

COTTAGE FOOD LAW REPORT

Racine County

Wisconsin · Racine · FIPS 55101 · Population 197,068 ·
Crosodo Index #282*

STATE BASELINE

Wis. Stat. §97.29

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

Racine County, Wisconsin — permit, pickup, and label steps before the full county rules.

HOME KITCHEN ALLOWED?

Yes

STATE SALES CAP

Tiered

HOME OCCUPATION PERMIT?

Conditional

ON-SITE / PORCH PICKUP?

Yes

INSPECTION

No

PETS

No explicit state-level pet restriction in Wisconsin cottage food framework.

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: RACINE COUNTY

CROSODO INDEX #282* · FIPS 55101 · Racine

Racine County

Population 197,068 · State baseline: Wis. Stat. §97.29 · MEDIUM

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Wisconsin cottage food framework: (1) Statutory 'Pickle Bill' (§97.29(2)(b)2): 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) Kivirist court order (2017): DATCP enjoined from requiring licenses for home bakers of good character selling shelf-stable nonhazardous baked goods direct to consumer at low volume (no dollar cap stated). (3) Note: unbaked goods (chocolates, fudge, candies, rice crispy treats) are NOT covered by the Kivirist exception per 2024 Wisconsin Court of Appeals ruling (2024 WI App 69). Racine County is in southeast Wisconsin near Milwaukee.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No explicit state-level pet restriction in Wisconsin cottage food framework.

HOME OCCUPATION PERMIT?

Conditional (Racine County (unincorporated areas) and City of Racine may have home occupation zoning requirements for home-based businesses. Contact Racine County Planning & Development or City of Racine Planning Department. Wisconsin state law does not have a broad statewide preemption of local home occupation zoning.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (Wisconsin DATCP may not enforce licensing against qualifying home bakers (Kivirist order). No routine inspection. Operations above Pickle Bill cap or involving unbaked goods may require a food processing plant license.)

Home kitchen rules

HOME KITCHEN ALLOWED

Yes — Wisconsin cottage food framework: (1) Statutory 'Pickle Bill' (§97.29(2)(b)2): 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) Kivirist court order (2017): DATCP enjoined from requiring licenses for home bakers of good character selling shelf-stable nonhazardous baked goods direct to consumer at low volume (no dollar cap stated). (3) Note: unbaked goods (chocolates, fudge, candies, rice crispy treats) are NOT covered by the Kivirist exception per 2024 Wisconsin Court of Appeals ruling (2024 WI App 69). Racine County is in southeast Wisconsin near Milwaukee.

SEPARATE DEDICATED KITCHEN

No

PET RESTRICTIONS

No explicit state-level pet restriction in Wisconsin cottage food framework.

WATER SUPPLY

No specific water testing requirement for Wisconsin cottage food operations.

HANDWASHING

Standard food safety practices; no specific statutory requirement for cottage food.

FOOD STORAGE

Shelf-stable, non-TCS foods only under the Kivirist/Pickle Bill framework. Standard GMP storage.

Inspection & permitting

INSPECTION REQUIRED	No — Wisconsin DATCP may not enforce licensing against qualifying home bakers (Kivirist order). No routine inspection. Operations above Pickle Bill cap or involving unbaked goods may require a food processing plant license.
HOME OCCUPATION PERMIT	Conditional — Racine County (unincorporated areas) and City of Racine may have home occupation zoning requirements for home-based businesses. Contact Racine County Planning & Development or City of Racine Planning Department. Wisconsin state law does not have a broad statewide preemption of local home occupation zoning.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Kivirist path: direct-to-consumer sales only; no specific channel restrictions stated. Pickle Bill path: only at community events or farmers markets (not from home). Home pickup generally allowed for Kivirist path.
MAX EMPLOYEES IN HOME	No explicit employee cap in Wisconsin cottage food framework. Home occupation zoning may restrict non-resident employees.

Relevant county code

Wis. Stat. §97.29; Kivirist v. DATCP (2017 Lafayette County circuit court order); Racine County zoning ordinances

RESEARCH NOTES

Wisconsin state baseline applied. Racine County (county seat: Racine) is in southeast Wisconsin on Lake Michigan. Wisconsin's cottage food framework is unusual — shaped by case law rather than comprehensive statute. The 2024 Court of Appeals ruling (2024 WI App 69) clarified that unbaked goods (chocolates, candies) are not covered by the Kivirist exception. Wisconsin Supreme Court denied review. Wisconsin Legislative Council issued issue brief June 2025.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.racinecounty.com>

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/racine-county-discuss

Bordering counties — cottage food law

Regulation	Racine County	Kenosha County	Waukesha County
HOME KITCHEN ALLOWED	Yes	Yes	Conditional
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No explicit state-level pet restriction in Wisconsin cottage food framework.	No explicit state restriction; good manufacturing practices apply.	No specific state restriction for cottage baked goods; standard food safety applies.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Kivirist path: direct-to-consumer sales only; no specific channel restrictions stated. Pickle Bill path: only at community events or farmer...	Direct sales from home, farmers markets, and community events.	Baked goods (non-PHF): direct to consumer only under Kivirist exception. Pickles/acidified: farmers markets and community events only, up t...
HOME OCCUPATION PERMIT	Conditional	Conditional	Conditional
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Wisconsin cottage food framework: (1) Statutory 'Pickle Bill' (§97.29(2)(b)2): home-canned pickles and acidified vegetables/fruits (pH 4.6 ...	Two pathways: (1) Kivirist court order allows home bakers of nonhazardous BAKED goods only (no unbaked items — chocolates, fudge, candy exc...	Wisconsin cottage food is governed by case law as much as statute. Under the 2017 Kivirist v. DATCP court order (Lafayette County Circuit C...
FOOD STORAGE	Shelf-stable, non-TCS foods only under the Kivirist/Pickle Bill framework. Standard GMP storage.	Shelf-stable storage for baked goods and home-canned items.	Baked goods: non-potentially-hazardous finished products. Pickles/acidified: pH 4.6 or lower.
POPULATION	197,068	168,693	407,290

State context — Wisconsin cottage food law

Racine 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 Racine 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/racine-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 Racine 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/racine-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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