

## COTTAGE FOOD LAW REPORT

# Monroe County

Wisconsin · Sparta · FIPS 55081 · Population 45,365 ·  
Crosodo Index #2413\*

STATE BASELINE	STATE TIER	ANNUAL SALES CAP (STATE)	CONFIDENCE	LAST VERIFIED
Wis. Stat. §97.29	Freedom	Tiered	MEDIUM	2026-05-06

**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: MONROE COUNTY

CROSODO INDEX #2413\* · FIPS 55081 · Sparta

# Monroe County

Population 45,365 · State baseline: Wis. Stat. §97.29 · **MEDIUM**

### QUICK VIEW FOR BAKERS IN THIS COUNTY

**HOME KITCHEN ALLOWED?**

Conditional (Wisconsin has a case-law-driven cottage food framework: (1) The statutory 'Pickle Bill' (§97.29(2)(b)2) allows home-canned pickles and acidified vegetables/fruits (pH 4.6 or lower) sold at community events or farmers markets, capped at \$5,000/year; (2) The Kivirist injunction (2017) prohibits DATCP from enforcing licensing requirements against home bakers of good character who sell nonhazardous shelf-stable baked goods directly to consumers; (3) The 2024 Court of Appeals ruling (2024 WI App 69) confirmed unbaked goods (candies, fudge, chocolates) are NOT covered by the Kivirist exception.)

**SEPARATE KITCHEN REQUIRED?**

No

**PETS ALLOWED?**

No specific state prohibition for cottage food bakers; standard food safety practices apply.

**HOME OCCUPATION PERMIT?**

Varies (Monroe County follows standard Wisconsin local government zoning framework. Home occupation permits may be required under Monroe County zoning ordinance. No Monroe County-specific cottage food overlay identified. Sparta (county seat) has its own rules within city limits.)

**ON-SITE / PORCH PICKUP?**

Conditional

**INSPECTION REQUIRED?**

No (DATCP has declined to enforce against qualifying home bakers per Kivirist injunction; complaint-driven action possible.)

### Home kitchen rules

**HOME KITCHEN ALLOWED**

Conditional — Wisconsin has a case-law-driven cottage food framework: (1) The statutory 'Pickle Bill' (§97.29(2)(b)2) allows home-canned pickles and acidified vegetables/fruits (pH 4.6 or lower) sold at community events or farmers markets, capped at \$5,000/year; (2) The Kivirist injunction (2017) prohibits DATCP from enforcing licensing requirements against home bakers of good character who sell nonhazardous shelf-stable baked goods directly to consumers; (3) The 2024 Court of Appeals ruling (2024 WI App 69) confirmed unbaked goods (candies, fudge, chocolates) are NOT covered by the Kivirist exception.

**SEPARATE DEDICATED KITCHEN**

No

**PET RESTRICTIONS**

No specific state prohibition for cottage food bakers; standard food safety practices apply.

**WATER SUPPLY**

No specific requirement under the Wisconsin cottage food framework.

**HANDWASHING**

Standard food safety sanitation practices apply.

**FOOD STORAGE**

Shelf-stable, non-potentially-hazardous baked goods only; proper storage required.

### Inspection & permitting

INSPECTION REQUIRED	No — DATCP has declined to enforce against qualifying home bakers per Kivist injunction; complaint-driven action possible.
HOME OCCUPATION PERMIT	Varies — Monroe County follows standard Wisconsin local government zoning framework. Home occupation permits may be required under Monroe County zoning ordinance. No Monroe County-specific cottage food overlay identified. Sparta (county seat) has its own rules within city limits.
LOCAL BUSINESS LICENSE	Varies

### Customer-facing rules

ON-SITE CUSTOMER PICKUP	Conditional
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct-to-consumer only for Kivist-covered baked goods. Pickle Bill allows farmers market and community event sales only (up to \$5,000/year). No wholesale or retail sales allowed under either exception.
MAX EMPLOYEES IN HOME	Not specified by state cottage food framework; home occupation zoning rules may apply.

### Relevant county code

Monroe County Zoning Ordinance (home occupation provisions); Wis. Stat. §97.29

#### RESEARCH NOTES

Monroe County is a rural western Wisconsin county in the Driftless Area. No county-specific cottage food rules identified. State baseline (Kivist/Pickle Bill) is operative. Defaulting to state baseline with medium confidence.

#### SOURCES VERIFIED AT RESEARCH TIME

- <https://www.co.monroe.wi.us>
- [https://datcp.wi.gov/Pages/Programs\\_Services/CottageFoodLaws.aspx](https://datcp.wi.gov/Pages/Programs_Services/CottageFoodLaws.aspx)
- <https://docs.legis.wisconsin.gov/statutes/statutes/97/29>

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

## State context — Wisconsin cottage food law

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

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

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