



## 2009 ASSEMBLY BILL 229

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

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*Analysis by the Legislative Reference Bureau*

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

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

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

5     97.29 **(2)** (b) 2. A person is not required to obtain a license under this section  
6     to sell at retail food products that the person prepares and cans at home in this state  
7     if all of the following apply:

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

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

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

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

5 e. Each container of food product that is sold is labeled with the name and  
6 address of the person who prepared and canned the food product, the date on which  
7 the food product was canned, the statement “This product was made in a private  
8 home not subject to state licensing or inspection.”, and a list of ingredients in  
9 descending order of prominence. If any ingredient originates from milk, eggs, fish,  
10 crustacean shellfish, tree nuts, wheat, peanuts, or soybeans, the list of ingredients  
11 shall include the common name of the ingredient.

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

13 97.29 (6) INFORMATION ABOUT HOME CANNING. (a) The department shall  
14 encourage persons to whom the exemption in sub. (2) (b) 2. applies to attend and  
15 complete training, that is approved by the department, concerning preparing and  
16 canning foods and to have their recipes and processes reviewed by a person who is  
17 knowledgeable about the food canning industry and who is recognized by the  
18 department as an authority on preparing and canning food.

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

23 (END)