



Selling Home-Canned Foods: Do It Safe, Do It Legal

To process most foods in Wisconsin for sale, you must be licensed. This requirement provides assurance to you and your customers that the food that you process is safe and wholesome.

Wisconsin Act 101 (the **Pickle Bill**) allows you to sell some home-canned foods without a license under certain circumstances. A copy of Wisconsin Act 101 can be found here: legis.wisconsin.gov/2009/data/acts/09Act101.pdf The following information will help make sure you sell food that is safe and allowed by law.

Canned products you can sell without a license:

- You **can sell** home-canned fruits and vegetables that are naturally acidic or have been acidified by pickling or fermenting.
- These products have an **equilibrium pH** of 4.6 or lower, meaning that they are **high in acid**.
- Examples of allowable products:
 - pickled fruits and vegetables (not refrigerator pickles)
 - salsas and chutneys
 - sauerkraut and kimchi
 - jams and jellies
 - applesauce
- Not sure if your product can be sold without a license? Contact University of Wisconsin Extension: 608-263-7383 or Wisconsin Dept of Agriculture, Trade & Consumer Protection: 608-224-4682

Products you cannot sell without a license:

- You **can not** sell low-acid home-canned foods such as vegetables, fish and meat
- You **can not** sell sauces, dressings or condiments unless they are clearly fruit or vegetable products
- You **can not** sell home-canned foods that are not considered fruits or vegetables such as pickled eggs, lemon curd, and pesto
- You **can not** sell product made outside your home, such as in a restaurant or a shared kitchen.

Requirements of the new law:

- **Sales** of no more than \$5,000 **per household** per year. The \$5,000 exemption applies per farm/family, not per individual.
- Retail sales **only** (direct from producer to consumer) and only in Wisconsin. No internet sales.
- Sales **only** at community or social events or farmers' markets. These events include town celebrations, sporadic church or service club bazaars, and scheduled farmers' markets. Events where sales may not take place

Requirements of the new law (continued):

include for-profit events, craft shows, traveling circuses or carnivals, high school sporting or fund-raising events, and regularly occurring licensed food-sales events such as a church's Friday-night fish fry. A farmer may not put up a roadside stand and sell product under the 'Pickle Bill,' farmers may only sell through recognized farmers' markets.

- Post a sign at your stand or booth: **“These canned goods are homemade not been subject to state inspection.”**
- Label each jar:
 - Name and address of the person who did the canning
 - Date of canning
 - Ingredients (in descending amount). Allergens must be listed, if present.
 - Statement: **This product was made in a private home not subject to state licensing or inspection.**

Training and recipes:

A great way to help ensure the safety of the product that you sell is to follow a research-tested recipe. Excellent sources of approved recipes are:

- Ball Blue Book (1994 or more current only)
 - Ball Canning web site: www.freshpreserving.com
 - National Center for Home Food Preservation: www.uga.edu/nchfp/
 - University of Wisconsin Extension: fyi.uwex.edu/safepreserving/
- Questions about recipes? Contact Barbara Ingham (Extension specialist) 608-263-7383 or email Barbara Ingham at bingham@wisc.edu .

What about...

Under the new law, there can be **no sales**:

- Out of your home, on your farm or at a roadside stand
- Wholesale (resale by someone else)
- On consignment
- Via the internet OR out of state
- Of exempt foods (pickle bill products) along with licensed foods at the same table

As your business becomes more and more successful, you'll want to consider becoming licensed. Contact the Wisconsin Department of Agriculture, Trade and Consumer Protection at 608-224-4682.



