

COTTAGE FOOD LAW REPORT

Marathon County

Wisconsin · Wausau · FIPS 55073 · Population 137,820 ·
Crosodo Index #605*

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

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

HOME KITCHEN ALLOWED?

Yes

STATE SALES CAP

Tiered

HOME OCCUPATION PERMIT?

Varies

ON-SITE / PORCH PICKUP?

Yes

INSPECTION

No

PETS

Not prohibited by state statute; kitchen must maintain sanitary conditions.

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: MARATHON COUNTY

CROSODO INDEX #605* · FIPS 55073 · Wausau

Marathon County

Population 137,820 · State baseline: Wis. Stat. §97.29 · MEDIUM

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Wisconsin has an unusual cottage food landscape. Under Wis. Stat. §97.29(2)(b)2 ('Pickle Bill'), home-canned pickles and acidified vegetables/fruits (pH 4.6 or lower) may be sold at community events or farmers markets, capped at \$5,000/year. The 2017 Kivirist court order (Lafayette County) enjoined DATCP from enforcing licensing requirements against home bakers selling shelf-stable, nonhazardous baked goods direct to consumer at low volume. The 2024 WI Court of Appeals ruling (2024 WI App 69) clarified the Kivirist exception does NOT extend to unbaked goods (chocolates, fudge, candy). Home baked goods (baked items only) may be sold without license at low volume.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Not prohibited by state statute; kitchen must maintain sanitary conditions.

HOME OCCUPATION PERMIT?

Varies (Marathon County zoning ordinance (unincorporated areas) and the City of Wausau have separate home occupation rules. No specific county-level cottage food override identified. Check Marathon County Planning at marathoncounty.gov.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (No routine inspection required. DATCP may investigate upon complaint.)

Home kitchen rules

HOME KITCHEN ALLOWED

Yes — Wisconsin has an unusual cottage food landscape. Under Wis. Stat. §97.29(2)(b)2 ('Pickle Bill'), home-canned pickles and acidified vegetables/fruits (pH 4.6 or lower) may be sold at community events or farmers markets, capped at \$5,000/year. The 2017 Kivirist court order (Lafayette County) enjoined DATCP from enforcing licensing requirements against home bakers selling shelf-stable, nonhazardous baked goods direct to consumer at low volume. The 2024 WI Court of Appeals ruling (2024 WI App 69) clarified the Kivirist exception does NOT extend to unbaked goods (chocolates, fudge, candy). Home baked goods (baked items only) may be sold without license at low volume.

SEPARATE DEDICATED KITCHEN

No

PET RESTRICTIONS

Not prohibited by state statute; kitchen must maintain sanitary conditions.

WATER SUPPLY

Potable water required.

HANDWASHING

Required per good food safety practices.

FOOD STORAGE

Home-canned items: pH 4.6 or lower. Baked goods: shelf-stable, nonhazardous. All stored in food-safe containers.

Inspection & permitting

INSPECTION REQUIRED

No — No routine inspection required. DATCP may investigate upon complaint.

HOME OCCUPATION PERMIT

Varies — Marathon County zoning ordinance (unincorporated areas) and the City of Wausau have separate home occupation rules. No specific county-level cottage food override identified. Check Marathon County Planning at marathoncounty.gov.

LOCAL BUSINESS LICENSE

Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct sales only at community events and farmers markets for home-canned goods (up to \$5,000/year). Baked goods (Kivirist exception): direct-to-consumer sales at low volume. No internet or mail order sales under either pathway.
MAX EMPLOYEES IN HOME	Not specified.

Relevant county code

Wis. Stat. §97.29(2)(b)2 (Pickle Bill); Kivirist v. DATCP (2017); 2024 WI App 69.

RESEARCH NOTES

State baseline (WI) confirmed: Wis. Stat. §97.29, Kivirist court order (2017), 2024 WI App 69. Marathon County confirmed at marathoncounty.gov. Wisconsin's unusual case-law-driven framework requires careful explanation. Confidence medium.

SOURCES VERIFIED AT RESEARCH TIME

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

<https://www.marathoncounty.gov>

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

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

<https://www.marathoncounty.gov>

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

Bordering counties — cottage food law

Regulation	Marathon County	Wood County	Portage County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Not prohibited by state statute; kitchen must maintain sanitary conditions.	Not specified in statute. Good sanitary practices required.	Not specified in state law
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Direct sales only at community events and farmers markets for home-canned goods (up to \$5,000/year). Baked goods (Kivirist exception): dire...	Pickle Bill: sales at community events or farmers markets only, \$5,000/year cap. Kivirist bakers: direct to consumer, low volume, from home...	Direct-to-consumer sales; direct delivery by producer permitted in-state
HOME OCCUPATION PERMIT	Varies	Varies	Varies
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Wisconsin has an unusual cottage food landscape. Under Wis. Stat. §97.29(2)(b)2 ('Pickle Bill'), home-canned pickles and acidified vegetabl...	Two pathways: (1) Pickle Bill (§97.29(2)(b)2): home-canned pickles and acidified vegetables/fruits (pH ≤ 4.6) sold at community events or f...	No food handler cert required. No registration or inspection required. Direct-to-consumer sales only; no internet sales to out-of-state; no...
FOOD STORAGE	Home-canned items: pH 4.6 or lower. Baked goods: shelf-stable, nonhazardous. All stored in food-safe containers.	Shelf-stable products must be stored appropriately. TCS foods require food processing plant license.	Appropriate storage for shelf-stable products
POPULATION	137,820	74,138	70,281

State context — Wisconsin cottage food law

Marathon 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 Marathon 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/marathon-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 Marathon 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/marathon-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.

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