

## COTTAGE FOOD LAW REPORT

# Wells County

Indiana · Bluffton · FIPS 18179 · Population 28,798 · Crosodo Index #1929\*

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: WELLS COUNTY

CROSODO INDEX #1929\* · FIPS 18179 · Bluffton

# Wells County

Population 28,798 · State baseline: Ind. Code §16-42-5.3 · **MEDIUM**

## QUICK VIEW FOR BAKERS IN THIS COUNTY

**HOME KITCHEN ALLOWED?**

Yes (Indiana home-based vendor law (IC 16-42-5.3, amended 2022 via HEA 1149) allows sales of non-TCS foods from primary residence. No routine inspection. State law preempts local food licensing and inspection ordinances. Local zoning for home-based business may still apply — contact Wells County Plan Commission.)

**SEPARATE KITCHEN REQUIRED?**

No

**PETS ALLOWED?**

No specific pet restriction in state cottage food law; good sanitary practices required.

**HOME OCCUPATION PERMIT?**

Varies (State HBV law preempts local food licensing and inspection requirements. However, local zoning ordinances for home occupations may apply. Contact Wells County Plan Commission (Bluffton) to verify any home occupation permit requirements for a home-based food business.)

**ON-SITE / PORCH PICKUP?**

Yes

**INSPECTION REQUIRED?**

Upon-complaint (Indiana Department of Health may inspect upon complaint or food safety concern; local health department enforces.)

## Home kitchen rules

<b>HOME KITCHEN ALLOWED</b>	Yes — Indiana home-based vendor law (IC 16-42-5.3, amended 2022 via HEA 1149) allows sales of non-TCS foods from primary residence. No routine inspection. State law preempts local food licensing and inspection ordinances. Local zoning for home-based business may still apply — contact Wells County Plan Commission.
<b>SEPARATE DEDICATED KITCHEN</b>	No
<b>PET RESTRICTIONS</b>	No specific pet restriction in state cottage food law; good sanitary practices required.
<b>WATER SUPPLY</b>	No specific water testing requirement under state HBV law.
<b>HANDWASHING</b>	Proper handwashing required as part of sanitary procedures per IC 16-42-5.3.
<b>FOOD STORAGE</b>	Non-TCS (shelf-stable) foods only; proper sanitary storage required.

## Inspection & permitting

<b>INSPECTION REQUIRED</b>	Upon-complaint — Indiana Department of Health may inspect upon complaint or food safety concern; local health department enforces.
<b>HOME OCCUPATION PERMIT</b>	Varies — State HBV law preempts local food licensing and inspection requirements. However, local zoning ordinances for home occupations may apply. Contact Wells County Plan Commission (Bluffton) to verify any home occupation permit requirements for a home-based food business.
<b>LOCAL BUSINESS LICENSE</b>	Varies

### Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct-to-consumer only. Sales allowed in person, by phone, online, or via third-party carrier within Indiana. No interstate shipping. No wholesale or retail resale.
MAX EMPLOYEES IN HOME	Not specified in state statute.

### Relevant county code

No specific Wells County cottage food ordinance identified. State law (IC 16-42-5.3) preempts local food licensing. Local zoning may apply.

#### RESEARCH NOTES

Indiana IC 16-42-5.3 (HEA 1149, 2022) governs statewide. State law explicitly preempts local food licensing and inspection ordinances (Sec. 12). Food handler certificate (ANSI-accredited) required. No sales cap. Wells County is a northeast Indiana county; no county-specific cottage food ordinance identified. Local zoning home occupation rules may still apply.

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#### 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/wells-county-discuss>

## Bordering counties — cottage food law

Regulation	Wells County	Adams County	Blackford County
HOME KITCHEN ALLOWED	Yes	—	—
SEPARATE DEDICATED KITCHEN	No	—	—
PETS ALLOWED	No specific pet restriction in state cottage food law; good sanitary practices required.	—	—
INSPECTION REQUIRED	Upon-complaint	—	—
ON-SITE CUSTOMER PICKUP	Yes	—	—
ON-SITE SIGNAGE	Conditional	—	—
DELIVERY / PICKUP	Direct-to-consumer only. Sales allowed in person, by phone, online, or via third-party carrier within Indiana. No interstate shipping. No w...	—	—
HOME OCCUPATION PERMIT	Varies	—	—
LOCAL BUSINESS LICENSE	Varies	—	—
RESTRICTIONS	Indiana home-based vendor law (IC 16-42-5.3, amended 2022 via HEA 1149) allows sales of non-TCS foods from primary residence. No routine in...	—	—
FOOD STORAGE	Non-TCS (shelf-stable) foods only; proper sanitary storage required.	—	—
POPULATION	28,167	35,827	12,074

## State context — Indiana cottage food law

Wells 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.

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

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

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### 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/>

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## Questions?

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

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

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