

State of Wisconsin



2009 Assembly Bill 229

Date of enactment: **February 4, 2010**
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2009 WISCONSIN ACT 101

AN ACT *to renumber* 97.29 (2) (b); and *to create* 97.29 (2) (b) 2. and 97.29 (6) of the statutes; **relating to:** the sale of home-canned food.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 97.29 (2) (b) of the statutes is renumbered 97.29 (2) (b) 1.

SECTION 2. 97.29 (2) (b) 2. of the statutes is created to read:

97.29 (2) (b) 2. A person is not required to obtain a license under this section to sell at retail food products that the person prepares and cans at home in this state if all of the following apply:

a. The food products are pickles or other processed vegetables or fruits with an equilibrium pH value of 4.6 or lower.

b. The person sells the food products at a community or social event or a farmers' market in this state.

c. The person receives less than \$5,000 per year from the sale of the food products.

d. The person displays a sign at the place of sale stating: "These canned goods are homemade and not subject to state inspection."

e. Each container of food product that is sold is labeled with the name and address of the person who pre-

pared and canned the food product, the date on which the food product was canned, the statement "This product was made in a private home not subject to state licensing or inspection.", and a list of ingredients in descending order of prominence. If any ingredient originates from milk, eggs, fish, crustacean shellfish, tree nuts, wheat, peanuts, or soybeans, the list of ingredients shall include the common name of the ingredient.

SECTION 3. 97.29 (6) of the statutes is created to read:

97.29 (6) INFORMATION ABOUT HOME CANNING. (a) The department shall encourage persons to whom the exemption in sub. (2) (b) 2. applies to attend and complete training, that is approved by the department, concerning preparing and canning foods and to have their recipes and processes reviewed by a person who is knowledgeable about the food canning industry and who is recognized by the department as an authority on preparing and canning food.

(b) The department, in cooperation with the University of Wisconsin-Extension, shall attempt to maximize the availability of information and technical services and support for persons who wish to home prepare and home can low-acid and acidified food products.

* Section 991.11, WISCONSIN STATUTES 2007-08 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].