

## COTTAGE FOOD LAW REPORT

# Dane County

Wisconsin · Madison · FIPS 55025 · Population 559,891 ·  
Crosodo Index #287\*

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: DANE COUNTY

CROSODO INDEX #287\* · FIPS 55025 · Madison

# Dane County

Population 559,891 · State baseline: Wis. Stat. §97.29 · **MEDIUM**

## QUICK VIEW FOR BAKERS IN THIS COUNTY

**HOME KITCHEN ALLOWED?**

Yes (Wisconsin is a Freedom-tier state but with unusual structure. Home-canned pickles and acidified goods are explicitly exempt under §97.29. Broader home-baked goods also functionally exempt under DATCP guidelines. No license required for home bakers selling direct. No inspection required for home bakers. Commercial kitchen not required.)

**SEPARATE KITCHEN REQUIRED?**

No

**PETS ALLOWED?**

No specific state cottage food pet restriction

**HOME OCCUPATION PERMIT?**

Conditional (Dane County Zoning Ordinance (Ch. 10) includes home occupation provisions. Dane County Planning can be contacted at danecountyplanning.com. City of Madison (county seat) has separate zoning code with home occupation provisions. Public Health Madison & Dane County handles food establishment licensing for commercial operations, but home bakers under DATCP exemption do not need a license. Unincorporated Dane County areas: home occupation permit may be required for operating a business from residence. Check with Dane County Planning for zoning requirements.)

**ON-SITE / PORCH PICKUP?**

Yes

**INSPECTION REQUIRED?**

No (No routine inspection required. Home bakers selling baked goods per DATCP guidelines do not need a license. Complaint-based investigation possible.)

## Home kitchen rules

<b>HOME KITCHEN ALLOWED</b>	Yes — Wisconsin is a Freedom-tier state but with unusual structure. Home-canned pickles and acidified goods are explicitly exempt under §97.29. Broader home-baked goods also functionally exempt under DATCP guidelines. No license required for home bakers selling direct. No inspection required for home bakers. Commercial kitchen not required.
<b>SEPARATE DEDICATED KITCHEN</b>	No
<b>PET RESTRICTIONS</b>	No specific state cottage food pet restriction
<b>WATER SUPPLY</b>	No specific water testing requirement in state cottage food law
<b>HANDWASHING</b>	No specific requirement in state cottage food law
<b>FOOD STORAGE</b>	Standard home kitchen storage for approved products

### Inspection & permitting

INSPECTION REQUIRED	No — No routine inspection required. Home bakers selling baked goods per DATCP guidelines do not need a license. Complaint-based investigation possible.
HOME OCCUPATION PERMIT	Conditional — Dane County Zoning Ordinance (Ch. 10) includes home occupation provisions. Dane County Planning can be contacted at danecountyplanning.com. City of Madison (county seat) has separate zoning code with home occupation provisions. Public Health Madison & Dane County handles food establishment licensing for commercial operations, but home bakers under DATCP exemption do not need a license. Unincorporated Dane County areas: home occupation permit may be required for operating a business from residence. Check with Dane County Planning for zoning requirements.
LOCAL BUSINESS LICENSE	Varies

### Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct sales within Wisconsin. Tiered sales cap: up to \$7,500 no reporting; up to \$21,000 direct/indirect with income reporting. No wholesale to unrelated third parties beyond farmers markets. Home bakers may sell at farmers markets, events, and from home.
MAX EMPLOYEES IN HOME	Not specified in state cottage food law

### Relevant county code

Dane County Zoning Ordinance Ch. 10 (home occupation section), State: Wis. Stat. §97.29.

#### RESEARCH NOTES

Wisconsin has a Freedom-tier cottage food law structured via Wis. Stat. §97.29 (Pickle Bill), DATCP exemptions, and case law. No license or registration required for home bakers selling baked goods per DATCP guidelines. Dane County Planning website and Zoning Ordinance Ch. 10 were retrieved (table of contents confirms home occupation provisions). Public Health Madison & Dane County page confirms home bakers per DATCP guidelines do not need a license. The input data had format issues (county seat listed as 'Freedom' in wrong field, tier listed in wrong field) — corrected based on known Dane County facts (county seat is Madison). Confidence medium: state baseline confirmed; Dane County home occupation permit specifics not fully retrieved.

#### SOURCES VERIFIED AT RESEARCH TIME

<https://www.danecounty.gov/health>

<https://www.danecounty.gov/planning>

<https://www.countyofdane.com>

[https://datcp.wi.gov/Pages/Programs\\_Services/CottageFoodLaws.aspx](https://datcp.wi.gov/Pages/Programs_Services/CottageFoodLaws.aspx)

<https://publichealthmdc.com/businesses-licensing/food-establishments>

<https://danecountyplanning.com/documents/pdf/Zoning-Information/Chapter-10-Revised.pdf>

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

## State context — Wisconsin cottage food law

Dane 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.

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### 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.

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For the full state-level analysis including the verbatim statute text, see the [Wisconsin cottage food law report](#).

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### 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](https://datcp.wi.gov/Pages/Programs_Services/CottageFoodLaws.aspx)

Forrager.com: <https://forrager.com/law/wisconsin/>

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## Questions?

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

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

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