
HOUSE BILL No. 1424

AM142401 has been incorporated into introduced printing.

Synopsis: Farm and homestead food sales.

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Introduced

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. 1424

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 16-18-2-137, AS AMENDED BY P.L.49-2022,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 137. (a) "Food establishment", for purposes of
4 IC 16-42-5 **and** IC 16-42-5.2, **and** IC 16-42-5.3, means any building,
5 room, basement, vehicle of transportation, cellar, or open or enclosed
6 area occupied or used for handling food.
7 (b) The term does not include the following:
8 (1) A dwelling where food is prepared on the premises by the
9 occupants, free of charge, for their consumption or for
10 consumption by their guests.
11 (2) A gathering of individuals at a venue of an organization that
12 is organized for educational purposes in a nonpublic educational
13 setting or for religious purposes, if:
14 (A) the individuals separately or jointly provide or prepare,
15 free of charge, and consume their own food or that of others

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1 attending the gathering; and
2 (B) the gathering is for a purpose of the organization.
3 Gatherings for the purpose of the organization include funerals,
4 wedding receptions, christenings, bar or bat mitzvahs, baptisms,
5 communions, and other events or celebrations sponsored by the
6 organization.
7 (3) A vehicle used to transport food solely for distribution to the
8 needy, either free of charge or for a nominal donation.
9 (4) A private gathering of individuals who separately or jointly
10 provide or prepare and consume their own food or that of others
11 attending the gathering, regardless of whether the gathering is
12 held on public or private property.
13 (5) Except for food prepared by a for-profit entity, a venue of the
14 sale of food prepared for an organization:
15 (A) that is organized for:
16 (i) religious purposes; or
17 (ii) educational purposes in a nonpublic educational
18 setting;
19 (B) that is exempt from taxation under Section 501 of the
20 Internal Revenue Code; and
21 (C) that offers the food for sale to the final consumer at an
22 event held for the benefit of the organization;
23 unless the food is being provided in a restaurant or a cafeteria
24 with an extensive menu of prepared foods.
25 (6) Except for food prepared by a for-profit entity, an Indiana
26 nonprofit organization that:
27 (A) is organized for civic, fraternal, veterans, or charitable
28 purposes;
29 (B) is exempt from taxation under Section 501 of the
30 Internal Revenue Code; and
31 (C) offers food for sale to the final consumer at an event
32 held for the benefit of the organization;
33 if the events conducted by the organization take place for not
34 more than fifteen (15) days in a calendar year.
35 (7) The holder of a farm winery permit under IC 7.1-3-12-5 or a
36 brewer's permit under IC 7.1-3-2-7(5) if the requirements of
37 IC 16-42-5-30 are met.
38 (8) A ~~home based homestead~~ vendor or an individual vendor
39 who sells a food product under ~~IC 16-42-5-3~~ (as defined in
40 IC 16-42-5-4-1).
41 (9) A small farm (as defined in IC 16-42-5-4-3).

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1 SECTION 2. IC 16-18-2-172.5 IS ADDED TO THE INDIANA
2 CODE AS A NEW SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2026]: Sec. 172.5. "Homestead vendor", for
4 purposes of IC 16-42-5.4, has the meaning set forth in
5 IC 16-42-5.4-1.

6 SECTION 3. IC 16-18-2-222.5 IS ADDED TO THE INDIANA
7 CODE AS A NEW SECTION TO READ AS FOLLOWS
8 [EFFECTIVE JULY 1, 2026]: Sec. 222.5. "Meat product", for
9 purposes of IC 16-42-5.4, has the meaning set forth in
10 IC 16-42-5.4-2.

11 SECTION 4. IC 16-18-2-331.7 IS ADDED TO THE INDIANA
12 CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2026]: Sec. 331.7. "Small farm", for
14 purposes of IC 16-42-5.4, has the meaning set forth in
15 IC 16-42-5.4-3.

16 SECTION 5. IC 16-18-2-351.7, AS ADDED BY P.L.151-2024,
17 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2026]: Sec. 351.7. (a) "Time temperature control for safety
19 food" for purposes of IC 16-42-5.3, means a food that requires time or
20 temperature control to safely limit the:

21 (1) growth of pathogenic microorganisms; or
22 (2) formation of toxins.

23 (b) The term includes the following:

24 (1) A food of animal origin that is raw or heat treated.
25 (2) A food of plant origin that is heat treated or consists of any
26 of the following:

27 (A) Raw seed sprouts.
28 (B) Cut melons.
29 (C) Cut leafy greens.

30 (D) Cut tomatoes or mixtures of cut tomatoes that are not
31 modified in a way that results in mixtures that do not
32 support the growth or formation described in subsection (a).
33 (E) Garlic-in-oil mixtures that are not modified in a way
34 that results in mixtures that do not support the growth or
35 formation described in subsection (a).

36 (3) Except as specified in subsection (c)(4) and (c)(5), a food
37 that involves an interaction of pH and Aw for control of spores
38 in food that is heat treated to destroy vegetative cells and
39 subsequently packaged that results in:

40 (A) an Aw value greater than 0.92 but less than or equal to
41 0.95 and a pH value greater than 5.6; or



(B) an Aw value greater than 0.95 and a pH value greater than 4.6.

(4) Except as specified in subsection (c)(4) and (c)(5), a food that involves an interaction of pH and Aw for control of vegetative cells and spores in food that is not heat treated, or is heat treated but not packaged, and that results in:

(A) an Aw value greater than or equal to 0.88 but less than or equal to 0.90 and a pH value greater than 5.0;

(B) an Aw value greater than 0.90 but less than or equal to 0.92 and a pH value greater than 4.6; or

(C) an Aw value greater than 0.92 and a pH value greater than or equal to 4?

The term does not include the following:

(1) An air-cooled hard-boiled egg with shell

(1) An air-cooled hard-boiled egg with shell intact.
(2) An egg with shell intact that:

(2) All egg with shell intact that:

- (A) is not hard-boiled; and
- (B) has been pasteurized to

(B) has been pasteurized to destroy all viable salmonellae. A food in an unopened hermetically sealed container that is commercially processed to achieve and maintain commercial sterility under conditions of nonrefrigerated storage and distribution.

(4) Except as specified in subsection (b)(1) or (b)(2), a food that does not meet the requirements described in subsection (b)(3) or (b)(4) due to the:

(A) pH or Aw value; or

(B) interaction of Aw and pH values:

(B) III.

(5) A food that meets the requirements of subsection (b)(3) or (b)(4) and has undergone a product assessment showing that the growth or toxin formation of pathogenic microorganisms that are reasonably likely to occur in the food is precluded due to:

(A) intrinsic factors, including added or natural characteristics of the food (such as preservatives, antimicrobials, humectants, acidulants or nutrients);

(B) extrinsic factors, including environmental or operational factors that affect the food (such as packaging), modified atmosphere (such as reduced oxygen packaging), shelf life and use, or temperature range of storage and use; or

and use, or temperature range of storage and use, or
(C) any combination of intrinsic and extrinsic factors
described in clause (A) or (B).

(6) A food that does not support the growth or toxin formation of

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1 pathogenic microorganisms in accordance with subdivisions (1)
2 through (4) even though the food may contain a pathogenic
3 microorganism or chemical or physical contaminant at a level
4 sufficient to cause illness or injury.

5 SECTION 6. IC 16-19-3-4, AS AMENDED BY P.L.1-2025,
6 SECTION 182, IS AMENDED TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) **Except as provided in**
8 **IC 16-42-5.4**, the executive board may, by an affirmative vote of a
9 majority of its members, adopt reasonable rules under IC 4-22-2 on
10 behalf of the state department to protect or to improve the public health
11 in Indiana.

12 (b) The rules may concern but are not limited to the following:
13 (1) Nuisances dangerous to public health.
14 (2) The pollution of any water supply other than where
15 jurisdiction is in the environmental rules board and department
16 of environmental management.
17 (3) The disposition of excremental and sewage matter.
18 (4) The control of fly and mosquito breeding places.
19 (5) The detection, reporting, prevention, and control of diseases
20 that affect public health.
21 (6) The care of maternity and infant cases and the conduct of
22 maternity homes.
23 (7) The production, distribution, and sale of human food.
24 (8) Except as provided in section 4.4 of this chapter, the conduct
25 of camps.
26 (9) Standards of cleanliness of eating facilities for the public.
27 (10) Standards of cleanliness of sanitary facilities offered for
28 public use.
29 (11) The handling, disposal, disinterment, and reburial of dead
30 human bodies.
31 (12) Vital statistics.
32 (13) Sanitary conditions and facilities in public buildings and
33 grounds, including plumbing, drainage, sewage disposal, water
34 supply, lighting, heating, and ventilation, other than where
35 jurisdiction is vested by law in the fire prevention and building
36 safety commission or other state agency.
37 (14) The design, construction, and operation of swimming and
38 wading pools. However, the rules governing swimming and
39 wading pools do not apply to a pool maintained by an individual
40 for the sole use of the individual's household and house guests.
41 (15) **Time temperature control for safety food.**

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3 (1) The sanitary operation of tattoo parlors.

4 (2) The sanitary operation of body piercing facilities.

5 (d) The executive board may adopt rules on behalf of the state
6 department for the efficient enforcement of this title, except as
7 otherwise provided. However, fees for inspections relating to weights
8 and measures may not be established by the rules.

12 (f) The rules of the state department may not be inconsistent with
13 this title and or any other state law.

14 (g) Rules adopted under subsection (b)(15) may not apply to a:

(1) homestead vendor (as defined in IC 16-42-5.4-1); or

(2) small farm (as defined in IC 16-42-5.4-3).

SECTION 7. IC 16-42-5-0.2 IS ADDED TO THE

18 CODE AS A NEW SECTION TO READ AS FOLLOWS
19 [EFFECTIVE JULY 1, 2026]: **Sec. 0.2. A person that:**

20 (1) is a homestead vendor (as defined in IC 16-42-5.4-1); or
21 (2) operates a small farm (as defined in IC 16-42-5.4-3);
22

22 is exempt from the requirements of this chapter.
22 SECTION 8, IC 16-42-5.2 IS REPEALED [EFFECTIVE
23 1 JANUARY 2013]

23 SECTION 8.1C 16-42-5.3 IS REPEALED [EFFECTIVE JULY 1,
24 2026]. (Home Based Food Products).

25 SECTION 9. IC 16-42-5.4 IS ADDED TO THE INDIANA CODE
26 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2026]:

Chapter 5.4. Regulation of Community Producers

29 **Sec. 1. As used in this chapter, "homestead vendor" means a**
30 **person:**

36 Sec. 2. As used in this chapter, "meat product" means a
37 product capable of use as human food that is made wholly or in
38 part from meat or other parts of the carcass of any of the
39 following:

- 40 (1) Cattle.
- 41 (2) Sheep.
- 42 (3) Swine.

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- (4) Bison.
- (5) Poultry.
- (6) Goats.
- (7) Rabbit.

Sec. 3. As used in this chapter, "small farm" means land:

(1) that is used for growing crops or raising livestock;

(2) from which a person prepares and sells food products; and

(3) from which not more than one million five hundred thousand dollars (\$1,500,000) in gross sales is received from:

- (A) livestock products;
- (B) cultivated or harvested crops; or
- (C) the sale of food products;

in a single year.

Sec. 4. The state department, a local unit of government (as defined in IC 14-22-31.5-1), the corporation, or a local health department may not impose any rules, regulations, certifications, or licensing requirements on a:

(1) homestead vendor; or
(2) small farm;

that are not required under federal law.

Sec. 5. A homestead vendor or the owner of a small farm may sell the following items on the homestead or small farm's premises:

- (1) Meat products:
 - (A) raised at the individual's primary residence; and
 - (B) slaughtered, processed, and labeled in compliance with IC 15-17-5.
- (2) Prepared foods, including baked goods.
- (3) Candy.
- (4) Produce, including the following:
 - (A) Pickled, acidified, or fermented produce.
 - (B) Fruits and vegetables.
 - (C) Nuts.
 - (D) Herbs.
 - (E) Legumes.
 - (F) Leafy greens.
- (5) Natural sweeteners.
- (6) Fruit spreads.

Sec. 6. (a) A homestead vendor or the owner of a small farm shall include a label for packaged homemade food products or a sign for unpackaged homemade food products that contains the following information:

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1 **(1) The name of the homestead vendor or the owner of the**
 2 **small farm that produced the homemade food product.**
 3 **(2) The ingredients of the homemade food product, in**
 4 **descending order by predominance by weight.**
 5 **(3) A description of the homemade food product.**
 6 **(4) The following statement in at least 10 point type: "This**
 7 **product was produced in a private residence that is exempt**
 8 **from government licensing and inspection."**
 9 **(b) A homestead vendor may not ship or deliver a food**
 10 **product to an end consumer who is located outside Indiana.**

11 **Sec. 7. A homestead vendor or the owner of a small farm who**
 12 **sells meat products from livestock under this chapter must keep**
 13 **the meat products refrigerated in a manner consistent with best**
 14 **food handling practices.**

15 SECTION 10. IC 22-11-17-1.5 IS ADDED TO THE INDIANA
 16 CODE AS A NEW SECTION TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2026]: Sec. 1.5. **A public building located on**
 18 **a:**

19 **(1) homestead vendor's (as defined in IC 16-42-5.4-1); or**
 20 **(2) small farm's (as defined in IC 16-42-5.4-3);**
 21 **property is exempt from this chapter and rules adopted by the**
 22 **commission.**

23 SECTION 11. [EFFECTIVE JULY 1, 2026] **(a) Before December**
 24 **31, 2026, the Indiana department of health shall amend rules**
 25 **affected by IC 16-42-5.3, as repealed by this act, and IC 16-42-5.4,**
 26 **as added by this act, to comply with the amendments made by this**
 27 **act.**

28 **(b) This SECTION expires December 31, 2027.**

