

COTTAGE FOOD LAW REPORT

Walworth County

Wisconsin · Elkhorn · FIPS 55127 · Population 105,127 ·
Crosodo Index #302*

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: WALWORTH COUNTY

CROSODO INDEX #302* · FIPS 55127 · Elkhorn

Walworth County

Population 105,127 · State baseline: Wis. Stat. §97.29 · MEDIUM

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (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 or lower) at community events or farmers markets, \$5,000/year cap; (2) Kivirist order (2017): home bakers may sell shelf-stable, nonhazardous baked goods direct to consumer without a license; (3) 2024 court ruling: Kivirist does NOT extend to unbaked goods (chocolates, fudge, candy). No food handler cert or registration required.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific state restriction.

HOME OCCUPATION PERMIT?

Conditional (Walworth County and municipalities (Elkhorn, Delavan, Lake Geneva, etc.) may have home occupation zoning requirements. Walworth County is a popular resort area (Lake Geneva) with active zoning. No specific Walworth County cottage food ordinance identified.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (No routine inspections for qualifying cottage food operations.)

Home kitchen rules

HOME KITCHEN ALLOWED

Yes — 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 or lower) at community events or farmers markets, \$5,000/year cap; (2) Kivirist order (2017): home bakers may sell shelf-stable, nonhazardous baked goods direct to consumer without a license; (3) 2024 court ruling: Kivirist does NOT extend to unbaked goods (chocolates, fudge, candy). No food handler cert or registration required.

SEPARATE DEDICATED KITCHEN

No

PET RESTRICTIONS

No specific state restriction.

WATER SUPPLY

No specific state requirement beyond standard sanitation.

HANDWASHING

Standard handwashing practices recommended.

FOOD STORAGE

Baked goods only under Kivirist. Pickles/acidified vegetables under Pickle Bill. Unbaked goods (candy, chocolate, fudge) require DATCP food processing plant license.

Inspection & permitting

INSPECTION REQUIRED

No — No routine inspections for qualifying cottage food operations.

HOME OCCUPATION PERMIT

Conditional — Walworth County and municipalities (Elkhorn, Delavan, Lake Geneva, etc.) may have home occupation zoning requirements. Walworth County is a popular resort area (Lake Geneva) with active zoning. No specific Walworth County cottage food ordinance identified.

LOCAL BUSINESS LICENSE

Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Baked goods: direct-to-consumer, any channel, low volume. Pickles: community events and farmers markets only, \$5,000/year cap. Unbaked goods require food processing plant license.
MAX EMPLOYEES IN HOME	Not specified. Kivistik implies small personal operation.

Relevant county code

No specific Walworth County code section identified. State law governs: Wis. Stat. §97.29.

RESEARCH NOTES

State tier is 'Freedom'. Walworth County is in the southeastern Wisconsin tourist/resort area. No county-specific overrides found. Confidence medium.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.co.walworth.wi.us>

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/walworth-county-discuss>

Bordering counties — cottage food law

Regulation	Walworth County	Jefferson County	Rock County
HOME KITCHEN ALLOWED	Yes	Yes	Conditional
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No specific state restriction.	Kitchen hygiene must not be in question per Kivist conditions.	No specific state prohibition for cottage food bakers; standard food safety practices apply.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Conditional
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Baked goods: direct-to-consumer, any channel, low volume. Pickles: community events and farmers markets only, \$5,000/year cap. Unbaked good...	Kivist exception: direct-to-consumer sales only; no wholesale. Pickle Bill: community events and farmers markets only up to \$5,000/year.	Direct-to-consumer only for Kivist-covered baked goods. No wholesale, retail, or online sales allowed under the baked goods exception. Pi...
HOME OCCUPATION PERMIT	Conditional	Varies	Varies
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	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...	Same as all Wisconsin counties: Kivist court order allows home bakers selling non-PHF baked goods directly to consumers without a DATCP l...	Wisconsin has an unusual framework: (1) the statutory 'Pickle Bill' (§97.29(2)(b)2) allows home-canned pickles/acidified vegetables at comm...
FOOD STORAGE	Baked goods only under Kivist. Pickles/acidified vegetables under Pickle Bill. Unbaked goods (candy, chocolate, fudge) require DATCP food...	No specific statutory requirement beyond general sanitation.	Shelf-stable, non-hazardous baked goods only; proper storage required.
POPULATION	105,127	85,932	163,817

State context — Wisconsin cottage food law

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

<https://crosodo.com/nb/wisconsin/walworth-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

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Advertise here — Insurance

Reach home bakers across the country. crosodo.com/advertise

LOCAL

Advertise here

Reach home bakers in Walworth 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 free on the Crosodo Forum.

crosodo.com/nb/wisconsin/walworth-county-discuss

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