

## COTTAGE FOOD LAW REPORT

# Walworth County

Wisconsin · Elkhorn · FIPS 55127 · Population 105,127 ·  
Crosodo Index #302\*

| STATE BASELINE    | STATE TIER | ANNUAL SALES CAP (STATE) | CONFIDENCE | LAST VERIFIED |
|-------------------|------------|--------------------------|------------|---------------|
| Wis. Stat. §97.29 | Freedom    | Tiered                   | MEDIUM     | 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

Walworth 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 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: WALWORTH COUNTY

CROSODO INDEX #302\* · FIPS 55127 · Elkhorn

## Walworth County

Population 105,127 · State baseline: Wis. Stat. §97.29 · MEDIUM

## QUICK VIEW FOR BAKERS IN THIS COUNTY

## HOME KITCHEN ALLOWED?

Yes (Wisconsin's cottage food landscape is shaped by statute and case law: (1) §97.29(2)(b)2: home-canned pickles/acidified vegetables (pH 4.6 or lower) at community events or farmers markets, \$5,000/year cap; (2) Kivirist order (2017): home bakers may sell shelf-stable, nonhazardous baked goods direct to consumer without a license; (3) 2024 court ruling: Kivirist does NOT extend to unbaked goods (chocolates, fudge, candy). No food handler cert or registration required.)

## SEPARATE KITCHEN REQUIRED?

No

## PETS ALLOWED?

No specific state restriction.

## HOME OCCUPATION PERMIT?

Conditional (Walworth County and municipalities (Elkhorn, Delavan, Lake Geneva, etc.) may have home occupation zoning requirements. Walworth County is a popular resort area (Lake Geneva) with active zoning. No specific Walworth County cottage food ordinance identified.)

## ON-SITE / PORCH PICKUP?

Yes

## INSPECTION REQUIRED?

No (No routine inspections for qualifying cottage food operations.)

## Home kitchen rules

## HOME KITCHEN ALLOWED

Yes — Wisconsin's cottage food landscape is shaped by statute and case law: (1) §97.29(2)(b)2: home-canned pickles/acidified vegetables (pH 4.6 or lower) at community events or farmers markets, \$5,000/year cap; (2) Kivirist order (2017): home bakers may sell shelf-stable, nonhazardous baked goods direct to consumer without a license; (3) 2024 court ruling: Kivirist does NOT extend to unbaked goods (chocolates, fudge, candy). No food handler cert or registration required.

## SEPARATE DEDICATED KITCHEN

No

## PET RESTRICTIONS

No specific state restriction.

## WATER SUPPLY

No specific state requirement beyond standard sanitation.

## HANDWASHING

Standard handwashing practices recommended.

## FOOD STORAGE

Baked goods only under Kivirist. Pickles/acidified vegetables under Pickle Bill. Unbaked goods (candy, chocolate, fudge) require DATCP food processing plant license.

## Inspection &amp; permitting

## INSPECTION REQUIRED

No — No routine inspections for qualifying cottage food operations.

## HOME OCCUPATION PERMIT

Conditional — Walworth County and municipalities (Elkhorn, Delavan, Lake Geneva, etc.) may have home occupation zoning requirements. Walworth County is a popular resort area (Lake Geneva) with active zoning. No specific Walworth County cottage food ordinance identified.

## LOCAL BUSINESS LICENSE

Varies

### Customer-facing rules

|                         |                                                                                                                                                                                      |
|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ON-SITE CUSTOMER PICKUP | Yes                                                                                                                                                                                  |
| ON-SITE SIGNAGE         | Conditional                                                                                                                                                                          |
| DELIVERY / PICKUP RULES | Baked goods: direct-to-consumer, any channel, low volume. Pickles: community events and farmers markets only, \$5,000/year cap. Unbaked goods require food processing plant license. |
| MAX EMPLOYEES IN HOME   | Not specified. Kivistik implies small personal operation.                                                                                                                            |

### Relevant county code

No specific Walworth County code section identified. State law governs: Wis. Stat. §97.29.

#### RESEARCH NOTES

State tier is 'Freedom'. Walworth County is in the southeastern Wisconsin tourist/resort area. No county-specific overrides found. Confidence medium.

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#### SOURCES VERIFIED AT RESEARCH TIME

<https://www.co.walworth.wi.us>

[https://datcp.wi.gov/Pages/Programs\\_Services/CottageFoodLaws.aspx](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/walworth-county-discuss](https://crosodo.com/nb/wisconsin/walworth-county-discuss)

## Bordering counties — cottage food law

| Regulation                 | Walworth County                                                                                                                                 | Jefferson County                                                                                                                             | Rock County                                                                                                                                    |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| HOME KITCHEN ALLOWED       | Yes                                                                                                                                             | Yes                                                                                                                                          | Conditional                                                                                                                                    |
| SEPARATE DEDICATED KITCHEN | No                                                                                                                                              | No                                                                                                                                           | No                                                                                                                                             |
| PETS ALLOWED               | No specific state restriction.                                                                                                                  | Kitchen hygiene must not be in question per Kivist conditions.                                                                               | No specific state prohibition for cottage food bakers; standard food safety practices apply.                                                   |
| INSPECTION REQUIRED        | No                                                                                                                                              | No                                                                                                                                           | No                                                                                                                                             |
| ON-SITE CUSTOMER PICKUP    | Yes                                                                                                                                             | Yes                                                                                                                                          | Conditional                                                                                                                                    |
| ON-SITE SIGNAGE            | Conditional                                                                                                                                     | Conditional                                                                                                                                  | Conditional                                                                                                                                    |
| DELIVERY / PICKUP          | Baked goods: direct-to-consumer, any channel, low volume. Pickles: community events and farmers markets only, \$5,000/year cap. Unbaked good... | Kivist exception: direct-to-consumer sales only; no wholesale. Pickle Bill: community events and farmers markets only up to \$5,000/year.    | Direct-to-consumer only for Kivist-covered baked goods. No wholesale, retail, or online sales allowed under the baked goods exception. Pi...   |
| HOME OCCUPATION PERMIT     | Conditional                                                                                                                                     | Varies                                                                                                                                       | Varies                                                                                                                                         |
| LOCAL BUSINESS LICENSE     | Varies                                                                                                                                          | Varies                                                                                                                                       | Varies                                                                                                                                         |
| RESTRICTIONS               | Wisconsin's cottage food landscape is shaped by statute and case law: (1) §97.29(2)(b)2: home-canned pickles/acidified vegetables (pH 4.6 o...  | Same as all Wisconsin counties: Kivist court order allows home bakers selling non-PHF baked goods directly to consumers without a DATCP l... | Wisconsin has an unusual framework: (1) the statutory 'Pickle Bill' (§97.29(2)(b)2) allows home-canned pickles/acidified vegetables at comm... |
| FOOD STORAGE               | Baked goods only under Kivist. Pickles/acidified vegetables under Pickle Bill. Unbaked goods (candy, chocolate, fudge) require DATCP food...    | No specific statutory requirement beyond general sanitation.                                                                                 | Shelf-stable, non-hazardous baked goods only; proper storage required.                                                                         |
| POPULATION                 | 105,127                                                                                                                                         | 85,932                                                                                                                                       | 163,817                                                                                                                                        |

## State context — Wisconsin cottage food law

Walworth 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.

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### 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.

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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](https://crosodo.com/states/wisconsin).

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### 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](https://datcp.wi.gov/Pages/Programs_Services/CottageFoodLaws.aspx)

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

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**Questions about Walworth 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/walworth-county-discuss](https://crosodo.com/nb/wisconsin/walworth-county-discuss)

## Classifieds

Resources for cottage food & home bakers · [crosodo.com/advertise](https://crosodo.com/advertise)

### NATIONAL

#### SUPPLIES

##### Advertise here — Supplies

Reach home bakers across the country. [crosodo.com/advertise](https://crosodo.com/advertise)

#### COURSES

##### Advertise here — Courses

Reach home bakers across the country. [crosodo.com/advertise](https://crosodo.com/advertise)

#### INSURANCE

##### Advertise here — Insurance

Reach home bakers across the country. [crosodo.com/advertise](https://crosodo.com/advertise)

### LOCAL

#### Advertise here

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

[crosodo.com/advertise](https://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/walworth-county-discuss](https://crosodo.com/nb/wisconsin/walworth-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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