

A cartoon bee with yellow and black stripes and white wings is flying towards the right. The background is a warm-toned honeycomb pattern with several large, glossy, orange-colored droplets of honey.

New 2022 Indiana Law Home Based Vendors with 2026 updates

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About Me



Disclaimer: I am not a lawyer. This presentation is for informational purposes only. I hope you can gain knowledge to help Home Based Vendors most of us Beekeepers to comply with the new Indiana law. Please consult a lawyer for specific legal advice.

TABLE OF CONTENTS

01 New Law

02 Three
Categories
of Honey

03 Three Major Changes

04 Additional
Information

05 Alternatives

06 Additional Resources



HOUSE ENROLLED ACT No. 1149

Indiana's House Enrolled Act 1149 was passed in 2022 and defines the requirements for home based vendors (HBVs) in the preparation and sale of food products. It went into effect on July 1, 2022.



In March 2026 HB1424

In March 2026, Indiana legislators passed House Enrolled Act 1424 which created new rules (IC 16-42-5.4) for products that can be produced and sold to the direct end consumer. This legislation applies to homestead vendors and small farm operators. The Indiana Department of Health (IDOH) has released additional guidance on this regulation.

Pursuant to **IC 16-42-5.3**, "A home based vendor shall prepare and sell only a food product that is:

- made, grown, or raised by an individual at the individual's primary residence, including any permanent structure that is on the same property as the residence
- not a Temperature Controlled for Safety (TCS) food product
- prepared using proper sanitary procedures
- not resold (e.g. you must sell to the end user and not to someone who intends to resell; if you did this you must be licensed as a wholesaler).

HBV's may sell non-TCS foods Do Not Require Refrigeration

This list of allowable foods includes:

- ✓ Baked items such as cookies, cupcakes, cake pops, bread, and muffins
- ✓ Candy and confections such as chocolates, nougats, caramels, chocolate covered nuts
- ✓ Tree nuts, legumes
- ✓ Honey, molasses, maple syrup
- ✓ Traditional jams, jellies and preserves made from high-acid fruits and using full sugar recipes (This is the only home-canned food allowed.)



HBV's may Not sell TCS foods Potentially Hazardous FoodsThank

This list of foods that CANNOT be sold by HBV's includes:

- ❖ An animal food that is raw or heat-treated
- ❖ A plant food that is heat-treated
- ❖ Raw seed sprouts
- ❖ Cut melon
- ❖ Cut leafy greens
- ❖ Garlic-in-oil



Three Types of Honey Producers/Sellers



Wholesale
Food Est.

Operates under 4101
AC 7-21 & IC 16-42-5



Retail
Food Est.

Operates under 4101
AC 7-24 & IC 16-42-5



HBV
Vendor

Operates under
IC 16-42-5-29
Home Based Vendor



Home Based Vendors

Since many of us extract and
bottle our honey out of our
homes we fall under
the amended
House Enrolled Act no 1149



3 Major Changes



1

**How and Where
Sold**

2

**New Food Safety
Requirement**

3

**Updated Label
Requirements**

How and Where Sold

All sales have to be within the state of Indiana.

A log has to be maintained for all products shipped or mailed for at least 1 year after the date of sale (electronic or paper).

HBV's are restricted from selling or delivering outside of Indiana.

All products must be sold **direct to consumer**. They cannot be resold.



A vibrant illustration with a honeycomb background. In the center, a glass of honey is being poured, with honey dripping down. A bee is flying near the glass. There are also some honey droplets and a honeycomb structure at the bottom left.

Food Handler Certificate Requirement

- ServSafe.com
\$15 program
- Purdue Extension Office
\$40 none on calendar
- Alwaysfoodsafety.com
\$10 program
- StateFoodSafety.com
\$10 program



Certificate of Achievement



This certificate is awarded to
JEFFERSON ABSHEAR

Congratulations! You have completed
ServSafe® Food Handler
Employee Food Safety Online Course and Exam

National Restaurant Association
233 S. Wacker Drive, Suite 3600
Chicago, IL 60606-6383
800.765.2122 in Chicago area 312.715.1010
Restaurant.org | ServSafe.com

Certificate Number 5700522 Date 6/21/2025

Expiration Date 6/21/2025



Food Handler Basics

- ◆ Clean—Wash hands and surfaces often.
- ◆ Separate—Don't cross-contaminate.
- ◆ Cook—Cook to proper temperatures, checking with a food thermometer.
- ◆ Chill—Refrigerate promptly.



Label Requirements

Must Include

- ◆ The name and address of the producer
- ◆ The common or usual name of the food product
- ◆ The ingredients of the food product, in descending order by predominance by weight
- ◆ The net weight and volume of the food product by standard measure or numerical count
- ◆ The date on which the food product was processed
- ◆ The following statement in at least 10 point type: "This product is home produced and processed and the production area has not been inspected by Indiana Department of Health. NOT FOR RESALE."



Label Examples

Sample label:

Just Maple in Indiana

John Deer-Doe

123 Maple Sugar Shack Lane

Maple Syrup, Indiana 12345

Ingredients: Maple Syrup

12.5 FL OZ (370mL)

"This product is home produced and processed. The production area has not been inspected by the State Department of Health.

NOT FOR RESALE."

Sample label:

Strawberry Jamming Jams

Address: 2120 Produce Ln., Strawberry, IN 12345

Ingredients: Water, Strawberries, Sugar, Lemon Juice, Pectin

Produced on November 08, 2024

Net Wt. 17 OZ (485g)

"This product is home produced and processed, and the production area has not been inspected by the State Department of Health. NOT FOR RESALE."

Additional Points of Info

1. "Roadside stand" can not be located more than one hundred (100) feet from the edge of the side of the road
2. Animals must not be present in the food preparation or packaging area
3. Home Based Vendor is subject to inspection when either a product has been misbranded, adulterated, or a complaint has been filed with the state department.

ALTERNATIVES

Apply and become a Wholesaler

or

Partner with a Retailer and bottle
in a commercial kitchen





**REGISTRATION APPLICATION FOR
MANUFACTURER, PROCESSOR, REPACKAGER,
OR WHOLESALE DISTRIBUTOR OF FOOD, DRUGS, OR COSMETICS**

State Form 13054 (R7 / 6-17)
Indiana State Department of Health
Food Protection Program

The following information is required in accordance with Indiana Code (IC) 16-42-1-6:
Registration of manufacturer, processor, repackager, or wholesale distributor; maintaining place of business in state Sec. 6. (a) A manufacturer, processor, repackager, or wholesale distributor of food, drugs, or cosmetics who maintains a place of business in Indiana shall file with the state department, upon forms to be furnished by the state department, a written statement of the name and address of the owner, the character of the business, and the business address of each place of business in Indiana. (b) A new place of business for the manufacture, processing, repacking, or wholesale distribution of food, drugs, or cosmetics may not be established in Indiana until the place of business has been registered as provided in this chapter. (c) If ownership of a registered place of business changes, the new owner shall reregister the place of business before operating the same.

☐ New Registration:

Estimated Start Date (month, day, year)

Estimated Hours of Operation

Estimated Facility Size (sq. ft.)

☐ Change of Owner

☐ Change of Address

Date (month, day, year):

Legal Name of Establishment:

Doing Business As (DBA):

E-mail:

Business Telephone:

Mobile Telephone:

Other:

Fax:

Physical Address:

Street

City

County

ZIP Code

Mailing Address:

Reset Form

RESOURCES

Links

- Indiana Government House Bill 1149
 - <https://iga.in.gov/legislative/2026/bills/house/1149/details>
- Purdue Agriculture Department
 - <https://ag.purdue.edu/departments/foodsci/home-based-vendors.html>
- Wholesale Food Establishment Guidelines
 - <https://www.in.gov/health/food-protection/wholesale-manufactured-foods-program/starting-a-wholesale-food-business-in-indiana/>
- ServSafe Food Handler
 - <https://www.servsafe.com/ServSafe-Food-Handler>
- StateFoodSafety Food Handler
 - <https://www.statefoodsafety.com/food-handler>

Additional Contacts

- Your local health department
- Indiana Dept. of Health | 317-234-8569
- Purdue Food Science Dept. | 764-494-8256



The background is a warm-toned honeycomb pattern. On the left, a honey dipper is shown dripping with golden honey. A small bee is flying near the center. Scattered throughout are several small, glowing honey droplets and three circular icons: a TikTok logo, an Instagram logo, and a Facebook logo.

THANKS!

Do you have any questions?

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HOUSE ENROLLED ACT No. 1149

SECTION 4. IC 16-42-5.3 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]:

Chapter 5.3. Home Based Food Products Sec. 1.(a) As used in this chapter, "end consumer" means a person who is the last person to purchase any food product and who does not resell the food product. (b) As used in this chapter, "roadside stand" means a structure, including a tent, stand, vehicle, or trailer that is: (1) visible from a road; and (2) located not more than one hundred (100) feet from the edge of the side of the road;

Sec. 2. A person may prepare and sell food products as a home based vendor if the person complies with the requirements of this chapter. Sec. 3. The production and sale of food products by a home based vendor in accordance with this chapter are exempt from the requirements of this title that apply to food establishments. Sec. 4. A home based vendor shall prepare and sell only a food product that is:

(1) made, grown, or raised by an individual at the individual's primary residence, including any permanent structure that is on the same property as the residence; (2) not a potentially hazardous food product; (3) prepared using proper sanitary procedures, including: (A) proper hand washing; (B) sanitizing the container or other packaging in which the food product is contained; (C) storing the food product safely; (D) producing the food product in a food preparation or packaging area in which animals are not present; and (E) cleaning and sanitizing of surfaces that have contact with the food product; (4) not resold; (5) sold in person, by telephone, or through the Internet; and (6) delivered to the end consumer in person, by mail, or by a third party carrier within the state of Indiana.



HOUSE ENROLLED ACT No. 1149

CONTINUED

Sec. 5. (a) A home based vendor shall include a label for packaged food or a sign for unpackaged food that contains the following information: (1) The name and address of the producer of the food product. (2) The common or usual name of the food product. (3) The ingredients of the food product, in descending order by predominance by weight. (4) The net weight or volume of the food product by standard measure or numerical count. (5) The date on which the food product was processed. (6) The following statement in at least 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.". (b) A home based vendor shall post the label of each food product on the vendor's Internet web site.

Sec. 6. (a) A home based vendor may not ship or deliver a food product to an end consumer who is located outside Indiana. (b) A home based vendor shall do the following: (1) Ship or deliver a food product in a sealed package that allows an end consumer to determine whether the product has been tampered with. (2) Maintain a record of the shipping or delivery address of each end consumer the vendor sells a food product to for at least one (1) year after the date of the sale. (3) Upon request, provide a record described in subdivision (2) to the state department.

Sec. 7. (a) A home based vendor shall obtain a food handler certificate from a certificate issuer that is accredited by the American National Standards Institute. (b) Upon request, a home based vendor shall provide a copy of the food handler certificate required by subsection (a) to the state department or an end consumer. (c) A home based vendor shall provide a copy of the food handler certificate required by subsection (a) to the local health department in the county where the home based vendor's residence is located



HOUSE ENROLLED ACT No. 1149

CONTINUED

Sec. 8. (a) A home based vendor is subject to food sampling and inspection if: (1) the state department determines that the home based vendor's food product is: (A) misbranded under IC 16-42-2-3; or (B) adulterated; or (2) a consumer complaint has been received by the state department. (b) If the state department has reason to believe that an imminent health hazard exists with respect to a home based vendor's food product, the state department may order cessation of production and sale of the food product until the state department determines that the hazardous situation has been addressed. (c) For purposes of this chapter, the state health commissioner or the commissioner's authorized representatives may take samples for analysis and conduct examinations and investigations through any officers or employees under the state health commissioner's supervision. Those officers and employees may enter, at reasonable times, the facilities of a home based vendor and inspect any food products in those places and all pertinent equipment, materials, containers, and labeling.

