

## COTTAGE FOOD LAW REPORT

# Pierce County

Wisconsin · Ellsworth · FIPS 55093 · Population 42,212 ·  
Crosodo Index #2384\*

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: PIERCE COUNTY

CROSODO INDEX #2384\* · FIPS 55093 · Ellsworth

# Pierce County

Population 42,212 · State baseline: Wis. Stat. §97.29 · **MEDIUM**

### QUICK VIEW FOR BAKERS IN THIS COUNTY

**HOME KITCHEN ALLOWED?**

Conditional (Wisconsin has an unusual framework: (1) the statutory 'Pickle Bill' (§97.29(2)(b)2) allows home-canned pickles/acidified vegetables at community events or farmers markets, capped at \$5,000/year; (2) the Kivirist court order (2017) allows home bakers of good character to sell nonhazardous shelf-stable baked goods direct-to-consumer at low volume without a license — no stated dollar cap. The 2024 Court of Appeals ruling (2024 WI App 69) confirmed unbaked goods (candies, fudge, chocolates) are NOT covered by the Kivirist exception and require a food processing plant license.)

**SEPARATE KITCHEN REQUIRED?**

No

**PETS ALLOWED?**

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

**HOME OCCUPATION PERMIT?**

Varies (Pierce County is in the St. Croix River valley on the Minnesota border. Local zoning is administered at the town level; home occupation permit requirements vary by individual town ordinance. The county administers shoreland/floodplain zoning but general residential home occupation rules are at the town level. No county-specific cottage food overlay identified.)

**ON-SITE / PORCH PICKUP?**

Conditional

**INSPECTION REQUIRED?**

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

### Home kitchen rules

**HOME KITCHEN ALLOWED**

Conditional — Wisconsin has an unusual framework: (1) the statutory 'Pickle Bill' (§97.29(2)(b)2) allows home-canned pickles/acidified vegetables at community events or farmers markets, capped at \$5,000/year; (2) the Kivirist court order (2017) allows home bakers of good character to sell nonhazardous shelf-stable baked goods direct-to-consumer at low volume without a license — no stated dollar cap. The 2024 Court of Appeals ruling (2024 WI App 69) confirmed unbaked goods (candies, fudge, chocolates) are NOT covered by the Kivirist exception and require a food processing plant license.

**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 cottage food framework.

**HANDWASHING**

Standard food safety sanitation practices apply.

**FOOD STORAGE**

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

### Inspection & permitting

<b>INSPECTION REQUIRED</b>	No — DATCP has declined to enforce against home bakers per Kivirist injunction; complaint-driven action possible.
<b>HOME OCCUPATION PERMIT</b>	Varies — Pierce County is in the St. Croix River valley on the Minnesota border. Local zoning is administered at the town level; home occupation permit requirements vary by individual town ordinance. The county administers shoreland/floodplain zoning but general residential home occupation rules are at the town level. No county-specific cottage food overlay identified.
<b>LOCAL BUSINESS LICENSE</b>	Varies

### Customer-facing rules

<b>ON-SITE CUSTOMER PICKUP</b>	Conditional
<b>ON-SITE SIGNAGE</b>	Conditional
<b>DELIVERY / PICKUP RULES</b>	Direct-to-consumer only for Kivirist-covered baked goods. Pickle Bill allows farmers market/community event sales only. No wholesale, retail, or online resale.
<b>MAX EMPLOYEES IN HOME</b>	Not specified; home occupation rules may apply under local town zoning.

### Relevant county code

Pierce County Zoning Ordinance; Wis. Stat. §97.29

#### RESEARCH NOTES

Pattern county. Wisconsin cottage food is case-law driven. Kivirist injunction (2017) allows home-baked goods; 2024 WI App 69 limits unbaked confections. Pierce County administers shoreland zoning but residential home occupation rules rest with individual towns. No county-specific cottage food rules identified. State baseline is the operative framework.

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#### SOURCES VERIFIED AT RESEARCH TIME

[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/pierce-county-discuss>

## State context — Wisconsin cottage food law

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

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

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