

COTTAGE BAKERY FROM HOME

Can I sell from my kitchen in Sussex County, Delaware?

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

STATE FOOD PERMIT	HOME OCCUPATION	BUSINESS LICENSE	SALES CAP
Yes	Conditional	Varies	—

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 Sussex County. Confirm each step with Planning, Health, and the license office before you sell.

What you need

Sussex 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/sussex-county>

Sussex County cottage food law page →

<https://crosodo.com/states/delaware/sussex-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. Sussex County may require home occupation permit under local zoning. Sussex County has unincorporated areas. Check with Sussex County Community Development and Planning.

Health

Yes. Pre-operational inspection required before registration issued; health authority may inspect for complaints

Business license

Varies

Pickup / delivery

Direct sales only to consumers; no wholesale, no retail store sales, no consignment. No out-of-state sales.

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://sussexcountysde.gov>

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://sussexcountysde.gov>

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

Sussex County and nearby places

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

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

Sussex County cottage food law: crosodo.com/states/delaware/sussex-county