

COTTAGE BAKERY FROM HOME

Can I sell from my kitchen in Waukesha County, Wisconsin?

Home kitchen sales. Not a shop or rented commercial kitchen. Last verified 2026-05-05.

STATE FOOD PERMIT

No

HOME OCCUPATION

Conditional

BUSINESS LICENSE

Varies

SALES CAP

Tiered

WISCONSIN RULES. OPEN THESE FIRST.

[Wisconsin permits PDF](#)

[Wisconsin cottage food law page](#)

[Wisconsin Department of Agriculture, Trade and Consumer Protection cottage food program](#)

[Statute: Wis. Stat. §97.29](#)

NOT LEGAL ADVICE

This is what it takes to sell from a home kitchen in Waukesha County. Confirm each step with Planning, Health, and the license office before you sell.

What you need

Waukesha County, Wisconsin. File every Yes. Confirm every Check or Ask. Stay under the sales cap.

STATE FOOD PERMIT

No

ANNUAL SALES CAP

Tiered

HOME OCCUPATION / ZONING

Conditional

LOCAL HEALTH

No

BUSINESS LICENSE

Varies

PICKUP AT THE HOUSE

Yes

HOME KITCHEN ONLY

If you want a shop or a rented commercial kitchen, these rows do not apply.

CONTINUE ONLINE

Wisconsin permits PDF →

<https://crosodo.com/reports/pdf/permits/wisconsin.pdf>

Wisconsin cottage food law page →

<https://crosodo.com/states/wisconsin>

Permit page for this place →

<https://crosodo.com/what-permits/wisconsin/waukesha-county>

Waukesha County cottage food law page →

<https://crosodo.com/states/wisconsin/waukesha-county>

Not legal advice. Rules change. Confirm with the office before you file.

Where to file

State

Wisconsin registration: No. Routine kitchen inspection: No. Home-canned goods must be sold at community or social events or farmers' markets in Wisconsin (§97.29(2)(b)2.b). The Kivirist 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.

Wisconsin permits PDF: crosodo.com/reports/pdf/permits/wisconsin.pdf

State law page: crosodo.com/states/wisconsin

Wisconsin Department of Agriculture, Trade and Consumer Protection: https://datcp.wi.gov/Pages/Programs_Services/CottageFoodLaws.aspx

Statute: [Wis. Stat. §97.29](#)

Zoning / home occupation

Conditional. Waukesha County: no zoning permit required to operate a home occupation per se, but home occupations are regulated by the County Zoning Ordinance and operators should contact county Planning and Zoning (262-896-8300; pod@waukeshacounty.gov) before commencing to verify compliance. Limited family businesses (different from home occupations) require Conditional Use Permit. County jurisdiction is limited — municipalities (City of Waukesha, Menomonee Falls, New Berlin, etc.) have their own rules.

Health

No. No routine inspection for compliant cottage food operations. DATCP has licensing authority for non-exempt operations.

Health: <https://www.waukeshacounty.gov>

Business license

Varies

Pickup / delivery

Baked goods (non-PHF): direct to consumer only under Kivirist exception. Pickles/acidified: farmers markets and community events only, up to \$5,000/year. Wholesaling baked goods requires licensing.

If you rent a commissary kitchen

DATCP licenses food processing; local health licenses restaurants. Wisconsin unlicensed home baking is a narrow path. A commissary is typically a DATCP food processing plant or a local food-service license. Ask the kitchen which license they hold.

Official source: [DATCP food licenses](#)

Local health office we have on file: <https://www.waukeshacounty.gov>

This file is the home-kitchen path. A rented kitchen uses a different permit. Ask the kitchen manager which license they expect, then call the local health office.

SOURCES

<https://www.waukeshacounty.gov>

<https://www.waukeshacounty.gov>

https://datcp.wi.gov/Pages/Licenses_Permits/HomeBakers.aspx

<https://www.waukeshacounty.gov/parks-and-land-use/planning-and-zoning/faq/>

Waukesha County and nearby places

Regulation	Waukesha County	Racine County	Washington County
HOME KITCHEN ALLOWED	Conditional	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No specific state restriction for cottage baked goods; standard food safety applies.	No explicit state-level pet restriction in Wisconsin cottage food framework.	Not prohibited by state statute; kitchen must maintain sanitary conditions.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Baked goods (non-PHF): direct to consumer only under Kivist exception. Pickles/acidified: farmers markets and community events only, up t...	Kivist path: direct-to-consumer sales only; no specific channel restrictions stated. Pickle Bill path: only at community events or farmer...	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...
HOME OCCUPATION PERMIT	Conditional	Conditional	Varies
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Wisconsin cottage food is governed by case law as much as statute. Under the 2017 Kivist v. DATCP court order (Lafayette County Circuit C...	Wisconsin cottage food framework: (1) Statutory 'Pickle Bill' (§97.29(2)(b)2): home-canned pickles and acidified vegetables/fruits (pH 4.6 ...	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...
FOOD STORAGE	Baked goods: non-potentially-hazardous finished products. Pickles/acidified: pH 4.6 or lower.	Shelf-stable, non-TCS foods only under the Kivist/Pickle Bill framework. Standard GMP storage.	Home-canned: pH 4.6 or lower. Baked goods: shelf-stable, nonhazardous. Stored in food-safe containers.
POPULATION	407,290	197,068	136,842

More pages for this place

These Crosodo pages cover the same home cottage-food path:

Wisconsin permits PDF: crosodo.com/reports/pdf/permits/wisconsin.pdf

Wisconsin cottage food law: crosodo.com/states/wisconsin

Waukesha County cottage food law: crosodo.com/states/wisconsin/waukesha-county