

COTTAGE FOOD LAW REPORT

Delaware County

Indiana · Muncie · FIPS 18035 · Population 112,156 · Crosodo Index #2092*

STATE BASELINE

Ind. Code §16-42-5.3 (Home Based Food Products, enacted 2022); no sales cap; no registration; food handler cert required; direct sales only; no acidified foods in oxygen-sealed containers

STATE TIER	ANNUAL SALES CAP (STATE)	CONFIDENCE	LAST VERIFIED
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: DELAWARE COUNTY

CROSODO INDEX #2092* · FIPS 18035 · Muncie

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QUICK VIEW FOR BAKERS IN THIS COUNTY**HOME KITCHEN ALLOWED?**

Yes (Indiana 2022 law allows home-based vendor sales of most nonperishable foods from home kitchen. Food handler certificate (ANSI-accredited) must be provided to local health department. Local governments cannot add licensing or inspection requirements.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific state restriction; standard sanitation practices apply.

HOME OCCUPATION PERMIT?

Varies (Indiana preempts local licensing and inspection for home-based vendors. Delaware County unincorporated areas or Muncie city may have home occupation zoning requirements. Contact Delaware County Planning or Muncie city zoning.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

Upon-complaint (Indiana preempts local licensing/inspection. Inspection only upon complaint or illness investigation.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Indiana 2022 law allows home-based vendor sales of most nonperishable foods from home kitchen. Food handler certificate (ANSI-accredited) must be provided to local health department. Local governments cannot add licensing or inspection requirements.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No specific state restriction; standard sanitation practices apply.
WATER SUPPLY	Potable water required per state food safety standards.
HANDWASHING	Food handler certificate (ANSI-accredited) required; must be provided to local health department.
FOOD STORAGE	Nonperishable (non-PHF) products. Fermented products allowed if not in oxygen-sealed containers.

Inspection & permitting

INSPECTION REQUIRED	Upon-complaint — Indiana preempts local licensing/inspection. Inspection only upon complaint or illness investigation.
HOME OCCUPATION PERMIT	Varies — Indiana preempts local licensing and inspection for home-based vendors. Delaware County unincorporated areas or Muncie city may have home occupation zoning requirements. Contact Delaware County Planning or Muncie city zoning.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Indiana allows direct sales only: from home, online, farmers markets, events. No wholesale to restaurants or retail stores.
MAX EMPLOYEES IN HOME	No specific state limit; local zoning home occupation rules may apply.

Relevant county code

Ind. Code §16-42-5.3

RESEARCH NOTES

State baseline applied (IN tier Great). Delaware County includes Muncie (home of Ball State University, pop ~67K). No county-specific URLs provided. Confidence medium.

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)/)

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

State context — Indiana cottage food law

Delaware 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 Delaware County's specific zoning rules, permits, and what other home bakers are seeing locally.

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