

HOUSE BILL No. 1345

DIGEST OF INTRODUCED BILL

Citations Affected: IC 15-17-5-6.5; IC 16-18-2; IC 16-20-5.7; IC 16-42; IC 36-7-2.6.

Synopsis: Various food matters. Establishes the Indiana food protection panel (panel). Provides that a recipient of an enforcement action taken by a local health officer following a food establishment inspection may appeal the action to the panel. Prohibits the health and hospital corporation or a local health department from imposing requirements or standards that exceed the minimum sanitary standards adopted by the Indiana department of health (state department). Requires the state department to: (1) provide local health departments with guidelines concerning the interpretation of the state department's rules; (2) designate an employee as the point of contact for local health departments on sanitary standards for food establishments; and (3) distribute the contact information of the designated employee to the local health departments. Requires the state department to create a business model determination worksheet and distribute the worksheet to all the local health departments. Permits an individual vendor at a farmers' market or roadside stand to sell certain meat products. Adds provisions concerning limited custom exempt meat product sales. Prohibits a person from misbranding a food product containing insect protein and selling a misbranded food product containing insect protein as a food product. Requires a person selling a food product containing insect protein to label the food product with a label stating "THIS PRODUCT CONTAINS INSECT PROTEIN". Prohibits a county, city, or town (unit) from adopting or enforcing an ordinance that prevents a person from cultivating a vegetable garden on certain property. Allows a unit to adopt or enforce an ordinance or regulation that imposes the same standards and requirements as those imposed on certain property.

Effective: July 1, 2026; July 1, 2027.

Culp

January 6, 2026, read first time and referred to Committee on Public Health.



Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

HOUSE BILL No. 1345

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 15-17-5-6.5, AS ADDED BY P.L.229-2025,
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2027]: Sec. 6.5. (a) A person that labels meat products shall
4 not misbrand a cultivated meat product.
5 (b) A cultivated meat product is misbranded if the cultivated meat
6 product is:
7 (1) advertised;
8 (2) labeled; or
9 (3) offered for sale or sold;
10 in a manner that does not clearly indicate that it is a cultivated meat
11 product or not in accordance with rules adopted by the board.
12 (c) The board shall investigate complaints that a person:
13 (1) offered for sale; or
14 (2) sold;
15 a misbranded cultivated meat product.
16 (d) A person shall include the phrase "THIS IS AN IMITATION
17 MEAT PRODUCT" on the package containing a cultivated meat



product.

(e) The board may:

(1) take any enforcement action authorized under this chapter for violations of this section; or

(2) impose a civil penalty of not more than ten thousand dollars (\$10,000) on a person that violates this section. Civil penalties collected under this section shall be deposited in the state general fund.

(f) Each day a violation continues constitutes a separate offense.

(g) After notice and hearing in compliance with IC 4-21.5, the board may seek a court order to enjoin a person from labeling meat products if the person repeatedly and persistently fails to comply with this section and the rules adopted under this section.

(~~e~~) (h) The board shall adopt rules under IC 4-22-2 to carry out its responsibilities under this section.

SECTION 2. IC 16-18-2-137, AS AMENDED BY P.L.49-2022, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 137. (a) "Food establishment", for purposes of IC 16-20-5.7, IC 16-42-5, IC 16-42-5.2, ~~and~~ IC 16-42-5.3, ~~and~~ IC 16-42-5.4, means any building, room, basement, vehicle of transportation, cellar, or open or enclosed area occupied or used for handling food.

(b) The term does not include the following:

(1) A dwelling where food is prepared on the premises by the occupants, free of charge, for their consumption or for consumption by their guests.

(2) A gathering of individuals at a venue of an organization that is organized for educational purposes in a nonpublic educational setting or for religious purposes, if:

(A) the individuals separately or jointly provide or prepare, free of charge, and consume their own food or that of others attending the gathering; and

(B) the gathering is for a purpose of the organization.

Gatherings for the purpose of the organization include funerals, wedding receptions, christenings, bar or bat mitzvahs, baptisms, communions, and other events or celebrations sponsored by the organization.

(3) A vehicle used to transport food solely for distribution to the needy, either free of charge or for a nominal donation.

(4) A private gathering of individuals who separately or jointly provide or prepare and consume their own food or that of others attending the gathering, regardless of whether the gathering is



held on public or private property.

(5) Except for food prepared by a for-profit entity, a venue of the sale of food prepared for an organization:

(A) that is organized for:

(i) religious purposes; or

(ii) educational purposes in a nonpublic educational setting;

(B) that is exempt from taxation under Section 501 of the Internal Revenue Code; and

(C) that offers the food for sale to the final consumer at an event held for the benefit of the organization;

unless the food is being provided in a restaurant or a cafeteria with an extensive menu of prepared foods.

(6) Except for food prepared by a for-profit entity, an Indiana nonprofit organization that:

(A) is organized for civic, fraternal, veterans, or charitable purposes;

(B) is exempt from taxation under Section 501 of the Internal Revenue Code; and

(C) offers food for sale to the final consumer at an event held for the benefit of the organization;

if the events conducted by the organization take place for not more than fifteen (15) days in a calendar year.

(7) The holder of a farm winery permit under IC 7.1-3-12-5 or a brewer's permit under IC 7.1-3-2-7(5) if the requirements of IC 16-42-5-30 are met.

(8) A home based vendor or an individual vendor who sells a food product under IC 16-42-5.3.

SECTION 3. IC 16-18-2-190.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 190.4. "Insect protein", for purposes of IC 16-42-5.6, means a protein that is:**

(1) naturally derived from the processing of:

(A) whole insects; or

(B) parts of insects; and

(2) intended for human consumption.

SECTION 4. IC 16-18-2-274, AS AMENDED BY P.L.110-2021, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 274. (a) "Person" means, except as provided in subsections (b), (c), (d), ~~and~~ (e), **and (f)**, an individual, a firm, a partnership, an association, a fiduciary, an executor or administrator, a governmental entity, or a corporation.

(b) "Person", for purposes of IC 16-25, has the meaning set forth in



1 IC 16-25-1.1-8.

2 (c) "Person", for purposes of IC 16-31, means an individual, a
3 partnership, a corporation, an association, a joint stock association, or
4 a governmental entity other than an agency or instrumentality of the
5 United States.

6 **(d) "Person", for purposes of IC 16-42-5.6, has the meaning set
7 forth in IC 16-42-5.6-0.5.**

8 ~~(d)~~ (e) "Person", for purposes of IC 16-42-10, has the meaning set
9 forth in IC 16-42-10-3.

10 ~~(e)~~ (f) "Person", for purposes of IC 16-46-16.5, has the meaning set
11 forth in IC 16-46-16.5-2.

12 SECTION 5. IC 16-20-5.7 IS ADDED TO THE INDIANA CODE
13 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2026]:

15 **Chapter 5.7. Indiana Food Protection Panel**

16 **Sec. 1. As used in this chapter, "panel" refers to the Indiana
17 food protection panel established by section 2 of this chapter.**

18 **Sec. 2. (a) The Indiana food protection panel is established.**

19 **(b) The panel shall hear and decide appeals submitted by
20 individuals cited by a local health officer or local health board
21 under IC 16-20-1 in response to a food establishment inspection.**

22 **Sec. 3. (a) The panel shall consist of the following three (3)
23 members:**

24 **(1) The commissioner or the commissioner's designee.**

25 **(2) One (1) member appointed by the commissioner who is an
26 employee of the food protection division of the state
27 department.**

28 **(3) One (1) member appointed by the commissioner who is an
29 employee of the state department.**

30 **(b) A member of the panel serves until:**

31 **(1) the member leaves employment with the state department;
32 or**

33 **(2) the member is removed by the commissioner.**

34 **Sec. 4. (a) A recipient may appeal an enforcement action issued
35 by a local health officer or local health board under IC 16-20-1 or
36 410 IAC 7-26 in response to an alleged violation of:**

37 **(1) IC 16-42-5;**

38 **(2) IC 16-42-5.1 (before its repeal);**

39 **(3) IC 16-42-5.2;**

40 **(4) IC 16-42-5.3; or**

41 **(5) IC 16-42-28;**

42 **to the panel in a manner prescribed by the panel.**



(b) In order to make an appeal under this chapter, the recipient of the enforcement action must file the appeal with the panel not later than seven (7) days after the issuance of the enforcement action. Upon the proper filing of an appeal under this section by a recipient, the panel may stay the enforcement action until final disposition of the appeal.

(c) A local health department may disregard the stay of an enforcement action adopted by the panel if an urgent situation caused by a recipient appealing an enforcement action creates a clear and immediate danger to the public's health, safety, or property.

(d) The panel may allow a recipient of an enforcement action to continue operating until an appeal is heard by the panel when the preponderance of the evidence indicates that the appeal is likely to succeed.

Sec. 5. The panel shall do the following:

(1) Determine whether to hear an appeal filed under this chapter not later than three (3) days after the filing of the appeal and issue a denial of an appeal at any time after the filing of the appeal.

(2) Inform the appellant in writing that the appeal will not be heard and is considered denied.

(3) Hear an appeal not later than seven (7) days after the filing of the appeal.

(4) Develop procedures for the review, consideration, and hearing of an appeal filed under this chapter. The procedures must include the following:

(A) Standards for evaluating an appeal filed under this chapter.

(B) A procedure for consolidating appeals if there are at least two (2) appeals filed:

(i) from the same order; or

(ii) involving a common question of law and fact.

(C) Written notice to the appellant and to the local health officer who issued the enforcement action of the following:

(i) The appeal.

(ii) The date, time, and location of any hearing concerning the appeal.

(D) Procedures for the sharing of information between parties and the local board of health concerning the circumstances resulting in the enforcement action.

(E) The order of the proceedings.



(F) The maintenance of records concerning a request for appeal and any documentation resulting from the investigation and hearing of the appeal.

Sec. 6. (a) The following individuals must be present at the hearing:

- (1) The appellant, or a representative of the appellant.
- (2) The local health officer who issued the order or citation under the enforcement action or the local health officer's designee.

(b) The failure of an individual described in subsection (a) to be present is not a cause for postponement of the hearing unless the local health officer or the appellant requests and is granted a continuance. The granting of a continuance does not modify any time requirements under this chapter.

(c) If an individual described in subsection (a) fails to attend the hearing without notifying the panel, then the panel shall rule in favor of the present individual.

Sec. 7. The panel may hear appeals virtually.

Sec. 8. The panel shall issue a written decision for any appeal that receives a hearing under this chapter.

Sec. 9. The panel shall issue a decision not later than fourteen (14) days after the date of the filing of the appeal.

Sec. 10. If an appeal is:

- (1) denied by the panel; or
- (2) ruled in favor of the local health officer;

the enforcement actions under IC 16-20-1-26 apply.

Sec. 11. (a) A recipient appealing the enforcement action shall pay an appeal fee of one hundred dollars (\$100) to the state department. The state department shall use the fees collected under this chapter to administer the panel.

(b) If the recipient wins the appeal, the panel shall reimburse the recipient the appeal fee described in subsection (a).

SECTION 6. IC 16-42-1-36 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 36. (a) The state department shall create a business model determination worksheet and distribute the worksheet to all local health departments.

(b) The business model determination worksheet shall include the following information:

- (1) An overview of all the different entities that may receive a food safety or a food borne illness violation under this article.



(2) A checklist of information that aids the local health department in determining whether a specific entity has violated any relevant food or sanitary requirements.

(3) A space for a local health department to identify and cite which food or sanitary violation occurred.

(c) In the case of an appeal under IC 16-20-5.7, the local health department shall share the business model determination worksheet with the Indiana food protection panel.

SECTION 7. IC 16-42-2-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. A food is considered to be misbranded under any of the following conditions:

(1) If the food's labeling is false or misleading in any way.

(2) If the food's labeling or packaging fails to conform with the rules adopted under IC 16-42-1-2.

(3) If the food is offered for sale under the name of another food.

(4) If the food is an imitation of another food, unless the food's label bears, in type of uniform size and prominence, the word "imitation" and, immediately following that term, the name of the food imitated.

(5) If the food's container is so made, formed, or filled as to be misleading.

(6) If the food is in package form, unless the food bears a label containing the following:

(A) The name and place of business of the manufacturer, packer, or distributor.

(B) An accurate statement of the quantity of the contents in terms of weight, measure, or numerical count. However, reasonable variations shall be permitted under this clause and exemptions for small packages shall be established by rules adopted by the state department.

(7) If any word, statement, or other information required under IC 16-42-1 through IC 16-42-4 to appear on the label or labeling is not prominently placed on the food with the conspicuousness (as compared with other words, statements, designs, or devices in the labeling) and in such terms that make the information likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

(8) If the food purports to be or is represented as a food for which a definition and standard of identity has been prescribed by rules under section 1 of this chapter, unless:

(A) the food conforms to that definition and standard; and

(B) the food's label bears the name of the food specified in the



- 1 definition and standard, and, insofar as may be required by
 2 those rules, the common names of optional ingredients (other
 3 than spices, flavoring, and coloring) present in the food.
 4 This subdivision with respect to artificial coloring does not apply
 5 to butter, cheese, or ice cream.
 6 (9) If the food purports to be or is represented as:
 7 (A) a food for which a standard of quality has been prescribed
 8 by rules as provided by section 1 of this chapter and the food's
 9 quality falls below that standard, unless the label bears, in the
 10 manner and form as the rules specify, a statement that the food
 11 falls below that standard; or
 12 (B) a food for which a standard or standards of fill of container
 13 have been prescribed by rule under section 1 of this chapter
 14 and the food falls below the applicable standard of fill of
 15 container unless the food's label bears, in such manner and
 16 form as the rules specify, a statement that the food falls below
 17 that standard.
 18 (10) If the food is not subject to subdivision (8), unless the food's
 19 label bears:
 20 (A) the common or usual name of the food, if any; and
 21 (B) if the food is fabricated from at least two (2) ingredients,
 22 the common or usual name of each ingredient. However,
 23 spices, flavorings, and colorings, other than those sold as such,
 24 may be designated as spices, flavorings, and colorings without
 25 naming each. In addition, to the extent that compliance with
 26 this clause is impracticable or results in deception or unfair
 27 competition, the state department shall establish exemptions
 28 by rule.
 29 This subdivision with respect to artificial coloring does not apply
 30 to butter, cheese, or ice cream.
 31 (11) If the food purports to be or is represented to be for special
 32 dietary uses, unless the food's label bears information concerning
 33 the food's vitamin, mineral, and other dietary properties that the
 34 state department determines to be, and by rules prescribes as
 35 necessary to fully inform purchasers as to the food's value for
 36 such uses.
 37 (12) If the food bears or contains any artificial flavoring, artificial
 38 coloring, or chemical preservative, unless the food bears labeling
 39 stating that fact. However, to the extent that compliance with the
 40 requirements of this subdivision is impracticable, the state
 41 department shall establish exemptions by rule. This subdivision:
 42 (A) with respect to artificial coloring, does not apply to butter,



1 cheese, or ice cream; and

2 (B) with respect to chemical preservatives, does not apply to
3 a pesticide chemical when used in or on a raw agricultural
4 commodity that is the product of the soil.

5 **(13) If the food's labeling or packaging fails to conform with**
6 **the requirements set forth in IC 16-42-5.6.**

7 SECTION 8. IC 16-42-5-5 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. **(a)** The state
9 department may adopt rules under IC 4-22-2 for the efficient
10 enforcement of this chapter and to establish minimum sanitary
11 standards for the operation of all food establishments.

12 **(b) A corporation or local health department may not impose**
13 **any requirements or standards that exceed the minimum sanitary**
14 **standards adopted by the state department.**

15 **(c) To ensure that enforcement of state laws and rules is**
16 **uniform throughout Indiana, the state department shall provide to**
17 **the local health officers who are food environmental health**
18 **specialists guidelines concerning the interpretation of the state**
19 **department's rules.**

20 SECTION 9. IC 16-42-5-33 IS ADDED TO THE INDIANA CODE
21 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
22 1, 2026]: Sec. 33. **The state department shall:**

23 **(1) designate an employee as the point of contact for local**
24 **health departments to whom they may submit questions**
25 **concerning the operation and enforcement of this chapter;**
26 **and**

27 **(2) distribute the employee's contact information to each local**
28 **health department.**

29 SECTION 10. IC 16-42-5.3-1, AS AMENDED BY P.L.151-2024,
30 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
31 JULY 1, 2026]: Sec. 1. (a) As used in this chapter, "end consumer"
32 means a person who is the last person to purchase any food product **or**
33 **meat product** and who does not resell the food product **or meat**
34 **product.**

35 **(b) As used in this chapter, "meat product" has the meaning set**
36 **forth in IC 15-17-2-54.**

37 ~~(b)~~ **(c)** As used in this chapter, "roadside stand" means a structure,
38 including a tent, stand, vehicle, or trailer that is:

39 (1) visible from a road; and

40 (2) located not more than one hundred (100) feet from the edge of
41 the side of the road;

42 where whole uncut produce, food products that are not time



1 temperature control for safety food, poultry that is exempt under
 2 IC 15-17-5-11, rabbits, or eggs permitted for sale by the state egg board
 3 are sold to an end consumer.

4 SECTION 11. IC 16-42-5.3-10, AS ADDED BY P.L.49-2022,
 5 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2026]: Sec. 10. (a) This section applies to the sale of:

- 7 (1) poultry;
- 8 (2) **meat products;** and
- 9 (3) rabbits;

10 by an individual vendor of a farmers' market or roadside stand.

11 (b) The following products are exempt from the requirements of this
 12 title that apply to food establishments:

13 (1) Poultry products produced under IC 15-17-5-11. Poultry
 14 products sold at a farmers' market or roadside stand must be
 15 frozen at the point of sale. Poultry products sold on the farm
 16 where the product is produced must be kept refrigerated at the
 17 point of sale and through delivery by the producer to the end
 18 consumer.

19 (2) Rabbits that are slaughtered and processed on a farm for the
 20 purpose of conducting limited sales on the farm, at a farmers'
 21 market, and at a roadside stand. Rabbit meat sold at a farmers'
 22 market or roadside stand must be frozen at the point of sale.
 23 Rabbit meat sold on the farm where the product is produced must
 24 be kept refrigerated at the point of sale and through delivery by
 25 the producer to the end consumer. An individual who sells rabbits
 26 under this subsection shall comply with the label requirements set
 27 forth in this chapter.

28 **(3) Meat products from livestock:**

29 **(A) raised on a farm; and**

30 **(B) slaughtered and processed at an official establishment**
 31 **in compliance with IC 15-17-5;**

32 **for the purpose of conducting limited sales on the farm, at a**
 33 **farmers' market, and at a roadside stand. Meat products from**
 34 **livestock sold at a farmers' market or roadside stand or on the**
 35 **farm must be frozen at the point of sale and through delivery**
 36 **by the producer to the end consumer. An individual who sells**
 37 **meat products from livestock under this subsection shall**
 38 **comply with the label requirements set forth in this chapter.**

39 (c) This section does not apply to the distribution of meat from a
 40 game animal.

41 SECTION 12. IC 16-42-5.4 IS ADDED TO THE INDIANA CODE
 42 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2026]:

Chapter 5.4. Limited Custom Exempt Meat Product Sales

Sec. 1. As used in this chapter, "custom exempt meat product" refers to a meat product derived from livestock that meets the exemptions established under 9 CFR 303.1.

Sec. 2. (a) The production and sale of a custom exempt meat product in accordance with this chapter are exempt from the requirements of this title that apply to food establishments.

(b) An individual selling custom exempt meat products under this chapter is not a home based vendor (as described in IC 16-42-5.3-2).

Sec. 3. An individual may sell and deliver custom exempt meat products under this chapter if the following criteria are met:

(1) The livestock is raised on the individual's farm.

(2) The end consumer takes ownership of the livestock before the livestock is slaughtered.

(3) The livestock is slaughtered and processed and the meat is labeled in compliance with IC 15-17-5.

(4) After picking up the processed and labeled custom exempt meat product, the individual who raised the livestock delivers the processed and labeled meat product to the end consumer that purchased the meat product before the livestock was slaughtered.

(5) The individual delivering the meat product to the end consumer does not further alter the custom exempt meat product packaged by a processor.

Sec. 4. Custom exempt meat products from livestock sold under this chapter must be kept refrigerated through delivery by the individual delivering the meat products under this chapter to the end consumer.

Sec. 5. (a) An individual selling meat products under this chapter is subject to a meat sampling and inspection if:

(1) the state department determines that the individual's meat 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 an individual's meat product, the state department may order cessation of production and sale of the meat product until the state department determines



1 that the health hazard has been addressed.

2 (c) For purposes of this chapter, the state health commissioner
3 or the commissioner's authorized representatives may take
4 samples for analysis and conduct examinations and investigations
5 through any officers or employees under the state health
6 commissioner's supervision. Those officers and employees may
7 enter, at reasonable times, the facilities of an individual selling
8 meat products under this chapter and inspect any meat products
9 in those places and all pertinent equipment, materials, containers,
10 and labeling.

11 (d) The Indiana state board of animal health shall assist the
12 state department and local health officers in carrying out this
13 section.

14 Sec. 6. Notwithstanding any other law, a local unit of
15 government (as defined in IC 14-22-31.5-1) may not by ordinance
16 or resolution require any licensure, certification, or inspection of
17 a meat product of an individual who sells meat products under this
18 chapter.

19 Sec. 7. (a) For the purpose of enforcing this chapter, the local
20 health officers are food environmental health specialists
21 subordinate to the state department.

22 (b) To ensure that enforcement of state laws and rules is
23 uniform throughout Indiana, the state department shall provide to
24 the local health officers who are food environmental health
25 specialists guidelines concerning the interpretation of the state
26 department's rules.

27 (c) A food environmental health specialist may not enforce the
28 state department's rules concerning an individual under this
29 chapter in a manner that is more strict than the state department's
30 guidelines.

31 SECTION 13. IC 16-42-5.6 IS ADDED TO THE INDIANA CODE
32 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2026]:

34 **Chapter 5.6. Prohibition on Misbranded Alternative Meat**
35 **Products**

36 **Sec. 0.5. "Person" means any:**

- 37 (1) individual;
- 38 (2) trustee;
- 39 (3) receiver;
- 40 (4) corporation;
- 41 (5) limited liability company;
- 42 (6) partnership;



(7) official establishment (as defined in IC 15-17-2-72); and

(8) other:

(A) firm;

(B) organization;

(C) association;

(D) cooperative; or

(E) group of individuals or persons.

Sec. 1. A person that labels a food product containing insect protein shall not misbrand a food product containing insect protein.

Sec. 2. A food product containing insect protein is misbranded if the food product is knowingly and intentionally:

(1) advertised;

(2) labeled; or

(3) offered for sale or sold;

in a manner that does not clearly indicate that the food product contains insect protein.

Sec. 3. A person shall include the phrase "THIS PRODUCT CONTAINS INSECT PROTEIN" on the package of a food product containing insect protein.

Sec. 4. A local health department shall investigate complaints that a person:

(1) offered for sale; or

(2) sold;

a misbranded food product containing insect protein.

Sec. 5. (a) If the local health department has reasonable cause to believe that a person is violating section 1 of this chapter, the local health department may halt the sale of a food product containing insect protein.

(b) Upon receiving an order to halt the sale of a food product containing insect protein, a person may not:

(1) sell; or

(2) offer to sell;

the product in question until the local health department determines whether the product in question is a misbranded food product containing insect protein.

(c) The local health department may require a person to refrain from:

(1) selling; or

(2) offering to sell;

the product in question until the local health department's investigation is complete.



1 (d) If the local health department determines that a person:

2 (1) offered for sale; or

3 (2) sold;

4 a food product containing insect protein as a food product, the
5 local health department may require the person to dispose of the
6 misbranded food products containing insect protein in a manner
7 other than by sale to purchasers in Indiana.

8 Sec. 6. The local health department may impose a civil penalty
9 of not more than ten thousand dollars (\$10,000) on a person that
10 knowingly or intentionally violates this chapter. Civil penalties
11 collected under this section shall be deposited in a county's general
12 fund. Each day of violation after the receipt of a notice of a
13 violation of this chapter constitutes a separate violation.

14 Sec. 7. After notice and hearing in compliance with IC 4-21.5, a
15 local health department may seek a court order to enjoin a person
16 from selling misbranded food products containing insect protein if
17 the person repeatedly and persistently fails to comply with this
18 chapter and the requirements set forth in this chapter.

19 SECTION 14. IC 36-7-2.6 IS ADDED TO THE INDIANA CODE
20 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2026]:

22 **Chapter 2.6. Personal Produce**

23 Sec. 1. As used in this chapter, "produce" means covered
24 produce (as defined by 21 CFR 112) that is grown for one's own
25 consumption and enjoyment.

26 Sec. 2. A unit may not adopt or enforce an ordinance or
27 regulation that prohibits or has the effect of prohibiting a person
28 from cultivating produce on:

29 (1) the person's property; or

30 (2) the property of another person with the permission of the
31 property owner.

32 Sec. 3. Section 2 of this chapter does not prohibit a unit from
33 adopting ordinances and regulations imposing general standards
34 and requirements on a property where a person produces produce
35 if the standards and requirements are the same as those imposed
36 on other property within the zoning district.

37 Sec. 4. This chapter does not impair the terms of any contract,
38 including the governing documents (as defined in IC 32-25.5-2-3)
39 of a homeowners association.

