

COTTAGE FOOD LAW REPORT

New Castle County

Delaware · Wilmington · FIPS 10003 · Population 570,567 ·
Crosodo Index #1753*

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

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

HOME KITCHEN ALLOWED?

Yes

STATE SALES CAP

—

HOME OCCUPATION PERMIT?

Conditional

ON-SITE / PORCH PICKUP?

Yes

INSPECTION

Yes

PETS

No specific state cottage food pet restriction; kitchen must pass inspection for sanitation

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: NEW CASTLE COUNTY

CROSODO INDEX #1753* · FIPS 10003 · Wilmington

New Castle County

Population 570,567 · State baseline: 16 Del. Admin. Code 4458A · MEDIUM

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Specific approved foods only (breads, cakes, cookies, pies, pastries, candy, jams, jellies, fruit preserves). Kitchen must pass pre-operational inspection by Delaware DHSS. Food safety training course (8 hours, ~\$175) required. \$30 annual registration fee. Direct sales only.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific state cottage food pet restriction; kitchen must pass inspection for sanitation

HOME OCCUPATION PERMIT?

Conditional (Delaware state cottage food law does not explicitly address home occupation permits. New Castle County may have home occupation zoning requirements. Producers should check with New Castle County Land Use or local municipality (City of Wilmington, other municipalities) for home occupation permit requirements before beginning operations.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

Yes (Pre-operational inspection required before registration issued. Ongoing complaint-based inspections possible.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Specific approved foods only (breads, cakes, cookies, pies, pastries, candy, jams, jellies, fruit preserves). Kitchen must pass pre-operational inspection by Delaware DHSS. Food safety training course (8 hours, ~\$175) required. \$30 annual registration fee. Direct sales only.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No specific state cottage food pet restriction; kitchen must pass inspection for sanitation
WATER SUPPLY	Municipal or private supply; inspected as part of pre-operational inspection
HANDWASHING	Required per kitchen inspection standards
FOOD STORAGE	Standard home kitchen storage for approved non-PHF foods

Inspection & permitting

INSPECTION REQUIRED	Yes — Pre-operational inspection required before registration issued. Ongoing complaint-based inspections possible.
HOME OCCUPATION PERMIT	Conditional — Delaware state cottage food law does not explicitly address home occupation permits. New Castle County may have home occupation zoning requirements. Producers should check with New Castle County Land Use or local municipality (City of Wilmington, other municipalities) for home occupation permit requirements before beginning operations.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct sales to consumers only within Delaware. Online sales allowed. No retail store sales. No annual sales cap (removed December 2023). No wholesale.
MAX EMPLOYEES IN HOME	Not specified in state law

Relevant county code

16 Del. Admin. Code 4458A (Cottage Food Regulations). Local: New Castle County zoning codes.

RESEARCH NOTES

Delaware is a Good-tier state. 16 Del. Admin. Code 4458A last amended December 2023 (removed \$25,000 sales cap, removed home address from label requirement). Narrow approved foods list (baked goods, candy, jams/jellies, fruit preserves). Pre-operational inspection required. 8-hour food safety training at ~\$175. \$30 annual fee. Direct sales only within Delaware. Home address no longer required on labels (registration number used instead). New Castle County-specific zoning/home occupation permit requirements not confirmed from direct source. Confidence medium.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.nccde.org>

<https://www.dhss.delaware.gov/dhss/dph/hsp/cottagefood.html>

<https://ij.org/issues/economic-liberty/homemade-food-seller/delaware/>

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

Bordering counties — cottage food law

Regulation	New Castle County	Kent County	Delaware County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No specific state cottage food pet restriction; kitchen must pass inspection for sanitation	DPH may assess home kitchen during inspection; pets likely would be required away from food prep areas.	No specific state cottage food pet restriction; general sanitation standards apply per inspection
INSPECTION REQUIRED	Yes	Yes	Yes
ON-SITE CUSTOMER PICKUP	Yes	Conditional	Yes
ON-SITE SIGNAGE	Conditional	No	Conditional
DELIVERY / PICKUP	Direct sales to consumers only within Delaware. Online sales allowed. No retail store sales. No annual sales cap (removed December 2023). N...	Direct sales at home, farmers markets, and similar venues. Home address may be replaced with department-issued ID number on labels since De...	All venues permitted: direct from home, online, retail stores, restaurants, interstate. Retail Food Facility License may be required for fa...
HOME OCCUPATION PERMIT	Conditional	Yes	Yes
LOCAL BUSINESS LICENSE	Varies	Yes	Varies
RESTRICTIONS	Specific approved foods only (breads, cakes, cookies, pies, pastries, candy, jams, jellies, fruit preserves). Kitchen must pass pre-operati...	Registration required with Delaware Division of Public Health (DPH). Initial on-site inspection required before registration. 8-hour food s...	Must produce only non-hazardous foods not requiring finished-product refrigeration. Kitchen must pass state inspection. Registration requir...
FOOD STORAGE	Standard home kitchen storage for approved non-PHF foods	Products stored in clean, sanitary conditions; assessed during inspection.	Food must be stored in compliant home kitchen conditions
POPULATION	570,567	182,400	575,312

State context — Delaware cottage food law

New Castle 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

16 Del. Admin. Code 4458A

REGISTRATION REQUIRED

Yes

KITCHEN INSPECTION

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.

ANNUAL SALES CAP

—

FOOD HANDLER CERT

Yes (specific course)

DIRECT SALES ONLY

Yes

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 New Castle 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/new-castle-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 New Castle 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/new-castle-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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