

COTTAGE FOOD LAW REPORT

Columbia County

Wisconsin · Portage · FIPS 55021 · Population 58,272 ·
Crosodo Index #1059*

STATE BASELINE

Wis. Stat. §97.29 (Kivirist court order 2017; 2024 WI App 69 clarification)

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

Columbia 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?

Conditional

INSPECTION

No

PETS

No specific pet restriction in Wisconsin cottage food case law or statute.

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: COLUMBIA COUNTY

CROSODO INDEX #1059* · FIPS 55021 · Portage

Columbia County

Population 58,272 · State baseline: Wis. Stat. §97.29 (Kivirist court order 2017; 2024 WI App 69 clarification) · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Wisconsin has an unusual cottage food framework shaped by case law. The Kivirist court order (2017) allows home bakers to sell nonhazardous, shelf-stable baked goods direct to consumer without a license. Home-canned pickles/acidified vegetables (pH ≤4.6) at up to \$5,000/year allowed at community events or farmers markets. Unbaked goods (chocolate, candy, fudge) are NOT covered by the Kivirist exception (2024 WI App 69).)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific pet restriction in Wisconsin cottage food case law or statute.

HOME OCCUPATION PERMIT?

Varies (Columbia County and City of Portage may have home occupation zoning requirements. Wisconsin law does not expressly preempt local zoning for cottage food. Operators should check with Columbia County Zoning.)

ON-SITE / PORCH PICKUP?

Conditional

INSPECTION REQUIRED?

No (DATCP enjoined from enforcing licensing against qualifying home bakers per Kivirist court order.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Wisconsin has an unusual cottage food framework shaped by case law. The Kivirist court order (2017) allows home bakers to sell nonhazardous, shelf-stable baked goods direct to consumer without a license. Home-canned pickles/acidified vegetables (pH ≤4.6) at up to \$5,000/year allowed at community events or farmers markets. Unbaked goods (chocolate, candy, fudge) are NOT covered by the Kivirist exception (2024 WI App 69).
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No specific pet restriction in Wisconsin cottage food case law or statute.
WATER SUPPLY	No specific state cottage food water testing requirement.
HANDWASHING	No specific state cottage food handwashing mandate.
FOOD STORAGE	Shelf-stable, nonhazardous products required. No TCS foods.

Inspection & permitting

INSPECTION REQUIRED	No — DATCP enjoined from enforcing licensing against qualifying home bakers per Kivirist court order.
HOME OCCUPATION PERMIT	Varies — Columbia County and City of Portage may have home occupation zoning requirements. Wisconsin law does not expressly preempt local zoning for cottage food. Operators should check with Columbia County Zoning.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Conditional
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Kivirist exception: baked goods direct to consumer at low volume. Pickle Bill: up to \$5,000/year at community events or farmers markets. No online sales or retail sales under either pathway.
MAX EMPLOYEES IN HOME	Not specified.

Relevant county code

Columbia County zoning code (home occupation provisions); Wis. Stat. §97.29 and Kivirist v. DATCP (Lafayette County Circuit Court, 2017); 2024 WI App 69.

RESEARCH NOTES

Wisconsin's cottage food landscape is shaped primarily by the 2017 Kivirist v. DATCP court order and the 2024 Court of Appeals ruling limiting it to baked goods only. The statutory 'Pickle Bill' (§97.29(2)(b)2) provides the only express statutory exemption. Chocolates, fudge, candy are excluded from the Kivirist exemption. Columbia County (Portage) is in south-central WI. Wisconsin Supreme Court denied review of the 2024 ruling. Wisconsin Legislature issued a report on this topic in June 2025.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.columbiacounty.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/columbia-county-discuss

Bordering counties — cottage food law

Regulation	Columbia County	Sauk County	Dodge County
HOME KITCHEN ALLOWED	Yes	Conditional	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No specific pet restriction in Wisconsin cottage food case law or statute.	No specific state prohibition; best practice is to exclude pets during production	Not specified in Kivirist order, but kitchen hygiene (not in question) is a key condition of the Kivirist exemption.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Conditional	Conditional	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Kivirist exception: baked goods direct to consumer at low volume. Pickle Bill: up to \$5,000/year at community events or farmers markets. No...	Direct sales to consumers only for unlicensed operations. Farmers markets and direct delivery permitted.	Kivirist exception requires direct-to-consumer sales only. No wholesale. Home pickup and delivery to consumers is permitted under this fram...
HOME OCCUPATION PERMIT	Varies	Varies	Varies
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Wisconsin has an unusual cottage food framework shaped by case law. The Kivirist court order (2017) allows home bakers to sell nonhazardous...	Home bakers of non-potentially hazardous baked goods may sell directly to consumers without a license (Kivirist exception). Non-baked non-P...	Wisconsin cottage food law is unusual: the Kivirist court order allows home bakers (of good character, sanitary kitchen) to sell non-potent...
FOOD STORAGE	Shelf-stable, nonhazardous products required. No TCS foods.	Proper storage required; shelf-stable non-PHF baked goods only for unlicensed operation	No specific statutory storage requirements beyond general sanitation.
POPULATION	58,272	65,664	89,032

State context — Wisconsin cottage food law

Columbia 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 Columbia 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/columbia-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 Columbia 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/columbia-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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