

COTTAGE FOOD LAW REPORT

Martin County

Indiana · Shoals · FIPS 18101 · Population 10,255 · Crosodo Index #1188*

| STATE BASELINE | STATE TIER | ANNUAL SALES CAP (STATE) | CONFIDENCE | LAST VERIFIED |
|----------------------|------------|--------------------------|------------|---------------|
| Ind. Code §16-42-5.3 | Great | — | MEDIUM | 2026-05-06 |

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: MARTIN COUNTY

CROSODO INDEX #1188* · FIPS 18101 · Shoals

Martin County

Population 10,255 · State baseline: Ind. Code §16-42-5.3 · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Must prepare food in the individual’s primary residential home kitchen (or permanent structure on the same property). Only non-TCS (non-time/temperature control for safety) foods allowed. Whole eggs, traditional pickles (not oxygen-sealed), and whole chickens/rabbits raised by the vendor also allowed with restrictions.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Not specified in state statute; proper sanitary procedures and good hygienic practices required.

HOME OCCUPATION PERMIT?

Conditional (State law (IC 16-42-5.3 Sec. 12) expressly prohibits local governments from requiring licensure, certification, or inspection of home-based vendor (HBV) food operations. However, local zoning ordinances for home-based businesses may still apply. Martin County zoning should be verified directly with the county for any home occupation requirements unrelated to food safety.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

Upon-complaint (State statute (IC 16-42-5.3 Sec. 12) expressly prohibits local governments from requiring inspection; state department of health may investigate upon complaint or foodborne illness report.)

Home kitchen rules

| | |
|-----------------------------------|--|
| HOME KITCHEN ALLOWED | Yes — Must prepare food in the individual’s primary residential home kitchen (or permanent structure on the same property). Only non-TCS (non-time/temperature control for safety) foods allowed. Whole eggs, traditional pickles (not oxygen-sealed), and whole chickens/rabbits raised by the vendor also allowed with restrictions. |
| SEPARATE DEDICATED KITCHEN | No |
| PET RESTRICTIONS | Not specified in state statute; proper sanitary procedures and good hygienic practices required. |
| WATER SUPPLY | Potable water required; public water supply typical for residential use. |
| HANDWASHING | Proper handwashing required per IC 16-42-5.3 sanitary procedures. |
| FOOD STORAGE | Must use proper sanitary procedures; containers and packaging must be sanitized before use. |

Inspection & permitting

| | |
|-------------------------------|---|
| INSPECTION REQUIRED | Upon-complaint — State statute (IC 16-42-5.3 Sec. 12) expressly prohibits local governments from requiring inspection; state department of health may investigate upon complaint or foodborne illness report. |
| HOME OCCUPATION PERMIT | Conditional — State law (IC 16-42-5.3 Sec. 12) expressly prohibits local governments from requiring licensure, certification, or inspection of home-based vendor (HBV) food operations. However, local zoning ordinances for home-based businesses may still apply. Martin County zoning should be verified directly with the county for any home occupation requirements unrelated to food safety. |
| LOCAL BUSINESS LICENSE | Varies |

Customer-facing rules

| | |
|-------------------------|---|
| ON-SITE CUSTOMER PICKUP | Yes |
| ON-SITE SIGNAGE | Conditional |
| DELIVERY / PICKUP RULES | Products may be sold in-person, by telephone, or via the internet, and delivered to the end consumer in person, by mail, or by third-party carrier. All sales and shipments must remain within Indiana. No sales to warehouses, retail food establishments, or wholesalers; all sales must be direct-to-consumer. |
| MAX EMPLOYEES IN HOME | Not specified in state cottage food statute; operation must be conducted at the vendor's primary residence. Local zoning may apply. |

Relevant county code

No Martin County-specific cottage food ordinance found; state law preempts local food safety regulation of HBVs. Consult Martin County zoning ordinance for home occupation rules.

RESEARCH NOTES

State law (IC 16-42-5.3, enacted 2022 HEA 1149) explicitly preempts local governments from requiring licensure or inspection of home-based vendors (HBVs). ANSI-accredited food handler certificate required; must be provided to local health department. Indiana HBV Handbook 2025 confirms local zoning ordinances unrelated to food safety may still apply. Note: Indiana HB 1424 signed March 12, 2026 (effective July 1, 2026) further expands HBV rules to allow prepared foods, certain meat products, produce, natural sweeteners, baked goods, fruit spreads, and candy — changes not yet in effect as of research date. No Martin County-specific cottage food ordinance found. Defaulting to state baseline.

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.in.gov/health/food-protection/files/Indiana-Home-Based-Vendor-Handbook-2.pdf>

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

Bordering counties — cottage food law

| Regulation | Martin County | Daviess County | Dubois County |
|----------------------------|--|----------------|---------------|
| HOME KITCHEN ALLOWED | Yes | — | — |
| SEPARATE DEDICATED KITCHEN | No | — | — |
| PETS ALLOWED | Not specified in state statute; proper sanitary procedures and good hygienic practices required. | — | — |
| INSPECTION REQUIRED | Upon-complaint | — | — |
| ON-SITE CUSTOMER PICKUP | Yes | — | — |
| ON-SITE SIGNAGE | Conditional | — | — |
| DELIVERY / PICKUP | Products may be sold in-person, by telephone, or via the internet, and delivered to the end consumer in person, by mail, or by third-party ... | — | — |
| HOME OCCUPATION PERMIT | Conditional | — | — |
| LOCAL BUSINESS LICENSE | Varies | — | — |
| RESTRICTIONS | Must prepare food in the individual's primary residential home kitchen (or permanent structure on the same property). Only non-TCS (non-tim... | — | — |
| FOOD STORAGE | Must use proper sanitary procedures; containers and packaging must be sanitized before use. | — | — |
| POPULATION | 10,255 | 33,337 | 43,584 |

State context — Indiana cottage food law

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

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