

COTTAGE FOOD LAW REPORT

Marion County

Indiana · Indianapolis · FIPS 18097 · Population 971,737 ·
Crosodo Index #1008*

STATE BASELINE

Ind. Code §16-42-5.3 (Home Based Vendor, HEA 1149, 2022)

STATE TIER

Great

ANNUAL SALES CAP (STATE)

—

CONFIDENCE

HIGH

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

Marion County, Indiana — 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

Upon-complaint

PETS

Animals must be excluded from food preparation areas during production

BEFORE YOU SELL FROM THIS ADDRESS

- ☐ **1. Menu** — Confirm each product under Indiana 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
- ☐ Indiana home-kitchen disclaimer (see live label one-pager)

CONTINUE ONLINE

[Open the live county page →](#)

[Indiana label one-pager →](#)

[Local notes & questions →](#)

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

INDIANA: MARION COUNTY

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Marion County

Population 971,737 · State baseline: Ind. Code §16-42-5.3 (Home Based Vendor, HEA 1149, 2022) ·

HIGH

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Must be vendor's primary residence. Products must be non-potentially hazardous. All locations of sale must meet Marion County zoning and right-of-way laws. HBVs may not operate simultaneously as a licensed retail food establishment.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Animals must be excluded from food preparation areas during production

HOME OCCUPATION PERMIT?

Conditional (Sales locations must meet Marion County zoning and right-of-way laws. State law (IC 16-42-5.3) preempts local licensing and permit requirements for the food production itself, but zoning compliance is required. Contact Marion County Planning for home-based business requirements. Indianapolis/Marion County is a consolidated city-county government (Unigov).)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

Upon-complaint (Complaint or suspected foodborne illness. Marion County Public Health Department may investigate. State Department of Health may act if immediate and serious threat.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Must be vendor's primary residence. Products must be non-potentially hazardous. All locations of sale must meet Marion County zoning and right-of-way laws. HBVs may not operate simultaneously as a licensed retail food establishment.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	Animals must be excluded from food preparation areas during production
WATER SUPPLY	Potable water required; public supply or approved private well
HANDWASHING	Proper handwashing facilities required as per standard HBV sanitation requirements
FOOD STORAGE	Food must be stored safely; products must be in sealed tamper-evident packaging

Inspection & permitting

INSPECTION REQUIRED	Upon-complaint — Complaint or suspected foodborne illness. Marion County Public Health Department may investigate. State Department of Health may act if immediate and serious threat.
HOME OCCUPATION PERMIT	Conditional — Sales locations must meet Marion County zoning and right-of-way laws. State law (IC 16-42-5.3) preempts local licensing and permit requirements for the food production itself, but zoning compliance is required. Contact Marion County Planning for home-based business requirements. Indianapolis/Marion County is a consolidated city-county government (Unigov).
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct-to-consumer sales allowed in person, by phone, or via internet. Delivery by operator, mail, or third-party carrier permitted within Indiana only. No out-of-state sales.
MAX EMPLOYEES IN HOME	Unknown

Relevant county code

IC 16-42-5.3 (state preempts local food production regulation); Marion County zoning code governs home-based business operations

RESEARCH NOTES

Marion County Public Health Department (marionhealth.org) has a specific HBV registration process: submit menu, labels, and certified food handler certificate. Food handler must be ANSI-accredited. State law IC 16-42-5.3 preempts local licensing/inspection requirements for the food production operation itself. Marion County is Indiana's most populous county and seat of Indianapolis. Zoning compliance remains required even under state preemption. The Marion County Health Department page explicitly states sales must meet 'Marion County, including all incorporated towns in Marion County, zoning and right of way laws.'

SOURCES VERIFIED AT RESEARCH TIME

<https://marionhealth.org>

<https://www.indy.gov>

<https://marionhealth.org/wp-content/uploads/2023/06/2023hbm-2.pdf>

<https://www.in.gov/health/food-protection/files/Home-Based-Vendors-FAQ-FINAL.pdf>

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

Bordering counties — cottage food law

Regulation	Marion County	Hamilton County	Hendricks County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Animals must be excluded from food preparation areas during production	Good sanitation practices required; no specific state pet rule but kitchen cleanliness standards apply	No explicit state restriction; good manufacturing practices apply.
INSPECTION REQUIRED	Upon-complaint	Upon-complaint	Upon-complaint
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Direct-to-consumer sales allowed in person, by phone, or via internet. Delivery by operator, mail, or third-party carrier permitted within ...	In-person, telephone, internet sales allowed; delivery in-person, by mail, or third-party carrier within Indiana only; not for resale	Direct sales from home, farmers markets, online with in-state delivery. No sales cap.
HOME OCCUPATION PERMIT	Conditional	Varies	Conditional
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Must be vendor's primary residence. Products must be non-potentially hazardous. All locations of sale must meet Marion County zoning and ri...	Food prepared at producer's primary residence only; non-TCS foods only; ANAB-accredited food handler certificate required; label must state...	Non-potentially hazardous foods only. Direct sales only; no wholesale or interstate sales. Food handler certification (ANSI-accredited) req...
FOOD STORAGE	Food must be stored safely; products must be in sealed tamper-evident packaging	Stored in sanitary conditions at residence	Shelf-stable storage for non-PHF products.
POPULATION	971,737	349,527	175,639

State context — Indiana cottage food law

Marion 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

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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](#) on Crosodo, or open the live guide: crosodo.com/states/indiana.

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 about Marion 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/indiana/marion-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 Marion County, Indiana. 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/indiana/marion-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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