

COTTAGE FOOD LAW REPORT

Outagamie County

Wisconsin · Appleton · FIPS 55087 · Population 190,611 ·
Crosodo Index #296*

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

Outagamie 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 explicit state-level pet restriction in Wisconsin cottage food framework.

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: OUTAGAMIE COUNTY

CROSODO INDEX #296* · FIPS 55087 · Appleton

Outagamie County

Population 190,611 · State baseline: Wis. Stat. §97.29 · MEDIUM

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Wisconsin cottage food framework: (1) Pickle Bill (§97.29(2)(b)2): home-canned pickles and acidified vegetables/fruits (pH 4.6 or lower) at community events/farmers markets, capped at \$5,000/year. (2) Kivirist court order (2017): DATCP enjoined from licensing home bakers of good character selling shelf-stable nonhazardous baked goods direct to consumer. (3) 2024 Court of Appeals ruling: unbaked goods (chocolates, candies, fudge) NOT covered by Kivirist exception. Outagamie County is home to Appleton in the Fox Cities area.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No explicit state-level pet restriction in Wisconsin cottage food framework.

HOME OCCUPATION PERMIT?

Conditional (Outagamie County (unincorporated areas) and City of Appleton may have home occupation zoning requirements. Contact Outagamie County Planning & Zoning or City of Appleton Community Development for home occupation permit requirements.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (Wisconsin DATCP cannot enforce licensing against qualifying home bakers under Kivirist order. Operations above Pickle Bill cap or involving unbaked goods may require a food processing plant license.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Wisconsin cottage food framework: (1) Pickle Bill (§97.29(2)(b)2): home-canned pickles and acidified vegetables/fruits (pH 4.6 or lower) at community events/farmers markets, capped at \$5,000/year. (2) Kivirist court order (2017): DATCP enjoined from licensing home bakers of good character selling shelf-stable nonhazardous baked goods direct to consumer. (3) 2024 Court of Appeals ruling: unbaked goods (chocolates, candies, fudge) NOT covered by Kivirist exception. Outagamie County is home to Appleton in the Fox Cities area.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No explicit state-level pet restriction in Wisconsin cottage food framework.
WATER SUPPLY	No specific water testing requirement for Wisconsin cottage food operations.
HANDWASHING	Standard food safety practices; no specific statutory requirement for cottage food.
FOOD STORAGE	Shelf-stable, non-TCS baked goods under Kivirist path. Pickle Bill: home-canned acidified items only. Standard GMP storage.

Inspection & permitting

INSPECTION REQUIRED	No — Wisconsin DATCP cannot enforce licensing against qualifying home bakers under Kivirist order. Operations above Pickle Bill cap or involving unbaked goods may require a food processing plant license.
HOME OCCUPATION PERMIT	Conditional — Outagamie County (unincorporated areas) and City of Appleton may have home occupation zoning requirements. Contact Outagamie County Planning & Zoning or City of Appleton Community Development for home occupation permit requirements.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Kivirist path: direct-to-consumer; no specific channel restrictions stated. Pickle Bill path: only at community events or farmers markets. Home pickup generally allowed for Kivirist path.
MAX EMPLOYEES IN HOME	No explicit employee cap in Wisconsin cottage food framework. Home occupation zoning may restrict non-resident employees.

Relevant county code

Wis. Stat. §97.29; Kivirist v. DATCP (2017); Outagamie County zoning ordinances

RESEARCH NOTES

Wisconsin state baseline applied. Outagamie County (county seat: Appleton) is in the Fox Cities area. Wisconsin's unusual case-law-driven cottage food framework applies. 2024 Court of Appeals ruling (2024 WI App 69) clarified unbaked goods are not covered. Wisconsin Legislative Council issued issue brief June 2025.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.outagamie.org>

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

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

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

Bordering counties — cottage food law

Regulation	Outagamie County	Winnebago County	Brown County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No explicit state-level pet restriction in Wisconsin cottage food framework.	No explicit state restriction; good manufacturing practices apply.	Not specified; kitchen must be sanitary for food production
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Kivist path: direct-to-consumer; no specific channel restrictions stated. Pickle Bill path: only at community events or farmers markets. ...	Direct sales from home, farmers markets, and community events. Pickle Bill sales limited to community events and farmers markets only.	Direct-to-consumer sales only; no wholesale. Home-canned items limited to \$5,000/year at community events and farmers markets. Baked goods ...
HOME OCCUPATION PERMIT	Conditional	Conditional	Yes
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Wisconsin cottage food framework: (1) Pickle Bill (§97.29(2)(b)2): home-canned pickles and acidified vegetables/fruits (pH 4.6 or lower) at...	Two pathways: (1) Kivist court order (2017) allows home bakers to sell shelf-stable, nonhazardous BAKED goods directly to consumers at lo...	Wisconsin allows home bakers (non-potentially-hazardous baked goods) to sell direct-to-consumer without a license per Kivist court order ...
FOOD STORAGE	Shelf-stable, non-TCS baked goods under Kivist path. Pickle Bill: home-canned acidified items only. Standard GMP storage.	Shelf-stable storage for baked goods; pickles must meet pH standards.	Non-TCS shelf-stable foods; baked goods must be non-potentially hazardous
POPULATION	190,611	171,197	268,393

State context — Wisconsin cottage food law

Outagamie 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 Outagamie 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/outagamie-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 Outagamie 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/outagamie-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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