

COTTAGE FOOD LAW REPORT

Washington County

Wisconsin · West Bend · FIPS 55131 · Population 136,842 ·
Crosodo Index #609*

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

Washington 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: WASHINGTON COUNTY

CROSODO INDEX #609* · FIPS 55131 · West Bend

Washington County

Population 136,842 · State baseline: Wis. Stat. §97.29 · MEDIUM

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Under Wis. Stat. §97.29(2)(b)2, 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. Baked goods (shelf-stable, nonhazardous) may be sold directly to consumers at low volume without a license per the Kivirist court order (2017), but NOT unbaked nonhazardous goods (chocolates, fudge, candy) per 2024 WI App 69.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

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

HOME OCCUPATION PERMIT?

Varies (Washington County (WI, near Milwaukee metro) zoning ordinance applies in unincorporated areas. City of West Bend and other municipalities have their own rules. No specific county-level cottage food ordinance identified.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

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

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Under Wis. Stat. §97.29(2)(b)2, 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. Baked goods (shelf-stable, nonhazardous) may be sold directly to consumers at low volume without a license per the Kivirist court order (2017), but NOT unbaked nonhazardous goods (chocolates, fudge, candy) per 2024 WI App 69.
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: pH 4.6 or lower. Baked goods: shelf-stable, nonhazardous. Stored in food-safe containers.

Inspection & permitting

INSPECTION REQUIRED	No — No routine inspection. DATCP may investigate upon complaint.
HOME OCCUPATION PERMIT	Varies — Washington County (WI, near Milwaukee metro) zoning ordinance applies in unincorporated areas. City of West Bend and other municipalities have their own rules. No specific county-level cottage food ordinance identified.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct sales at community events and farmers markets for home-canned goods (up to \$5,000/year). Baked goods: direct-to-consumer at low volume. No internet or mail-order sales under Wisconsin's current framework.
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. Washington County (WI) is in the Milwaukee metro area — a suburban county. County follows state baseline. Confidence medium.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.washingtoncountywi.gov>

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/washington-county-discuss

Bordering counties — cottage food law

Regulation	Washington County	Sheboygan County	Fond du Lac 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.	No specific state restriction; standard food safety practices apply.	No specific state restriction.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Direct sales at community events and farmers markets for home-canned goods (up to \$5,000/year). Baked goods: direct-to-consumer at low volu...	Wisconsin: direct sales only. Pickle Bill: community events and farmers markets only. Kivist: direct consumer sales at low volume. No who...	Baked goods: direct-to-consumer, any channel, low volume. Pickles: community events and farmers markets only, \$5,000/year cap. Unbaked good...
HOME OCCUPATION PERMIT	Varies	Varies	Conditional
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Under Wis. Stat. §97.29(2)(b)2, home-canned pickles and acidified vegetables/fruits (pH 4.6 or lower) may be sold at community events or fa...	Wisconsin: (1) Pickle Bill (§97.29) allows home-canned acidified foods with pH ≤4.6 up to \$5,000/year at community events or farmers market...	Wisconsin's cottage food landscape: (1) §97.29(2)(b)2: home-canned pickles/acidified vegetables (pH 4.6 or lower) at community events or fa...
FOOD STORAGE	Home-canned: pH 4.6 or lower. Baked goods: shelf-stable, nonhazardous. Stored in food-safe containers.	Shelf-stable non-TCS baked goods and home-canned acidified foods (pH ≤4.6). Unbaked goods (chocolates, fudge, candy) require food processin...	Baked goods only under Kivist. Pickles/acidified vegetables under Pickle Bill (\$5,000 cap). Unbaked goods require DATCP food processing p...
POPULATION	136,842	117,741	104,027

State context — Wisconsin cottage food law

Washington 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 Washington 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/washington-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 Washington 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/washington-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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