

State of Indiana – Department of Health

The following provides the State with the authority to obtain records and documents necessary for the determination of consumer food purchases during investigation of foodborne illnesses within their jurisdiction. Questions regarding specific situations, the documents that can be requested, or the statutory citations listed should be directed to the authorized State agency. You may access contact information for the state agency on the Directory of State and Local Officials webpage at:

<http://dslo.afdo.org>

Indiana Department of Health

2021 Indiana Code

ARTICLE 42. REGULATION OF FOOD, DRUGS, AND COSMETICS

IC 16-42-1-13 Entry and inspections

Sec. 13. For the purpose of enforcing IC 16-42-1 through IC 16-42-4, the state health commissioner or the commissioner's authorized representative may do the following: (1) Enter, at reasonable times any produce farm, factory, warehouse, place of production, or establishment subject to IC 16-42-1 through IC 16-42-4 or enter any vehicle being used to transport or hold food, drugs, devices, or cosmetics. (2) Inspect, at reasonable times, the produce farm, factory, warehouse, place of production, establishment, or vehicle and all pertinent equipment, finished and unfinished materials, containers, labeling, and advertisements.

IC 16-42-1-12 Access to and copying of records; use of evidence

Sec. 12. (a) For the purpose of enforcing [IC 16-42-1](#) through [IC 16-42-4](#), carriers engaged in commerce, and persons receiving food, drugs, devices, or cosmetics in commerce or holding such articles so received shall, upon the request of an officer or employee designated by the state department, permit the officer or employee, at reasonable times, to have access to and to copy all records showing the movement in commerce of any food, drug, device, or cosmetic, or the holding of a food, drug, device, or cosmetic during or after the movement, and the quantity, shipper, and consignee of the food, drug, device, or cosmetic.

(b) It is unlawful for a carrier or person described in subsection (a) to fail to permit access to and copying of such records upon request if the request is accompanied by a statement in writing specifying the nature or kind of food, drug, device, or cosmetic to which the request relates.

(c) Evidence obtained under this section may not be used in a criminal prosecution of the person from whom the evidence is obtained.