 385,456 ·
Crosodo Index #2805*

STATE BASELINE	STATE TIER	ANNUAL SALES CAP (STATE)	CONFIDENCE	LAST VERIFIED
Ind. Code §16-42-5.2	Great	—	MEDIUM	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.

INDIANA: ALLEN COUNTY

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Allen County

Population 385,456 · State baseline: Ind. Code §16-42-5.2 · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Conditional (Indiana Home-Based Vendor law (Ind. Code §16-42-5.2/5.3) allows non-PHF foods from home kitchen with no registration or permit at state level. Direct sales only (no wholesale/catering). Allowed: baked goods, candy, jams/jellies, fermented products (not oxygen-sealed), nut butters, syrups, dried goods, coffee, tea, snacks. Prohibited: perishable baked goods, acidified foods in oxygen-sealed containers, salsas, sauces, ketchup, juices, low-acid canned foods, meat jerkies. Food handler certificate (ANSI-accredited) must be provided to local health department. Fort Wayne requires home occupation zoning permit.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific state restriction; standard food safety practices apply.

HOME OCCUPATION PERMIT?

Yes (Fort Wayne zoning code requires a home occupation zoning permit for home-based businesses. Business must be secondary to residential use; no on-site employees; no external evidence of business activity; limited customer visits. Food sales from home specifically noted as allowed under Indiana Home-Based Vendor Law (IC §16-42-5.2). Allen County Health Dept: 260-449-7561.)

ON-SITE / PORCH PICKUP?

Conditional

INSPECTION REQUIRED?

Upon-complaint (Indiana 2022 HEA 1149 preempts local governments from adding licensing or inspection requirements. Allen County Health Department may investigate upon complaint.)

Home kitchen rules

HOME KITCHEN ALLOWED	Conditional — Indiana Home-Based Vendor law (Ind. Code §16-42-5.2/5.3) allows non-PHF foods from home kitchen with no registration or permit at state level. Direct sales only (no wholesale/catering). Allowed: baked goods, candy, jams/jellies, fermented products (not oxygen-sealed), nut butters, syrups, dried goods, coffee, tea, snacks. Prohibited: perishable baked goods, acidified foods in oxygen-sealed containers, salsas, sauces, ketchup, juices, low-acid canned foods, meat jerkies. Food handler certificate (ANSI-accredited) must be provided to local health department. Fort Wayne requires home occupation zoning permit.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No specific state restriction; standard food safety practices apply.
WATER SUPPLY	No specific state requirement.
HANDWASHING	Standard food safety practices required.
FOOD STORAGE	Non-TCS, non-refrigerated finished products. No oxygen-sealed containers for fermented products.

Inspection & permitting

INSPECTION REQUIRED	Upon-complaint — Indiana 2022 HEA 1149 preempts local governments from adding licensing or inspection requirements. Allen County Health Department may investigate upon complaint.
HOME OCCUPATION PERMIT	Yes — Fort Wayne zoning code requires a home occupation zoning permit for home-based businesses. Business must be secondary to residential use; no on-site employees; no external evidence of business activity; limited customer visits. Food sales from home specifically noted as allowed under Indiana Home-Based Vendor Law (IC §16-42-5.2). Allen County Health Dept: 260-449-7561.
LOCAL BUSINESS LICENSE	Yes

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Conditional
ON-SITE SIGNAGE	No
DELIVERY / PICKUP RULES	Direct to consumer only. Sales from home, events, farmers markets. No wholesale, catering, or interstate sales.
MAX EMPLOYEES IN HOME	None on-site per Fort Wayne zoning rules.

Relevant county code

Ind. Code §16-42-5.3 (2022 Home-Based Food Products law); Fort Wayne Zoning Code (home occupation permit provisions).

RESEARCH NOTES

Indiana home-based vendor law confirmed from state baseline. Fort Wayne home occupation zoning permit requirement confirmed via CityRuleLookup (Municode source). Food handler certificate required at state level. 2022 HEA 1149 preempts local governments from adding licensing/inspection requirements above state law. Allen County Health Dept contact confirmed from Fort Wayne business guide. Confidence medium: state law and Fort Wayne zoning confirmed; Allen County-specific health dept process not directly verified.

SOURCES VERIFIED AT RESEARCH TIME

[https://www.in.gov/health/food-protection/home-based-vendor-\(cottage-foods\)/](https://www.in.gov/health/food-protection/home-based-vendor-(cottage-foods)/)

<https://www.cityrulelookup.com/home-business/zoning/fort-wayne-in>

<https://www.cityoffortwayne.in.gov/DocumentCenter/View/1381/Starting-a-Business-Resource-Guide---Permits-Licenses-and-Taxes-PDF>

Questions? Join the Crosodo Forum to discuss your county’s specific zoning rules at <https://crosodo.com/nb/indiana/allen-county-discuss>

Bordering counties — cottage food law

Regulation	Allen County	Adams County	DeKalb County
HOME KITCHEN ALLOWED	Conditional	—	—
SEPARATE DEDICATED KITCHEN	No	—	—
PETS ALLOWED	No specific state restriction; standard food safety practices apply.	—	—
INSPECTION REQUIRED	Upon-complaint	—	—
ON-SITE CUSTOMER PICKUP	Conditional	—	—
ON-SITE SIGNAGE	No	—	—
DELIVERY / PICKUP	Direct to consumer only. Sales from home, events, farmers markets. No wholesale, catering, or interstate sales.	—	—
HOME OCCUPATION PERMIT	Yes	—	—
LOCAL BUSINESS LICENSE	Yes	—	—
RESTRICTIONS	Indiana Home-Based Vendor law (Ind. Code §16-42-5.2/5.3) allows non-PHF foods from home kitchen with no registration or permit at state lev...	—	—
FOOD STORAGE	Non-TCS, non-refrigerated finished products. No oxygen-sealed containers for fermented products.	—	—
POPULATION	385,456	35,827	43,312

State context — Indiana cottage food law

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

STATUTE Ind. Code §16-42-5.2	ANNUAL SALES CAP —
REGISTRATION REQUIRED No	FOOD HANDLER CERT Yes (specific course)
KITCHEN INSPECTION Upon-complaint	DIRECT SALES ONLY Yes
INDIRECT SALES No — Sales to restaurants, retail stores, and wholesale are prohibited; producers may sell at events, farmers markets, home, online, and roadside stands only.	

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

STATE-LEVEL REFERENCES

State statute: <http://iga.in.gov/laws/2022/ic/titles/016/articles/042/chapters/005.2>

State dept cottage food page: [https://www.in.gov/health/food-protection/home-based-vendor-\(cottage-foods\)/](https://www.in.gov/health/food-protection/home-based-vendor-(cottage-foods)/)

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

Questions?

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

<https://crosodo.com/nb/indiana/allen-county-discuss>
