



**2023 FEED WEBINAR SERIES**

WISCONSIN UNIVERSITY OF WISCONSIN-MADISON Extension University of Wisconsin-Madison Community Food Systems Division of Extension

**Food Entrepreneurship Ecosystems Development**

Save the Date!  
FEED Summit - Green Bay 2023  
November 13-14, 2023

**2023 FEED WEBINAR SERIES**

**FEED SUMMIT**

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**Virtual Spring 2023 Workshop Series**  
Tips for Food and Farm Business Success

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<b>March 9</b> The Sweet Taste of Success: Safe, Value-Added, Maple Products 6:00 - 7:00 PM	<b>April 3</b> Getting to Know Your Local Small Business Development Center (SBDC) 1:00 - 2:00 PM
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**2023 FEED WEBINAR SERIES**

Quick Tips Handout | Webinar Slides | Evaluation

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## Food Safety Update

What will be covered

- Why the safety of our food supply matters
- License exemptions, or requirements, for farm market vendors
- Local foods – safe foods



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## Food Safety Matters

- Food that is prepared for sale must be wholesome.
- An estimated 48 million individuals in the U.S. gets sick each year from unsafe food.
  - 128,000 are hospitalized
  - 3,000 die as a result



Cost to U.S. economy is \$80 billion

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## Foodborne Illnesses, 1998-2008

Attribution of foodborne illnesses, hospitalizations, and deaths to food commodities using outbreak data, United States, 1998-2008. Painter et al. 2013. Centers for Disease Control



Contaminant	# of Illnesses	%
Bacteria	3.6 million	37.5
Chemical	250,000	0.3
Parasite	233,000	0.2
Virus	5.5 million	57.3

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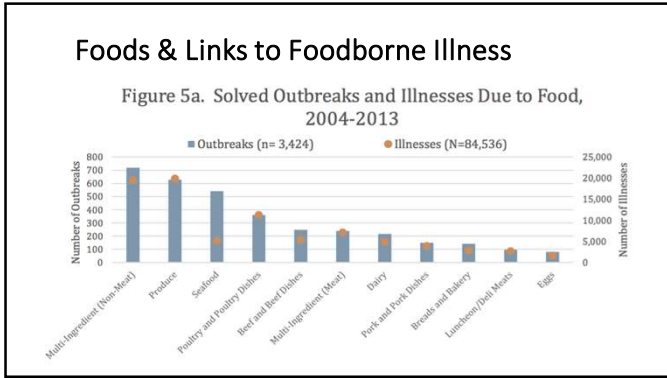
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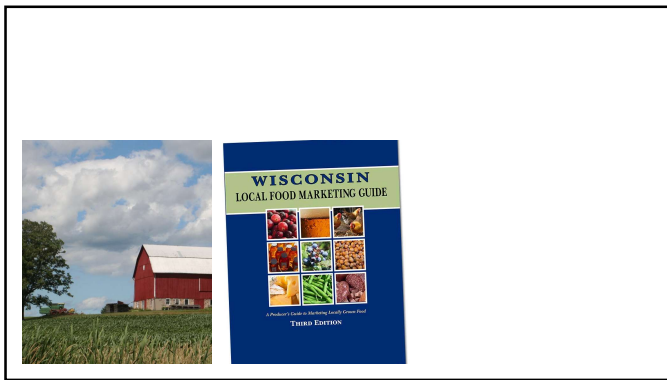
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### Cottage Food Laws

Wisconsin does not have a 'cottage food law'

- Pickle Bill (2009) allowed for the sale of some home-canned items at farmers' markets
- Judges' decisions (2017) allowed for sale of non-potentially hazardous homemade foods direct to consumers; **2022 decision expanding home-prepared foods has been appealed**

Cottage food laws apply to home-based businesses. Food is prepared in the home kitchen and sold direct to the end-user. Value-added foods may be sold only within the home state.

Surrounding states do have Cottage Food Laws:

- Illinois – non-potentially hazardous food, some canned goods
- Iowa – non-potentially hazardous food and canned goods
- Michigan – sales cap of \$25,000; non-potentially hazardous food, limited canned goods
- Minnesota – sales cap of \$78,000; non-potentially hazardous food and canned goods

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### Potentially Hazardous Foods

Potentially hazardous foods require time and temperature control to be safe.



Non-potentially hazardous foods, generally are ....

- Acidic (pH below 4.6) OR have Low Water Activity ( $a_w$  0.85 or less)
- Heated for safety (and shelf stability)
- Packaged to prevent contamination

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### Direct from Farm to Farmers' Market

- Fresh Produce
  - Raw, intact fruits and vegetables
  - Support for food safety on your farm: [safeproduce@wi.gov](mailto:safeproduce@wi.gov)
- Honey or Maple Syrup
  - Your own honey or syrup
  - No added ingredients, no 'whipping'
  - Must be accurately labeled, including grading of Maple Syrup
  - To be exempt from licensing, no other food processing activities
  - DATCP: [Selling Honey in Wisconsin](#) & [Selling Maple Syrup in Wisconsin](#)
- Apple Cider
  - Cider pressed by the vendor
  - Unpasteurized or unheated (raw) cider must be fully labeling
  - To be exempt from licensing, no other food processing activities
  - [Selling Apple Cider in Wisconsin](#) (Cornucopia)

No license required.



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### Home-Based Canning

- Home-canned **fruits** and **vegetables**
  - Naturally acidic, or
  - Acidified by pickling or fermenting (pH 4.6 or less)
- Processed in the family kitchen
- Shelf-stable, not refrigerated
- Sold at farmers' markets & community events in Wisconsin
- Sales of up to \$5,000 per person per year
- Ingredients correctly listed
- Point of sale warning label

No registration needed. No license.



[Selling Home-Canned Foods](#) (DATCP) [English](#), [Spanish](#), [Hmong](#)

Statement: This product was made in a private home not subject to state licensing and inspection.

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### Home Bakery Business

- Homemade shelf-stable, bakery items  
But....only non-potentially hazardous items
  - No buttercream frosting
  - No cream or custard pies
  - No fillings or cheese breads
- Direct consumer sales and only in Wisconsin
- Items must be properly labeled, especially regarding allergens

No license required.



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### Farm Market Sales

- Eggs sales from the farm
  - No more than 150 layers
  - Eggs kept cold
- Eggs sales at a farmers' market
  - Retail license required
  - Learn more - DATCP [Egg Sales & Licensing](#)
- Poultry sales from the farm
  - Up to 1,000 farm-raised birds per year slaughtered and sold on farm
  - Kept refrigerated or frozen
- Poultry sales at a farmers' market
  - Retail license required
  - Learn more - [Direct Marketing Meat & Poultry](#)



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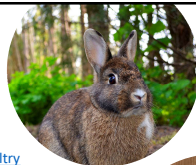
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### More Direct Sales

- Rabbits sold from the farm
  - Home or farm slaughter and sale
  - Meat handled to assure food safety
- Rabbits sold at a farmers' market
  - Retail license required
  - Learn more - [Direct Marketing Meat & Poultry](#)
- Dairy products
  - Must be processed at a licensed plant
  - Retail license required for sale at farmers' markets.



A retail license is generally required to move refrigerated or frozen items from farm to market.

A license may be required to store food on the farm for sale at a farmers' market.

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### Direct Sales of Meat

- Live animals may be sold from the farm
  - Customer may butcher on the farm
  - Customer may not sell the meat
  - No license required
- Processed meat sold at farm or market
  - Meat processed under inspection
  - Sold by weight and properly labeled
  - Retail license required from the farm or farmers' market

Learn more: [Direct Marketing of Meat and Poultry](#),  
Wisconsin [Meat Safety Inspection Program](#) 608-224-4694



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### Safe Food – Properly Labeled

- What is in the package? Statement of Identity
- Who made the product? Statement of Responsibility (address)
- How much is in the package? Net contents
- What are the ingredients? Order from most to least
- How do I trace the product? Lot coding

Exemptions for Nutrition Facts panel.



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### License Required

If you want to...

- Provide fresh tortillas at the market
- Expand sales to a local grocery
- Sell ice-cold kombucha at a farm stand

Local entrepreneurs hold licenses:

- In shared-use facilities
- In churches or community centers
- In restaurants (when not open)
- In dedicated home/farm facilities



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### 4 Key Market Analysis Questions

1. **Who** will buy my product?
2. **Why** will they buy my product?
3. **What** will they pay for my product?
4. **Where** to they expect to find my product?



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### Tried and True Strategies

Add value to what you know and love

- Build on your strengths
- Leverage assets

Do your homework

- Evaluate product markets
- Financial feasibility

Try networking, talk to others

- Ask for ideas
- Seek out help

Find your local Food Systems educator:  
<https://foodsystems.extension.wisc.edu/>  
 Resources to support farm management:  
<https://farms.extension.wisc.edu/>



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### It is Complicated and It Depends

DATCP Food Licensing Specialists:

- Retail license – direct sales to consumers
- Food processing plant license –wholesale/retail sales

Call: 608-224-4923

Email: [datcpdfslicensing@wi.gov](mailto:datcpdfslicensing@wi.gov)

Experts **ARE** ready and able to help!



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### Questions?

Barb Ingham (UW Division of Extension)  
Food Safety Specialist  
Phone: 608-263-7383  
Email: [bingham@wisc.edu](mailto:bingham@wisc.edu)



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COMMUNITY FOOD SYSTEMS

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