

Wisconsin Act 101, commonly referred to as the Pickle Bill of 2010, allows you to sell select home-canned foods without a license under certain limited circumstances.

It is important to remember that all food processors are legally liable for what they sell, regardless of licensing.

Please note that this is a narrow exception to the law; **most foods sold in Wisconsin must be produced in a licensed facility.**

Products you **CANNOT** sell without a license

Processed fruits or vegetables with an equilibrium pH higher than 4.6

Examples of prohibited products with a pH higher than 4.6:

- **Low-acid vegetables:** artichokes, asparagus, corn, all types of beans, beets, broccoli, Brussels sprouts, cabbage, carrots, cauliflower, horseradish, eggplant, mushrooms, peas, most peppers, potatoes, squash, spinach

Processed non-fruits or non-vegetables with an equilibrium pH lower than 4.6

Examples of prohibited products with a pH lower than 4.6:

- **Fish, meat, pickled eggs, lemon curd, pesto, sauces, dressings or condiments**

Bakery items, dried or packaged foods or other processed foods

Sales Permitted

- No more than \$5,000 per year per person
- Retail only (direct from producer to consumer)
- Allowed at community or social events, flea markets or farmers' markets in Wisconsin

Sales NOT Permitted

- Out of your home
- Wholesale (resale by someone else)
- On consignment
- Via the internet or out of state
- Of exempt foods (pickle bill products) along with licensed foods



Signs and Labels Required

Sign at the point of sale, stating the following **"These canned goods are homemade and not subject to state inspection."**

Product labels **must** include:

- Name and address of the person who did the canning
- Date of canning
- Statement: "This product was made in a private home not subject to state licensing or inspection."
- All ingredients in descending order of prominence, including the common name for any ingredient that originates from milk, eggs, fish, shellfish, tree nuts, peanuts, wheat or soybeans as these are ingredients that can cause severe allergic reactions in some people, who must be able to recognize when they are present.

Training and Recipes

The Division of Food Safety strongly encourages attending proper training and the use of standardized recipes for canning allowable products. It is recommended, that you:

Complete an at-home canning safety course offered by University of Wisconsin-Extension or other training approved by the Food Safety Division

Or use recipes and processes from:

- The Ball Blue Book (available in bookstores and online)
- The Ball Complete Book of Home Preserving (available in bookstores and online)
- The Ball web site
- The National Center for Home Food Preservation web site
- The University of Wisconsin-Extension
- Or use recipes and processes reviewed by a person who is recognized by the Division of Food Safety as an authority on preparing and canning food.

Testing pH

The Division of Food Safety strongly recommends testing your finished product for equilibrium pH to ensure it is 4.6 or lower

- Test the first batch of each recipe you make during the production season.
- Review the University of Wisconsin-Extension information about pH and choosing a pH meter.
- Ensure the pH meter is properly calibrated on the day of use.
- Alternatively you may use short-range paper pH test strips (litmus paper) if the product normally has a pH of 4.0 or lower and the paper's range includes the pH of 4.6.

