

COTTAGE FOOD LAW REPORT

Waupaca County

Wisconsin · Waupaca · FIPS 55135 · Population 51,822 ·
Crosodo Index #518*

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

Waupaca 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?

Conditional

INSPECTION

No

PETS

Not specified in state law.

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: WAUPACA COUNTY

CROSODO INDEX #518* · FIPS 55135 · Waupaca

Waupaca County

Population 51,822 · State baseline: Wis. Stat. §97.29 · MEDIUM

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Under the Kivirist court order (2017), home bakers of good character may sell nonhazardous shelf-stable baked goods direct to consumer at low volume without a license. The §97.29(2)(b)2 'Pickle Bill' statutory exemption covers home-canned pickles and acidified vegetables/fruits (pH ≤4.6) capped at \$5,000/year at community events or farmers markets. Unbaked non-TCS items (chocolates, fudge, candy) are NOT covered by Kivirist per 2024 Court of Appeals ruling.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Not specified in state law.

HOME OCCUPATION PERMIT?

Conditional (No specific Waupaca County-level home occupation rules found in research. Individual townships within Waupaca County may have zoning regulations governing home occupations. Recommend verifying with Waupaca County Planning/Zoning.)

ON-SITE / PORCH PICKUP?

Conditional

INSPECTION REQUIRED?

No (No inspection for qualifying cottage food bakers. DATCP may not enforce licensing requirements against qualifying home bakers per Kivirist order.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Under the Kivirist court order (2017), home bakers of good character may sell nonhazardous shelf-stable baked goods direct to consumer at low volume without a license. The §97.29(2)(b)2 'Pickle Bill' statutory exemption covers home-canned pickles and acidified vegetables/fruits (pH ≤4.6) capped at \$5,000/year at community events or farmers markets. Unbaked non-TCS items (chocolates, fudge, candy) are NOT covered by Kivirist per 2024 Court of Appeals ruling.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	Not specified in state law.
WATER SUPPLY	Not specified in state law.
HANDWASHING	Standard food safety practices; not specifically mandated.
FOOD STORAGE	Products must remain shelf-stable and nonhazardous.

Inspection & permitting

INSPECTION REQUIRED	No — No inspection for qualifying cottage food bakers. DATCP may not enforce licensing requirements against qualifying home bakers per Kivirist order.
HOME OCCUPATION PERMIT	Conditional — No specific Waupaca County-level home occupation rules found in research. Individual townships within Waupaca County may have zoning regulations governing home occupations. Recommend verifying with Waupaca County Planning/Zoning.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Conditional
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct-to-consumer sales only for exempt operations. Pickle Bill limits sales to community events and farmers markets for home-canned goods. Kivirist exception bakers may sell at home, markets, and events.
MAX EMPLOYEES IN HOME	Not specified in state or county rules found.

Relevant county code

Wis. Stat. §97.29(2)(b)2; Kivirist v. DATCP (2017); Wisconsin Cottage Food Association v. DATCP (2024 WI App 69)

RESEARCH NOTES

No Waupaca County-specific cottage food or home occupation rules found. State baseline applies. Wisconsin cottage food framework is complex due to Kivirist court order and 2024 Court of Appeals ruling. Recommend contacting Waupaca County Planning/Zoning for local home occupation requirements. [Confidence reclassified low→medium: state baseline applies cleanly, no county override found.]

SOURCES VERIFIED AT RESEARCH TIME

<https://www.waupacacounty.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/waupaca-county-discuss

Bordering counties — cottage food law

Regulation	Waupaca County	Portage County	Marathon County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Not specified in state law.	Not specified in state law	Not prohibited by state statute; kitchen must maintain sanitary conditions.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Conditional	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Direct-to-consumer sales only for exempt operations. Pickle Bill limits sales to community events and farmers markets for home-canned goods...	Direct-to-consumer sales; direct delivery by producer permitted in-state	Direct sales only at community events and farmers markets for home-canned goods (up to \$5,000/year). Baked goods (Kivist exception): dire...
HOME OCCUPATION PERMIT	Conditional	Varies	Varies
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Under the Kivist court order (2017), home bakers of good character may sell nonhazardous shelf-stable baked goods direct to consumer at l...	No food handler cert required. No registration or inspection required. Direct-to-consumer sales only; no internet sales to out-of-state; no...	Wisconsin has an unusual cottage food landscape. Under Wis. Stat. §97.29(2)(b)2 ("Pickle Bill"), home-canned pickles and acidified vegetabl...
FOOD STORAGE	Products must remain shelf-stable and nonhazardous.	Appropriate storage for shelf-stable products	Home-canned items: pH 4.6 or lower. Baked goods: shelf-stable, nonhazardous. All stored in food-safe containers.
POPULATION	51,822	70,281	137,820

State context — Wisconsin cottage food law

Waupaca 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 Waupaca 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/waupaca-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 Waupaca 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/waupaca-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