



Indiana Home Based Food Vendor Guidelines

(also known as the Cottage Food Law)

All food vendors at the Yorktown Farm & Artisan Market must be in compliance by July 1, 2022

Under Indiana Code IC 16-42-5-29, Home Based Food Vendors (HBV) is an individual who is selling the food product they made, grew or raised ONLY in any venue / location that allows sales directly from the HBV to the end consumer. Approved venues / locations include:

- A **roadside stand**, which is a structure, including a tent, stand, vehicle or trailer that is visible from the road and located no more than 100 feet from the edge of the road.
- A **farmers market**, which is a common facility where two or more farmers or growers gather on a regular basis to sell a variety of fruits, vegetables and other farm products directly to consumers.
- A HBV, if selling **online**, is required to post the label of each food product sold on the vendor's website. Additionally, a HBV may NOT ship or deliver a food product to an end consumer who is located outside Indiana. They may ship or deliver a food product in a sealed package that allows the end consumer to determine whether the product has been tampered with and maintain a record of the shipping or delivery address of each end consumer the vendor sells a food product to for at least one year after the date of the sale.

Please note, all HBVs **must** obtain a food handler certificate from a certificate issuer that is accredited by the American National Standards Institute. We ask that you submit a copy of your certificate to the Market Manager and keep a copy with you at your booth in the event the Delaware County Department of Health requests it at a random site visit.

Examples of HBV products:

- baked goods: cakes, fruit pies, cookies, brownies, dry noodles
- candy and confections: caramels, chocolates, fudge, hard candy
- whole, uncut produce
- tree nuts and legumes
- honey, molasses, sorghum, maple syrup
- jams, jellies, preserves – only high acid fruit in sugar, no pepper jellies

May be temperature controlled only for quality:

- Some rabbit, poultry and in-shell chicken eggs
- Fermented produce “traditionally pickling” when not in an oxygen sealed container

Labeling Requirements Beginning July 1, 2022

- Producer's name and address
- Common or usual name of food product
- Ingredients of food product (in descending order)
- Net weight and volume or numerical count
- Date food produce was processed
- The following statement in 10 point type: "This product is home produced and processed and the production area has not been inspected by the State Department of Health. NOT FOR RESALE"

*Though state law doesn't require it, we **strongly encourage** vendors to also add the text "**refrigerate after opening**" to all canned items or items that need refrigeration after opening.*

Home Based Vendors are prohibited from selling the following according Indiana law:

- Salsa, barbecue sauces, ketchups and/or mustards
- Canned fruits and vegetables, chutneys, vegetable butters and jellies, flavored oils, hummus, garlic dip and salsas (including pepper jellies)
- Fish or shellfish products
- Canned pickled products such as corn relish, pickles, sauerkraut
- Raw seed sprouts
- Bakery goods that require any type of refrigeration such as cream, custard or meringue pies and cakes or pastries with cream cheese icings or fillings
- Eggs, milk and dairy products including hard, soft and cottage cheeses and yogurt
- Cut fresh fruits and/or vegetables. Juices made from fresh fruits or vegetables
- Ice and/or ice products
- Fresh or dried meat, or meat products including jerky (must have special certification)
- Focaccia-style breads with vegetables and/or cheeses
- Homemade icings and frostings made from dairy based cream cheese and/or butter
- Any products containing hemp, hemp extract or CBD derived from the plant Cannabis sativa L
- Syrups (including elderberry syrup)
- Food that is natural or synthetic and requires temperature control because it is in a form capable of supporting any of the following: (1) The rapid and progressive growth of infectious or toxigenic microorganisms. (2) The growth and toxin production of Clostridium botulinum.

Please email us at yorktownfarmersmarketplace@gmail.com with any questions.

Guidelines may change as the state law changes.

Sources:

- House Enrolled Act 1149 (2022)
<http://iga.in.gov/legislative/2022/bills/house/1149#document-88d4c8cb>
- Indiana Cottage Food Laws (website)
<https://cottagefoodlaws.com/indiana-cottage-food-laws/>
- Lori Winstead, Sweet Homestead Alexandria
- Christiana Mann, Three Bears Concessions