SELLING MINNESOTA
Do You Need a License?

First - Are You "Selling" Food?

In Minnesota, “sell” or “sale” means any time food changes hands in any way:

- Minnesota Statute 34.01: Sell, sale, “Sell” and “sale” mean keeping, offering, or exposing for sale, use, transporting, transferring, negotiating, soliciting, or exchanging food, having in possession with intent to sell, use, transport, negotiate, solicit, or exchange food, storing, manufacturing, producing, processing, packing, and holding for sale, disposing or giving food, or supplying or offering food in the conduct of any food operation or carrying food in aid of traffic in food whether done or permitted in person or through others.

So, yeah... probably.

Personal production of food for home use

- NOT Regulated

Direct sale producer to consumer OR
- Sale by producer to food facility in local supply chain (Cottage Food Law does not apply)

- NO off-form ingredients
- NO License

Sale of producer’s product by another entity in local supply chain

- YES License
- Also need USDA or FDA registration

Feel stuck in the food licensing process?

Contact the Food Innovation Team (FIT)
2018-20 Co-chairs: Jane Jewett, jewet006@umn.edu
and Kathy Zeman, kzeman@mfina.org

Want more information on local food sales?

The following fact sheets provide up to date information on regulations in Minnesota for the selling of local foods.

SELLING MINNESOTA
AGGREGATION OF FARMERS’ PRODUCE
SELLING MINNESOTA MEAT PRODUCTS
SELLING MINNESOTA PRODUCE
SELLING MINNESOTA POULTRY PRODUCTS
SELLING MINNESOTA SHELL EGGS
APPROVED WATER SUPPLY
For Rural Food Businesses

You can find them here:
www.misa.umn.edu/publications/local-food-fact-sheet-series

LOCAL FOODS

0 PERSONAL PRODUCTION: back yard gardens, community gardens, canning/preserving, hunting/foraging
1 FARMER DIRECT: farmers’ market, CSA (community supported agriculture)
2 SUPPLY CHAIN PARTNERS: food hubs, local distributors, food co-ops, restaurants

Adapted from Tiers of the Food System. Center for Integrated Agricultural Systems, University of Wisconsin-Madison.
Who Regulates Food?

**DEPARTMENT OF AGRICULTURE**

Minnesota Statute 28A:
www.revisor.mn.gov/statutes/cite/28A

MDA has authority over food products that are not ready-to-eat: anything that needs to be prepared or at least unwrapped before it is eaten.

Delegated authorities under MDA are cities or counties that regulate and inspect retail businesses such as grocery and convenience stores within their boundaries. Contact MDA Food Inspection Program: 651-201-6027.

**DEPARTMENT OF HEALTH**

Minnesota Statute 157:
www.revisor.mn.gov/statutes/cite/157

MDH has authority over food that is served ready-to-eat.

Delegated authorities under MDH are cities or counties that regulate and inspect food service establishments within their boundaries. Find MDH food licensing information:

www.health.state.mn.us/divs/eh/food/license/

Blazing Trails through the Jungle of Food Regulations

Get help selling food in Minnesota. The Blazing Trails project can help you navigate the laws and regulations.

Who Should Attend?
1. ANYONE with a passion for their local farms and local food …
2. Who sees potential for local food systems where they live …
3. But is confused or intimidated by food regulations.

You can learn more about the following subjects at a Blazing Trails workshop:

- Approved Source
- Community Supported Agriculture
- Cottage Food
- Farmers’ Markets
- Farm to School
- Farm to Childcare
- Farm to Institution
- Food Demonstration & Sampling
- Food Processing
- Produce Safety
- Product of the Farm
- Retail
- Wholesale

Register for a Blazing Trails Workshop in Your County

Work with your local SHIP coordinator! Register at this link:
https://cfans.umn.edu/forms/localfood-regulations-training/

Or contact a trainer:

Jane Grimsbo Jewett
Associate Director
Minnesota Institute for Sustainable Agriculture
jewet006@umn.edu
218-670-0066

Brett Olson
Creative Director & Co-Founder
Renewing the Countryside
brett@rtcinfo.org

Kathy Zeman
Executive Director
Minnesota Farmers’ Market Association
kzman@mfma.org

This is a half-day (3.5 to 4 hour) training. Training dates are available from January 2019 through August 2020.

Regulations Protect Food Safety

Foodborne illness can occur when food is contaminated in the steps from farm to table. Any item that will become human food requires thought and care for food safety.