

COTTAGE BAKERY FROM HOME

Can I sell from my kitchen in New Castle County, Delaware?

Home kitchen sales. Not a shop or rented commercial kitchen. Last verified 2026-05-05.

STATE FOOD PERMIT

Yes

HOME OCCUPATION

Conditional

BUSINESS LICENSE

Varies

SALES CAP

—

DELAWARE RULES. OPEN THESE FIRST.

[Delaware permits PDF](#)[Delaware cottage food law page](#)[Delaware Department of Health and Social Services cottage food program](#)[Statute: 16 Del. Admin. Code 4458A](#)**NOT LEGAL ADVICE**

This is what it takes to sell from a home kitchen in New Castle County. Confirm each step with Planning, Health, and the license office before you sell.

What you need

New Castle County, Delaware. File every Yes. Confirm every Check or Ask. Stay under the sales cap.

STATE FOOD PERMIT

Yes

ANNUAL SALES CAP

—

HOME OCCUPATION / ZONING

Conditional

LOCAL HEALTH

Yes

BUSINESS LICENSE

Varies

PICKUP AT THE HOUSE

Yes

HOME KITCHEN ONLY

If you want a shop or a rented commercial kitchen, these rows do not apply.

CONTINUE ONLINE

Delaware permits PDF →

<https://crosodo.com/reports/pdf/permits/delaware.pdf>

Delaware cottage food law page →

<https://crosodo.com/states/delaware>

Permit page for this place →

<https://crosodo.com/what-permits/delaware/new-castle-county>

New Castle County cottage food law page →

<https://crosodo.com/states/delaware/new-castle-county>

Not legal advice. Rules change. Confirm with the office before you file.

Where to file

State

Delaware registration: Yes. Routine kitchen inspection: Yes. Delaware prohibits sales at restaurants, retail stores, and online; only direct in-person sales at home, farmers markets, and events are permitted.

Delaware permits PDF: crosodo.com/reports/pdf/permits/delaware.pdf

State law page: crosodo.com/states/delaware

Delaware Department of Health and Social Services: <https://www.dhss.delaware.gov/dhss/dph/hsp/cottagefood.html>

Statute: [16 Del. Admin. Code 4458A](#)

Zoning / home occupation

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.

Health

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

Business license

Varies

Pickup / delivery

Direct sales to consumers only within Delaware. Online sales allowed. No retail store sales. No annual sales cap (removed December 2023). No wholesale.

If you rent a commissary kitchen

DPH permits food establishments. Delaware Division of Public Health issues food-establishment permits for restaurants, bakeries, and similar kitchens. A private-home cottage path is separate.

Official source: [Delaware First Steps food establishments](#)

Local health office we have on file: <https://www.nccde.org>

This file is the home-kitchen path. A rented kitchen uses a different permit. Ask the kitchen manager which license they expect, then call the local health office.

SOURCES

<https://www.nccde.org>

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

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

New Castle County and nearby places

Regulation	New Castle County	Kent County	Sussex 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.	Not specified; home kitchen must pass pre-operational 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...	Direct sales only to consumers; no wholesale, no retail store sales, no consignment. No out-of-state sales.
HOME OCCUPATION PERMIT	Conditional	Yes	Conditional
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...	Limited food list: specific baked goods (breads, cakes, cookies, pies, pastries), candy, jams, jellies, and fruit preserves. Pre-operationa...
FOOD STORAGE	Standard home kitchen storage for approved non-PHF foods	Products stored in clean, sanitary conditions; assessed during inspection.	Non-TCS; very limited approved food list (mostly baked goods, candy, jams/jellies)
POPULATION	570,567	182,400	240,668

More pages for this place

These Crosodo pages cover the same home cottage-food path:

Delaware permits PDF: crosodo.com/reports/pdf/permits/delaware.pdf

Delaware cottage food law: crosodo.com/states/delaware

New Castle County cottage food law: crosodo.com/states/delaware/new-castle-county