

COTTAGE FOOD LAW REPORT

Jefferson County

Wisconsin · Jefferson · FIPS 55055 · Population 85,932 ·
Crosodo Index #550*

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: JEFFERSON COUNTY

CROSODO INDEX #550* · FIPS 55055 · Jefferson

Jefferson County

Population 85,932 · State baseline: Wis. Stat. §97.29 · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Same as all Wisconsin counties: Kivirist court order allows home bakers selling non-PHF baked goods directly to consumers without a DATCP license. Baked goods only (exposed to dry heat at 140°F+). Unbaked non-PHF items (chocolates, fudge, candy) are NOT covered by the Kivirist exception per 2024 Court of Appeals ruling. Pickle Bill (§97.29(2)(b)2) allows home-canned pickles and acidified vegetables/fruits (pH ≤4.6) at community events/farmers markets up to \$5,000/year.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Kitchen hygiene must not be in question per Kivirist conditions.

HOME OCCUPATION PERMIT?

Varies (Jefferson County and its municipalities (Jefferson, Watertown, Fort Atkinson, Lake Mills, etc.) each set their own home occupation rules. No Jefferson County-specific cottage food permit requirement identified. Producers should check with Jefferson County Planning and Zoning or their municipality.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (DATCP does not conduct routine inspections under Kivirist exception. May investigate upon complaint.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Same as all Wisconsin counties: Kivirist court order allows home bakers selling non-PHF baked goods directly to consumers without a DATCP license. Baked goods only (exposed to dry heat at 140°F+). Unbaked non-PHF items (chocolates, fudge, candy) are NOT covered by the Kivirist exception per 2024 Court of Appeals ruling. Pickle Bill (§97.29(2)(b)2) allows home-canned pickles and acidified vegetables/fruits (pH ≤4.6) at community events/farmers markets up to \$5,000/year.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	Kitchen hygiene must not be in question per Kivirist conditions.
WATER SUPPLY	No specific requirement beyond general kitchen sanitation standards.
HANDWASHING	Kitchen hygiene must not be in question.
FOOD STORAGE	No specific statutory requirement beyond general sanitation.

Inspection & permitting

INSPECTION REQUIRED	No — DATCP does not conduct routine inspections under Kivirist exception. May investigate upon complaint.
HOME OCCUPATION PERMIT	Varies — Jefferson County and its municipalities (Jefferson, Watertown, Fort Atkinson, Lake Mills, etc.) each set their own home occupation rules. No Jefferson County-specific cottage food permit requirement identified. Producers should check with Jefferson County Planning and Zoning or their municipality.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Kivirist exception: direct-to-consumer sales only; no wholesale. Pickle Bill: community events and farmers markets only up to \$5,000/year.
MAX EMPLOYEES IN HOME	Low volume is a condition of the Kivirist exemption; no specific employee limit stated.

Relevant county code

No Jefferson County-specific cottage food code identified. Wis. Stat. §97.29 and Kivirist court order govern.

RESEARCH NOTES

Jefferson County follows the statewide Wisconsin cottage food framework. No county-specific overrides identified. Confidence is medium: state framework confirmed; county-level rules not verified from official county source.

SOURCES VERIFIED AT RESEARCH TIME

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

https://docs.legis.wisconsin.gov/misc/lc/issue_briefs/2025/consumer_protection/ib_wis_cottage_food_law_ag_2025_06_18

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

Bordering counties — cottage food law

Regulation	Jefferson County	Dodge County	Walworth County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Kitchen hygiene must not be in question per Kivirist conditions.	Not specified in Kivirist order, but kitchen hygiene (not in question) is a key condition of the Kivirist exemption.	No specific state restriction.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Kivirist exception: direct-to-consumer sales only; no wholesale. Pickle Bill: community events and farmers markets only up to \$5,000/year.	Kivirist exception requires direct-to-consumer sales only. No wholesale. Home pickup and delivery to consumers is permitted under this fram...	Baked goods: direct-to-consumer, any channel, low volume. Pickles: community events and farmers markets only, \$5,000/year cap. Unbaked good...
HOME OCCUPATION PERMIT	Varies	Varies	Conditional
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Same as all Wisconsin counties: Kivirist court order allows home bakers selling non-PHF baked goods directly to consumers without a DATCP l...	Wisconsin cottage food law is unusual: the Kivirist court order allows home bakers (of good character, sanitary kitchen) to sell non-potent...	Wisconsin's cottage food landscape is shaped by statute and case law: (1) §97.29(2)(b)2: home-canned pickles/acidified vegetables (pH 4.6 o...
FOOD STORAGE	No specific statutory requirement beyond general sanitation.	No specific statutory storage requirements beyond general sanitation.	Baked goods only under Kivirist. Pickles/acidified vegetables under Pickle Bill. Unbaked goods (candy, chocolate, fudge) require DATCP food...
POPULATION	85,932	89,032	105,127

State context — Wisconsin cottage food law

Jefferson 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 Jefferson County's specific zoning rules, permits, and what other home bakers are seeing locally.

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