

COTTAGE FOOD LAW REPORT

Dane County

Wisconsin · Madison · FIPS 55025 · Population 559,891 ·
Crosodo Index #287*

STATE BASELINE

Wis. Stat. §97.29

STATE TIER

Freedom

ANNUAL SALES CAP (STATE)

Tiered

CONFIDENCE

MEDIUM

LAST VERIFIED

2026-05-05

IMPORTANT — NOT LEGAL ADVICE

This report compiles publicly-available statutes, regulations, and county zoning rules into a research reference. It is **not legal advice** and is provided **without warranty** as to accuracy, completeness, or current applicability.

Cottage food law changes frequently. Counties may amend zoning, health departments may issue new permits, and state legislatures may update statutes after the publication date shown above.

Always verify rules directly with your state department of health/agriculture and your county health and planning offices before relying on them for any business or regulatory decision. Consult a licensed attorney for advice specific to your situation.

How to start — 60-second path

Dane County, Wisconsin — permit, pickup, and label steps before the full county rules.

HOME KITCHEN ALLOWED?

Yes

STATE SALES CAP

Tiered

HOME OCCUPATION PERMIT?

Conditional

ON-SITE / PORCH PICKUP?

Yes

INSPECTION

No

PETS

No specific state cottage food pet restriction

BEFORE YOU SELL FROM THIS ADDRESS

- ☐ **1. Menu** — Confirm each product under Wisconsin cottage food rules (county cannot expand a state ban).
- ☐ **2. Pickup & zoning** — Home occupation and porch pickup cells above; HOA/lease may still block customer traffic.
- ☐ **3. Local tax / license** — Business license or sales tax certificate if your city/parish requires it (common even with no state food permit).
- ☐ **4. Training** — Food handler or state registration before market day.
- ☐ **5. Labels** — Disclaimer, allergens, ingredients, net quantity, producer info.
- ☐ **6. Call if unclear** — County health and planning for your exact address.

LABEL FIELDS TO INCLUDE

- ☐ Product name · producer name · address (or allowed alternative)
- ☐ Ingredients by weight · major allergens · net weight/quantity
- ☐ Wisconsin home-kitchen disclaimer (see live label one-pager)

CONTINUE ONLINE

Open the live county page →

Wisconsin label one-pager →

Local notes & questions →

Planning path only — not legal advice. Rules change. Always verify with state and local offices before selling.

WISCONSIN: DANE COUNTY

CROSODO INDEX #287* · FIPS 55025 · Madison

Dane County

Population 559,891 · State baseline: Wis. Stat. §97.29 · MEDIUM

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Wisconsin is a Freedom-tier state but with unusual structure. Home-canned pickles and acidified goods are explicitly exempt under §97.29. Broader home-baked goods also functionally exempt under DATCP guidelines. No license required for home bakers selling direct. No inspection required for home bakers. Commercial kitchen not required.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific state cottage food pet restriction

HOME OCCUPATION PERMIT?

Conditional (Dane County Zoning Ordinance (Ch. 10) includes home occupation provisions. Dane County Planning can be contacted at danecountyplanning.com. City of Madison (county seat) has separate zoning code with home occupation provisions. Public Health Madison & Dane County handles food establishment licensing for commercial operations, but home bakers under DATCP exemption do not need a license. Unincorporated Dane County areas: home occupation permit may be required for operating a business from residence. Check with Dane County Planning for zoning requirements.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (No routine inspection required. Home bakers selling baked goods per DATCP guidelines do not need a license. Complaint-based investigation possible.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Wisconsin is a Freedom-tier state but with unusual structure. Home-canned pickles and acidified goods are explicitly exempt under §97.29. Broader home-baked goods also functionally exempt under DATCP guidelines. No license required for home bakers selling direct. No inspection required for home bakers. Commercial kitchen not required.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No specific state cottage food pet restriction
WATER SUPPLY	No specific water testing requirement in state cottage food law
HANDWASHING	No specific requirement in state cottage food law
FOOD STORAGE	Standard home kitchen storage for approved products

Inspection & permitting

INSPECTION REQUIRED	No — No routine inspection required. Home bakers selling baked goods per DATCP guidelines do not need a license. Complaint-based investigation possible.
HOME OCCUPATION PERMIT	Conditional — Dane County Zoning Ordinance (Ch. 10) includes home occupation provisions. Dane County Planning can be contacted at danecountyplanning.com . City of Madison (county seat) has separate zoning code with home occupation provisions. Public Health Madison & Dane County handles food establishment licensing for commercial operations, but home bakers under DATCP exemption do not need a license. Unincorporated Dane County areas: home occupation permit may be required for operating a business from residence. Check with Dane County Planning for zoning requirements.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct sales within Wisconsin. Tiered sales cap: up to \$7,500 no reporting; up to \$21,000 direct/indirect with income reporting. No wholesale to unrelated third parties beyond farmers markets. Home bakers may sell at farmers markets, events, and from home.
MAX EMPLOYEES IN HOME	Not specified in state cottage food law

Relevant county code

Dane County Zoning Ordinance Ch. 10 (home occupation section). State: Wis. Stat. §97.29.

RESEARCH NOTES

Wisconsin has a Freedom-tier cottage food law structured via Wis. Stat. §97.29 (Pickle Bill), DATCP exemptions, and case law. No license or registration required for home bakers selling baked goods per DATCP guidelines. Dane County Planning website and Zoning Ordinance Ch. 10 were retrieved (table of contents confirms home occupation provisions). Public Health Madison & Dane County page confirms home bakers per DATCP guidelines do not need a license. Confidence medium: state baseline confirmed; Dane County home occupation permit specifics not fully retrieved.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.danecounty.gov/health>

<https://www.danecounty.gov/planning>

<https://www.countyofdane.com>

https://datcp.wi.gov/Pages/Programs_Services/CottageFoodLaws.aspx

<https://publichealthmdc.com/businesses-licensing/food-establishments>

<https://danecountyplanning.com/documents/pdf/Zoning-Information/Chapter-10-Revised.pdf>

Questions about this county? Local notes and a place to leave a question: crosodo.com/nb/wisconsin/dane-county-discuss

Bordering counties — cottage food law

Regulation	Dane County	Rock County	Dodge County
HOME KITCHEN ALLOWED	Yes	Conditional	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No specific state cottage food pet restriction	No specific state prohibition for cottage food bakers; standard food safety practices apply.	Not specified in Kivirist order, but kitchen hygiene (not in question) is a key condition of the Kivirist exemption.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Conditional	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Direct sales within Wisconsin. Tiered sales cap: up to \$7,500 no reporting; up to \$21,000 direct/indirect with income reporting. No wholesa...	Direct-to-consumer only for Kivirist-covered baked goods. No wholesale, retail, or online sales allowed under the baked goods exception. Pi...	Kivirist exception requires direct-to-consumer sales only. No wholesale. Home pickup and delivery to consumers is permitted under this fram...
HOME OCCUPATION PERMIT	Conditional	Varies	Varies
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Wisconsin is a Freedom-tier state but with unusual structure. Home-canned pickles and acidified goods are explicitly exempt under §97.29. B...	Wisconsin has an unusual framework: (1) the statutory 'Pickle Bill' (§97.29(2)(b)2) allows home-canned pickles/acidified vegetables at comm...	Wisconsin cottage food law is unusual: the Kivirist court order allows home bakers (of good character, sanitary kitchen) to sell non-potent...
FOOD STORAGE	Standard home kitchen storage for approved products	Shelf-stable, non-hazardous baked goods only; proper storage required.	No specific statutory storage requirements beyond general sanitation.
POPULATION	559,891	163,817	89,032

State context — Wisconsin cottage food law

Dane County's rules sit on top of Wisconsin's state cottage food framework. The state law sets the floor — counties can add but cannot remove protections.

STATUTE

Wis. Stat. §97.29

ANNUAL SALES CAP

Tiered

REGISTRATION REQUIRED

No

FOOD HANDLER CERT

No

KITCHEN INSPECTION

No

DIRECT SALES ONLY

Yes

INDIRECT SALES

No — Home-canned goods must be sold at community or social events or farmers' markets in Wisconsin (§97.29(2)(b)2.b). The Kivist court order applies to direct-to-consumer sales by home bakers. Products cannot be sold to retail food establishments or distributed through wholesale channels without a license.

For the full state-level analysis including the verbatim statute text, see the **Wisconsin cottage food law report** on Crosodo, or open the live guide: crosodo.com/states/wisconsin.

STATE-LEVEL REFERENCES

State statute: <https://docs.legis.wisconsin.gov/statutes/statutes/97/29>

State dept cottage food page: https://datcp.wi.gov/Pages/Programs_Services/CottageFoodLaws.aspx

Forrager.com: <https://forrager.com/law/wisconsin/>

Questions about Dane County? Local notes and a place to leave a question are on Crosodo. We monitor new threads — start with zoning, permits, or porch pickup.

crosodo.com/nb/wisconsin/dane-county-discuss

Classifieds

Resources for cottage food & home bakers · crosodo.com/advertise

NATIONAL

SUPPLIES

Advertise here — Supplies

Reach home bakers across the country. crosodo.com/advertise

COURSES

Advertise here — Courses

Reach home bakers across the country. crosodo.com/advertise

INSURANCE

Advertise here — Insurance

Reach home bakers across the country. crosodo.com/advertise

LOCAL

Advertise here

Reach home bakers in Dane County, Wisconsin. Supply stores, farmers markets, kitchen rentals, and bakery services welcome.

crosodo.com/advertise

Your business here

Local cottage food listings, kitchen rentals, co-packer referrals, and community events — post yours on Crosodo.

crosodo.com/nb/wisconsin/dane-county-discuss

Free ad space available

Let us know if you're a non-profit or community organization. Farmers markets, kitchen rentals, and cottage food events near you welcome.

Ads are paid placements. Crosodo does not endorse listed vendors. Verify all information independently. · To advertise: crosodo.com/advertise