

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)

—

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.

How to start — 60-second path

Kent County, Delaware — permit, pickup, and label steps before the full county rules.

HOME KITCHEN ALLOWED?

Yes

STATE SALES CAP

—

HOME OCCUPATION PERMIT?

Yes

ON-SITE / PORCH PICKUP?

Conditional

INSPECTION

Yes

PETS

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

BEFORE YOU SELL FROM THIS ADDRESS

- ☐ **1. Menu** — Confirm each product under Delaware cottage food rules (county cannot expand a state ban).
- ☐ **2. Pickup & zoning** — Home occupation and porch pickup cells above; HOA/lease may still block customer traffic.
- ☐ **3. Local tax / license** — Business license or sales tax certificate if your city/parish requires it (common even with no state food permit).
- ☐ **4. Training** — Food handler or state registration before market day.
- ☐ **5. Labels** — Disclaimer, allergens, ingredients, net quantity, producer info.
- ☐ **6. Call if unclear** — County health and planning for your exact address.

LABEL FIELDS TO INCLUDE

- ☐ Product name · producer name · address (or allowed alternative)
- ☐ Ingredients by weight · major allergens · net weight/quantity
- ☐ Delaware home-kitchen disclaimer (see live label one-pager)

CONTINUE ONLINE

[Open the live county page →](#)

[Delaware label one-pager →](#)

[Local notes & questions →](#)

Planning path only — not legal advice. Rules change. Always verify with state and local offices before selling.

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

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 DEDICATED KITCHEN	No
PET RESTRICTIONS	DPH may assess home kitchen during inspection; pets likely would be required away from food prep areas.
WATER SUPPLY	Potable water supply; inspected during pre-registration inspection.
HANDWASHING	Adequate handwashing facilities required; assessed during inspection.
FOOD STORAGE	Products stored in clean, sanitary conditions; assessed during inspection.

Inspection & permitting

INSPECTION REQUIRED	Yes — Initial inspection required before registration is issued. Subsequent routine inspections may apply. DPH may inspect for compliance at any time.
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.
LOCAL BUSINESS LICENSE	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. DPH cottage food program page accessible at dhss.delaware.gov. Program not available in Philadelphia County (PA note, not DE).

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 about this county? Local notes and a place to leave a question: crosodo.com/nb/delaware/kent-county-discuss

Bordering counties — cottage food law

Regulation	Kent County	Sussex County	New Castle County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	DPH may assess home kitchen during inspection; pets likely would be required away from food prep areas.	Not specified; home kitchen must pass pre-operational inspection	No specific state cottage food pet restriction; kitchen must pass inspection for sanitation
INSPECTION REQUIRED	Yes	Yes	Yes
ON-SITE CUSTOMER PICKUP	Conditional	Yes	Yes
ON-SITE SIGNAGE	No	Conditional	Conditional
DELIVERY / PICKUP	Direct sales at home, farmers markets, and similar venues. Home address may be replaced with department-issued ID number on labels since De...	Direct sales only to consumers; no wholesale, no retail store sales, no consignment. No out-of-state sales.	Direct sales to consumers only within Delaware. Online sales allowed. No retail store sales. No annual sales cap (removed December 2023). N...
HOME OCCUPATION PERMIT	Yes	Conditional	Conditional
LOCAL BUSINESS LICENSE	Yes	Varies	Varies
RESTRICTIONS	Registration required with Delaware Division of Public Health (DPH). Initial on-site inspection required before registration. 8-hour food s...	Limited food list: specific baked goods (breads, cakes, cookies, pies, pastries), candy, jams, jellies, and fruit preserves. Pre-operationa...	Specific approved foods only (breads, cakes, cookies, pies, pastries, candy, jams, jellies, fruit preserves). Kitchen must pass pre-operati...
FOOD STORAGE	Products stored in clean, sanitary conditions; assessed during inspection.	Non-TCS; very limited approved food list (mostly baked goods, candy, jams/jellies)	Standard home kitchen storage for approved non-PHF foods
POPULATION	182,400	240,668	570,567

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.

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

For the full state-level analysis including the verbatim statute text, see the [Delaware cottage food law report](#) on Crosodo, or open the live guide: crosodo.com/states/delaware.

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/>

Questions about Kent County? Local notes and a place to leave a question are on Crosodo. We monitor new threads — start with zoning, permits, or porch pickup.

crosodo.com/nb/delaware/kent-county-discuss

Classifieds

Resources for cottage food & home bakers · crosodo.com/advertise

NATIONAL

SUPPLIES

Advertise here — Supplies

Reach home bakers across the country. crosodo.com/advertise

COURSES

Advertise here — Courses

Reach home bakers across the country. crosodo.com/advertise

INSURANCE

Advertise here — Insurance

Reach home bakers across the country. crosodo.com/advertise

LOCAL

Advertise here

Reach home bakers in Kent County, Delaware. Supply stores, farmers markets, kitchen rentals, and bakery services welcome.

crosodo.com/advertise

Your business here

Local cottage food listings, kitchen rentals, co-packer referrals, and community events — post yours on Crosodo.

crosodo.com/nb/delaware/kent-county-discuss

Free ad space available

Let us know if you're a non-profit or community organization. Farmers markets, kitchen rentals, and cottage food events near you welcome.

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