

COTTAGE FOOD LAW REPORT

Brown County

Wisconsin · Green Bay · FIPS 55009 · Population 268,393 ·
Crosodo Index #556*

| 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.

WISCONSIN: BROWN COUNTY

CROSODO INDEX #556* · FIPS 55009 · Green Bay

Brown County

Population 268,393 · State baseline: Wis. Stat. §97.29 · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Wisconsin allows home bakers (non-potentially-hazardous baked goods) to sell direct-to-consumer without a license per Kivirist court order (2017, Lafayette County). Home-canned pickles/acidified items (pH ≤4.6) allowed up to \$5,000/year at community events/farmers markets (§97.29(2)(b)2). Note: 2024 Court of Appeals ruling clarifies Kivirist exception does NOT extend to unbaked goods (chocolates, fudge, candy). Brown County home occupation permit required.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Not specified; kitchen must be sanitary for food production

HOME OCCUPATION PERMIT?

Yes (Brown County allows home occupations as accessory use in residential zones; home occupation permit required. Business must be secondary to residential use. Cities of Green Bay, De Pere, and Ashwaubenon have city-specific rules that may differ from county rules.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (No routine inspection required for cottage food home bakers under Kivirist; DATCP complaint-based enforcement)

Home kitchen rules

| | |
|-----------------------------------|---|
| HOME KITCHEN ALLOWED | Yes — Wisconsin allows home bakers (non-potentially-hazardous baked goods) to sell direct-to-consumer without a license per Kivirist court order (2017, Lafayette County). Home-canned pickles/acidified items (pH ≤4.6) allowed up to \$5,000/year at community events/farmers markets (§97.29(2)(b)2). Note: 2024 Court of Appeals ruling clarifies Kivirist exception does NOT extend to unbaked goods (chocolates, fudge, candy). Brown County home occupation permit required. |
| SEPARATE DEDICATED KITCHEN | No |
| PET RESTRICTIONS | Not specified; kitchen must be sanitary for food production |
| WATER SUPPLY | Potable water supply required |
| HANDWASHING | Adequate handwashing for food safety; no formal certification required by state |
| FOOD STORAGE | Non-TCS shelf-stable foods; baked goods must be non-potentially hazardous |

Inspection & permitting

| | |
|-------------------------------|---|
| INSPECTION REQUIRED | No — No routine inspection required for cottage food home bakers under Kivirist; DATCP complaint-based enforcement |
| HOME OCCUPATION PERMIT | Yes — Brown County allows home occupations as accessory use in residential zones; home occupation permit required. Business must be secondary to residential use. Cities of Green Bay, De Pere, and Ashwaubenon have city-specific rules that may differ from county rules. |
| LOCAL BUSINESS LICENSE | Varies |

Customer-facing rules

| | |
|-------------------------|--|
| ON-SITE CUSTOMER PICKUP | Yes |
| ON-SITE SIGNAGE | Conditional |
| DELIVERY / PICKUP RULES | Direct-to-consumer sales only; no wholesale. Home-canned items limited to \$5,000/year at community events and farmers markets. Baked goods direct sales have no stated cap. |
| MAX EMPLOYEES IN HOME | Not specified in state law; local home occupation rules may limit non-resident employees |

Relevant county code

Wis. Stat. §97.29(2)(b)2; Brown County Zoning Ordinance (home occupation provisions)

RESEARCH NOTES

Note: batch_6.json has data entry errors for Brown County (county_seat='Freedom', county_health_url='https://www.browncountywi.gov', state_tier listed as department name). County seat is Green Bay per FIPS reference. Wisconsin cottage food landscape shaped by Kivirist court order (2017) and 2024 WI Court of Appeals clarification (unbaked goods not covered). DATCP confirms baked goods only for unlicensed home production. CityRuleLookup confirms home occupation permit required. Confidence medium — DATCP .wi.gov source confirmed but no specific Brown County ordinance text retrieved.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.browncountywi.gov>

<https://www.browncountywi.gov>

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

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

<https://www.cityrulelookup.com/home-business/cottage-food/brown-county-wi>

Questions? Join the Crosodo Forum to discuss your county's specific zoning rules at <https://crosodo.com/nb/wisconsin/brown-county-discuss>

State context — Wisconsin cottage food law

Brown 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](#).

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?

Join the Crosodo Forum to discuss Brown County's specific zoning rules, permits, and what other home bakers are seeing locally.

<https://crosodo.com/nb/wisconsin/brown-county-discuss>
