

Quick Tips: Sale of Farm Products and Homemade Foods in Wisconsin

Wisconsin has a vibrant local foods economy and you will find customers eager for your products. Be sure to follow the rules that govern preparation and sale of foods to help ensure public health and protect your brand!

There are opportunities to sell certain farm and home-prepared food products in Wisconsin without a license. A license **is required** to prepare food that is **potentially hazardous**, food sold or given to another business for further sale (**wholesale**), and **food sold outside of Wisconsin**, but read on for options where a license is not required.



Fresh Fruits and Vegetables

Fresh fruits and vegetables are always in season when it comes to selling the bounty of your harvest. No license is required to sell raw, intact fruits and vegetables. Growers should follow Good Agricultural Practices in planting, growing, and harvesting fresh produce and may need to meet requirements of the Produce Safety Rule. Growers may rinse freshly harvested produce in clean water, remove roots, and package in bulk for delivery. A license **is required** if fruits and vegetables are cut, sliced, peeled, frozen, or otherwise **processed** before sale. See [Safe Wisconsin Produce](#) for more information on growing safe, high quality produce for sale.

Prepared Food

Most often, an individual preparing food for sale in Wisconsin must have a **retail or manufactured food license**. There are two exceptions to the licensing requirement in Wisconsin:

home-canned fruits and pickled vegetables, and home-baked goods. There are strict requirements to comply with each exception, as outlined below.

Update: On November 19, 2024 an appeals court **reversed a previous decision** that would have allowed individuals to sell non-hazardous homemade foods such as candies or confections.

You must have a license to prepare food for sale in Wisconsin with the exception of home-canned fruits, home-canned pickled vegetables, or homemade not potentially hazardous baked goods. Call the **Licensing Specialists** for information **608-224-4923**.

Home Canned Fruits or Pickled Vegetables. Under 2009 law, canned fruits, canned pickled vegetables, standard jams and jellies and a few other canned fruit or vegetable products made at home may be sold at farmers' markets or community events in Wisconsin. Items must be low-pH (4.6 or below), canned in a home kitchen, and sales are limited to \$5,000 per person per year. Canned goods must be properly labeled, including an ingredient statement, and a notice must be posted at the point of sale letting consumers know the product is homemade and not subject to state inspection. [Selling Home-Canned Foods in Wisconsin](#) (Wisconsin Department of Agriculture, Trade and Consumer Protection, DATCP).

Homemade Baked Goods. A 2017 Lafayette County Circuit Court decision allows home bakers to sell cookies, cakes, and other homemade non-hazardous baked goods directly to consumers in

the state. Items **not allowed** have cream or custard fillings, buttercream frostings with a water activity above 0.85, or are potentially hazardous and require refrigeration for safety. Home bakers are required to have proof of the safety of their products available to an inspector at the market. See [Licenses and Homemade Baked Goods](#).

Farmers' market are popular locations for sale of home-canned fruits and pickled vegetables. A farmers' market is defined as "...a common facility where two or more farmers or growers gather on a regular basis to sell raw agricultural commodities, eggs, and processed foods that they produce, directly to consumers." A farmers' market is not a roadside stand or a farm stand.

A **hygenic family kitchen** will help protect food safety and quality of food prepared at home.

Best Practices for Preparing Food at Home for Sale

- **Wash** hands often and wear gloves when handling ready-to-eat foods.
- **Use soap and warm water** to keep equipment and work areas clean; keep all equipment in good working order.
- **Sanitize** cleaned work surfaces and equipment after each use. Be sure to follow label directions for any sanitizer used on food-contact surfaces. Bleach is one common food-contact surface sanitizer. See **Preparing a Bleach Sanitizing Solution** (below).
- Have a **well lit** kitchen.
- **Keep pets out** of the area where you are preparing food for sale.
- Place prepared food in **clean packaging** and clearly **label** all the ingredients, especially allergens.
- **Keep records** of what you prepare and where you sell. Records will help keep your business profitable while also helping you keep track of foods in the event of a recall or foodborne illness investigation.

Check with your local municipality for zoning regulations and other rules that may apply to a home-based business. Note: Foods prepared under **Cottage Foods Laws** in **other states** may not be sold in Wisconsin. Updated January 2025. bhingham@wisc.edu

Preparing a Bleach Sanitizing Solution

Wash surfaces with soap and warm water and rinse with clean water. Prepare a bleach solution and spray or soak surfaces and equipment:

Water	Bleach, 2.75%	Bleach, 5.25-6.25%	Bleach, 8.25%
1 Gallon	1 Tablespoon	2 teaspoons	1 teaspoon
1 Quart	1 teaspoon	½ teaspoon	¼ teaspoon

Allow bleach solution to stand for 30 seconds on utensils, pots or pans, or surfaces; or soak items in the bleach solution for at least 30 seconds. Air-dry.

NOTE: do not use scented, gel, or non-chlorine/color-safe bleach.



Extension

UNIVERSITY OF WISCONSIN-MADISON

The UW-Madison Division of Extension provides affirmative action and equal opportunity in education, programming and employment for all qualified persons regardless of race, color, gender/sex, creed, disability, religion, national origin, ancestry, age, sexual orientation, pregnancy, marital or parental, arrest or conviction record or veteran status.

Products Exempt from Licensing

There are a number of foods and beverages that have long been exempt from licensing requirements in Wisconsin.

- **Apple Cider.** Cider must be pressed and bottled by the vendor. Unpasteurized or unheated (raw) cider must be fully labeled, including an approved warning statement. Cider processors are exempt from licensing only as long as no other food processing activities are occurring. If other foods are being processed, contact the DATCP Licensing Specialists. See [Requirements for Juice at Retail](#) (DATCP).
- **Canned Fruit, Canned Pickled Vegetables, Canned Jams and Jellies.** Home-canned fruits, pickled vegetables, and jams and jellies made in Wisconsin may be sold at farmers' markets or community events in the state. Items must be low-pH (4.6 or below), canned in a home kitchen, and sales are limited to \$5,000 per person per year. Canned goods must be properly labeled, including an ingredient statement, and a notice posted at the point of sale letting consumers know the product is homemade and not subject to state inspection. **Note:** sales of home-canned fruits and acidified vegetables are limited to **farmers' markets** and community or social events in Wisconsin. [Home-Canned Foods](#) (DATCP). **Hundreds of tested home canning recipes** are available from the [National Center for Home Food Preservation](#).
- **Field-Dried Vegetables.** No license is required for sale of field-dried peppers or dry beans that are dried naturally in the field. Product must be protected from spoilage and contamination during the natural drying process.
- **Fresh fruits and Vegetables.** Share the bounty of your harvest! You may rinse in clean water, remove roots and package in bulk for delivery. A license is required if you cut, slice, peel, freeze, or otherwise process fruits and vegetables.
- **Honey.** No license required for honey sold as beekeeper's own and no added color, flavors, or ingredients, including air incorporated by whipping. See: [Selling Honey in Wisconsin](#).
- **Maple Syrup.** Producers of maple syrup may bottle and sell their product at retail without a license as long as no other food processing activities are occurring. Product must be accurately labeled. If other foods are being processed, contact the DATCP Licensing Specialists. See [Selling Maple Syrup in Wisconsin](#) (DATCP).

License Required

A **license** is issued annually to an individual at a specific location and may cover a number of different activities. While some food businesses may choose to build a dedicated processing facility on their property, most businesses start out renting a kitchen space. Small businesses may hold a license in a church kitchen, at a local community center, or at a dedicated shared-use facility (entrepreneurial center). Certain foods may require a specific license type with specific facility requirements. A **retail** license is issued for preparation of food that is sold directly to the consumer; a **food processing plant** license allows the preparation of foods for sale through both wholesale and retail channels.



Selling potentially hazardous items such as eggs, fresh meats, and dairy products at farmers' markets will require **licensing**.

Rules that may apply to foods sold at **farmers' markets or similar venues** include:

- **Bakery items** that are **potentially hazardous** due to a cream or custard fillings or buttercream frosting, or items like cheesecake must be prepared in a commercial kitchen under license and kept cold. A retail license would be required for sale of potentially hazardous baked goods at locations such as farm markets or county fairs.
- **Beef, pork, lamb, poultry and other meat items** must be processed in a licensed meat establishment and require a retail license for sales at a farmers' market.
- **Candies or confectionary products**. A license would be required to prepare and sell candies and confectionary products, regardless of the sales location.
- **Dairy products** such as fluid milk, cream, butter, cheese, and yogurt must be processed at a licensed facility and a mobile retail license is required for sales at farmers' markets. See [Food, Dairy, and Retail Food Licenses](#).
- **Dried fruits or vegetables**. A license is required to dry and sell fruits, vegetables or even meat products, regardless of the sales location.
- **Eggs** from the farm find eager customers at farmers' markets. Small-scale egg producers may package eggs for sale on a sales route or at farmers' markets. A transient retail license is required. See [Egg Sales & Licensing](#).
- **Fish and seafood** sold at a farmers' market must be processed at a licensed retail food establishment or food processing plant. A retail license is required.
- **Juice products** sold at a farmers' market must generally be processed at a licensed retail food establishment or food processing plant. See [Requirements for Juice at Retail](#). There is a license exemption for apple cider.
- **Pet foods** must meet standards similar to human foods and are manufactured under license. See [Making Pet Treats for Sale](#).
- **Processed fruits and vegetables**, including frozen, cut, peeled, or sliced fruits and vegetables must be produced under license for sale at farmers' markets. A retail license would be required for sale of items such as frozen or cut vegetables that must be kept cold.
- **Sauces and condiments** such as applesauce may be exempted from licensing if home-canned, but other shelf-stable sauces, dressings, and condiments would be prepared under a license. See [Selling Home-Canned Foods in Wisconsin](#) (DATCP).

Call the **Department of Agriculture, Trade and Consumer Protection Licensing Specialists** for answers to your food licensing questions: 608-224-4923 or datcpdfslicensing@wi.gov