

Farmers' Market Aggregation Project

Sale of items other than fresh, raw produce

Sale of local foods in addition to fresh, raw fruits, vegetables, cultivated mushrooms, and herbs is allowed for the farmers' market aggregation project, so long as markets adhere to the following guidelines:

1. Anything that is not a specialty crop must be tracked and reported to Renewing the Countryside at the end of the season as non-specialty crop sales. This is necessary because the primary grant funding for this project is a Specialty Crop Block Grant. The project team has to document and report the percentage of total sales that were non-specialty crops. More information about what is or is not a specialty crop:
<https://www.ams.usda.gov/services/grants/scbgb/specialty-crop>
2. Only products legal for sale to food businesses can be sold through farmers' market aggregation. No food produced under the Cottage Foods exemption will be legal for sale to food businesses. Refer to the following chart for general guidelines on legality of products. Contact your MDA inspector if you are in doubt about legality of a particular product.

Current Good Manufacturing Practices (CGMPs) are mentioned repeatedly in the table below, because they are required for processing of any food product for sale to farmers' market aggregation enterprises^{1,2}. Refer to this document from FDA:

Guidance for Industry: What You Need to Know About the FDA Regulation: Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Human Food; Small Entity Compliance Guide.

<https://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/ucm525201.htm>

Processed food products may require the farmer or food maker to have a license. This is noted in the table below. Refer farmers and food makers to the MDA wholesale food processing or manufacturing license: <http://www.mda.state.mn.us/wholesale-food-processormanufacturer>

All packaged products must be labeled. Labels must include the name and address of the farmer or food producer, the package contents, ingredients, net weight (or volume in fluid ounces for a liquid), and identification of any allergens. Refer to FDA's Food Labeling Guide:

<https://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/LabelingNutrition/ucm2006828.htm>

¹ 21 Code of Federal Regulations 110: Current Good Manufacturing Practice in Manufacturing, Packing, or Holding Human Food. <https://www.gpo.gov/fdsys/granule/CFR-2011-title21-vol2/CFR-2011-title21-vol2-part110/content-detail.html>

² 21 Code of Federal Regulations 117: Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Human Food. <https://www.gpo.gov/fdsys/granule/CFR-2016-title21-vol2/CFR-2016-title21-vol2-part117>

And Minnesota Rules 1550:

<https://www.revisor.mn.gov/rules/pdf/1550/2018-01-03%2015:53:17+00:00>

Product Type	Specialty Crop	OK for markets to purchase and resell?
Cut, sliced, peeled, shredded, or frozen fresh fruits or vegetables	Yes	<p>YES, with no license required from the farmer who grew it and processed it with no added ingredients. Processing must follow CGMPs in a sanitary facility that is not a home kitchen. Refer farmers to Selling Minnesota Produce: http://misadocuments.info/LFAC_local_produce.pdf</p> <p>Yes if bought from someone other than the farmer, who has the correct MDA license, CGMPs, and facility to buy, process, and re-sell produce.</p>
Maple Syrup, Raw or Processed Honey	Yes	<p>Yes with no license required from the producer if no off-farm ingredients are added and the honey or maple syrup is extracted or processed and bottled following CGMPs in a sanitary facility that is not a home kitchen.</p> <p>Yes if bought from the farmer or someone else with the correct MDA license, CGMPs and facility to purchase and re-sell honey or maple syrup from other farmers.</p> <p><i>Recommended for honey: Include on the label a statement that honey should not be fed to infants under 12 months old.</i></p>
Flavored honey or maple syrup; honey or maple syrup with added ingredients; products made with more than 50% honey	Yes	<p>YES, with no license required from the farmer if they add no off-farm ingredients and follow CGMPs in a sanitary facility that is not a home kitchen.</p> <p>Yes from the farmer or someone else if they have the correct MDA license, CGMPs, and facility to add purchased ingredients and sell products.</p> <p>NO if the ingredient additions were done in a home kitchen or under the Cottage Food exemption.</p> <p><i>Recommended for honey: Include on the label a statement that honey should not be fed to infants under 12 months old.</i></p>
Products made with less than 50% honey	NO	<p>YES, with no license required from the farmer if they add no off-farm ingredients and follow CGMPs in a sanitary facility that is not a home kitchen.</p>

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		<p>Yes from the farmer or someone else if they have the correct MDA license, CGMPs, and facility to add ingredients and sell products.</p> <p>NO if products were made in a home kitchen or made under the Cottage Food exemption.</p> <p><i>Recommended for honey: Include on the label a statement that honey should not be fed to infants under 12 months old.</i></p>
<p>Jam, jelly, fruit spreads containing more than 50% fruit</p> <p>Canned fruit or fruit sauces that are naturally acidic (pH < 4.6) without the addition of acidifiers like vinegar or lemon juice</p>	Yes	<p>YES, with no license required from the farmer if they add no off-farm ingredients and follow CGMPs in a sanitary facility that is not a home kitchen.</p> <p>Yes from the farmer or someone else if they have the correct MDA license, CGMPs, and facility to process fruit, add ingredients, and sell products.</p> <p>NO if products were made in a home kitchen or made under the Cottage Food exemption.</p>
<p>Jam, jelly, fruit spreads containing less than 50% fruit</p>	No	<p>YES, with no license required from the farmer if they add no off-farm ingredients and follow CGMPs in a sanitary facility that is not a home kitchen.</p> <p>Yes from the farmer or someone else if they have the correct MDA license, CGMPs, and facility to process fruit, add ingredients, and sell products.</p> <p>NO if products were made in a home kitchen or made under the Cottage Food exemption.</p>
<p>Fruit juice</p>	Yes	<p>YES, with no license required from the farmer who grew the fruit if the juice is produced according to CGMPs in a sanitary facility that is not a home kitchen.</p> <p>YES, from someone else with the correct MDA license who follows CGMPs in an approved facility to buy fruit, extract juice, process it and package it for sale.</p>

Product Type	Specialty Crop	OK for markets to purchase and resell?
		<p><i>Note: Juice production for wholesale sales, whether or not the juice maker is licensed, requires a Juice HACCP³ plan in addition to other requirements.</i></p> <p>NO if products were made in a home kitchen or made under the Cottage Food exemption.</p>
<p>Canned pickled fruits or vegetables with added acidifiers like vinegar or lemon juice</p> <p>Canned salsa or other fruit and vegetable blends with more than 50% fruits or vegetables and with added acidifiers like vinegar or lemon juice</p> <p>Canned acidified condiments containing more than 50% specialty crops (e.g. some BBQ sauces, prepared horseradish, sriracha) and added acidifiers like vinegar or lemon juice</p>	<p>Yes</p>	<p>YES, with no license required from the farmer if they add no off-farm ingredients and follow CGMPs in a sanitary facility that is not a home kitchen.</p> <p>Yes from the farmer or someone else if they have the correct MDA license, CGMPs, and facility to process raw produce, add ingredients, and sell products.</p> <p><i>Note: Acidified food production for sale, whether or not the food producer is licensed, requires Better Process Control School certification of training, approval from a Process Authority, and registration with FDA in addition to other requirements. Refer producers to U of MN Extension: https://extension.umn.edu/food-safety/food-processors.</i></p> <p>NO if products were made in a home kitchen or made under the Cottage Food exemption.</p>
<p>Canned acidified condiments containing less than 50%</p>	<p>No</p>	<p>YES, with no license required from the farmer if they add no off-farm ingredients and follow CGMPs in a sanitary facility that is not a home kitchen.</p>

³ 21 Code of Federal Regulations 120: Hazard Analysis and Critical Control Point (HACCP) Systems. <https://www.gpo.gov/fdsys/granule/CFR-2012-title21-vol2/CFR-2012-title21-vol2-part120>

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specialty crops (e.g. some BBQ sauces, prepared mustard) and with added acidifiers like vinegar or lemon juice		<p>Yes from the farmer or someone else if they have the correct MDA license, CGMPs, and facility to process raw product, add ingredients, and sell products.</p> <p><i>Note: Canning acidified foods for sale, whether or not the food producer is licensed, requires Better Process Control School certification of training, approval from a Process Authority, and registration with FDA in addition to other requirements. Refer producers to U of MN Extension: https://extension.umn.edu/food-safety/food-processors.</i></p> <p>NO if products were made in a home kitchen or made under the Cottage Food exemption.</p>
Canned fermented vegetables or fruits that are naturally acidic due to fermentation (e.g. kimchi, sauerkraut)	Yes	<p>YES, from the farmer with no license if they add no off-farm ingredients and follow CGMPs in a sanitary facility that is not a home kitchen.</p> <p>Yes from the farmer or someone else if they have the correct MDA license, CGMPs, and facility to ferment the raw product and/or add ingredients, and sell products.</p> <p>NO if products were made in a home kitchen or made under the Cottage Food exemption.</p>
Canned low-acid vegetables, fruits, or mixtures containing more than 50% specialty crops	Yes	<p>YES, from the farmer with no license if they add no off-farm ingredients and follow Good Manufacturing Practices (GMPs) in a sanitary facility that is not a home kitchen.</p> <p>Yes from the farmer or someone else if they have the correct license, GMPs, and facility to buy, process, add ingredients, and re-sell products.</p> <p><i>Note: Canning low-acid foods for sale, whether the producer is licensed or not, requires Better Process Control School certification of training, approval from a Process Authority, and registration with FDA in addition to other requirements. Refer producers to Better Process Control Schools: https://www.gmaonline.org/resources/science-education-foundation/better-process-control-schools/.</i></p> <p>NO if products were made in a home kitchen. (Low-acid foods cannot be canned under the Cottage Food exemption.)</p>

Product Type	Specialty Crop	OK for markets to purchase and resell?
Breads, other baked goods	No	<p>YES, from someone with the correct MDA license who follows Good Manufacturing Practices (GMPs) in an approved facility.</p> <p>NO if products were made in a home kitchen or made under the Cottage Food exemption.</p>
Whole grains with no added ingredients	No	<p>YES, with no license required from the farmer who grew the grain. The grain must be cleaned and packaged according to CGMPs in a sanitary facility that is not a home kitchen.</p> <p>YES, from someone else with correct MDA license(s), who follows Good Manufacturing Practices (GMPs) in an approved facility to purchase, package, label, and re-sell grain from farmers.</p>
Meal or flour made from grains, with no added ingredients	No	<p>YES, with no license required from the farmer who grew the grain. The grain must be cleaned, milled and packaged according to CGMPs, in a sanitary facility that is not a home kitchen.</p> <p>YES, from someone else with correct license(s), who follows CGMPs in an approved facility to purchase grain from farmers, mill it, package, label, and sell it.</p> <p>NO if the products were made in a home kitchen or made under the Cottage Food exemption.</p>
Dry mixes or blends of grains and other ingredients (e.g. pancake mix, muffin mix, granola)	No	<p>YES, from someone with correct MDA license(s), who follows CGMPs in an approved facility to blend, package, label, and sell the products.</p> <p>NO if the products were made in a home kitchen or made under the Cottage Food exemption.</p>
Dry beans or peas	Yes	<p>YES, with no license required from the farmer who grew the beans. The beans must be cleaned and packaged according to CGMPs, in a sanitary facility that is not a home kitchen.</p> <p>YES, from someone with correct MDA license(s), who follows CGMPs in an approved facility to purchase, package, label, and sell dry beans from farmers.</p>

Product Type	Specialty Crop	OK for markets to purchase and resell?
Dried fruits, vegetables, herbs, or cultivated mushrooms	Yes	<p>YES, with no license required from the farmer who grew the produce. The produce must be dried and packaged with no added ingredients, according to CGMPs, in a sanitary facility that is not a home kitchen.</p> <p>YES, from someone else with correct MDA license(s), who follows CGMPs in an approved facility to purchase, package, label, and sell dried produce from farmers.</p> <p>NO if the products were dried in a home kitchen or dried under the Cottage Food exemption.</p>
Dried blends or mixes containing fruits, vegetables, herbs, or cultivated mushrooms; with or without other ingredients (e.g. soup mixes, dried herb blends)	Maybe. If more than 50% of the ingredients in the blend are specialty crops, the product counts as a specialty crop.	<p>YES, from the farmer with no license required if the farmer grew all the ingredients in the blend. The produce must be dried, blended, and packaged according to CGMPs in a sanitary facility that is not a home kitchen.</p> <p>YES, from the farmer or someone else with the correct MDA license, GMPs, and facility to mix and package dried ingredients with or without added off-farm ingredients.</p> <p>NO if the products were made in a home kitchen or made under the Cottage Food exemption.</p>
Coffee beans, whole or ground	No (Coffee is on the list of specialty crops but only counts for this project if grown in MN)	<p>YES, from someone with the correct license, Good Manufacturing Practices (GMPs), and facility to roast, grind, and package coffee beans for sale.</p> <p>NO if the coffee beans are roasted, ground, or packaged in a home kitchen or under the Cottage Food exemption.</p>
Vegetable oils (e.g. sunflower, canola, soybean, camelina)	No	<p>YES, with no license required from the farmer who grew the oilseed crop and did the oil extraction and bottling according to CGMPs in a sanitary facility that is not a home kitchen.</p> <p>YES, from someone else with the correct license(s), CGMPs, and facility to purchase oilseeds from farmers, extract oil, bottle it, and sell it.</p> <p>NO if the oil is extracted and/or bottled in a home kitchen.</p>
Meat and Poultry	No	Packages must bear the mark of inspection; either USDA or Minnesota Equal-To.

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		<p>The market must have a commercial freezer to hold and transport frozen meat. Seek approval from the market's MDA inspector.</p>
Eggs	No	<p>Farmers selling eggs from their own flock of fewer than 3,000 hens are exempt from licensing and USDA registration; but should be registered with MDA as a small flock producer. Refer farmers to the registration form: http://mda.state.mn.us/sites/default/files/2018-05/ag02433eggx_0.pdf</p> <p>Anyone else selling eggs must be either licensed through the MN Dept of Agriculture, or registered with USDA AMS, or both. Refer to Selling Minnesota Shell Eggs: http://misadocuments.info/LFAC_local_eggs.pdf</p> <p>Eggs must be properly candled, graded, weighed, and labeled.</p> <p><i>If the market is going to candle/grade eggs from farmers onsite at the market location, then the market would need to be registered with USDA as a grading station in addition to the MDA wholesale food handler license.</i></p> <p><i>The market must have a commercial refrigerator to hold and transport eggs. Eggs must be held and transported at 45°F or less.</i></p>
Partially prepared, heat-and-serve foods with NO meat (e.g. bean burritos, veggie spring rolls, cheese or veggie pizza)	Maybe; the product must contain >50% specialty crop ingredients to qualify	<p>YES, with no license required from the farmer if the farmer grows 100% of the ingredients and produces the product according to CGMPs in a sanitary facility that is not a home kitchen.</p> <p>YES, from the farmer or someone else with the correct license, CGMPs, and facility to use multiple ingredient sources to produce the product for wholesale sales.</p> <p>NO if the products are made in a home kitchen (these product types are not allowed under the Cottage Food exemption.)</p> <p><i>The market must have a commercial freezer or refrigerator to hold and transport these foods, and approval from the market's MDA inspector.</i></p>

Product Type	Specialty Crop	OK for markets to purchase and resell?
Partially prepared, heat-and-serve foods with meat (e.g. beef burritos, pork spring rolls, pepperoni pizza)	No	<p>YES, from someone with BOTH the correct license to produce the product for wholesale sales AND with continuous (i.e., daily) inspection by either USDA-FSIS or the Minnesota Equal-To meat inspection program.</p> <p><i>The market must have a commercial freezer or refrigerator to hold and transport these foods, and approval from the market's MDA inspector.</i></p>