

# 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 of food for sale; dispensing or giving food; or supplying or applying food in the conduct of any food operation or carrying food in aid of traffic in food whether done or permitted in person or by mail. [www.revisor.mn.gov/statutes/cite/34A.01](http://www.revisor.mn.gov/statutes/cite/34A.01)

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 laws not apply)

NO off-farm ingredients

**NO** License

but inspections may be needed

off-farm ingredients added

**YES** MN License

SEES exemptions under Cottage Food Law

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

**YES** MN License

may also need VASA or FSA registrations

## Feeling stuck in the licensing process?

Contact the Food Innovation Team (FIT).

2018-20 Co-Chairs:

Jane Jewett, [jewet006@umn.edu](mailto:jewet006@umn.edu)

Kathy Zeman, [kzeman@mfma.org](mailto:kzeman@mfma.org)

## Want more information on local food sales?

The following fact sheets provide up to date information on regulations in MN for selling local food:

- Aggregation of Farmers' Produce**
- Selling Minnesota Produce**
- Selling Minnesota Meat**
- Selling Minnesota Poultry Products**
- Selling Minnesota Shell Eggs**
- Approved Water Supply for Rural Food Businesses**

Find them here:

[www.misa.umn.edu/publications/local-food-fact-sheet-series](http://www.misa.umn.edu/publications/local-food-fact-sheet-series)

## What is Local Food?

### 0 Personal Production of Food

*backyard gardens, community gardens, hunting, fishing*

### 1 Farmer Direct

*farmers' markets, CSA, farm stand*

### 2 Supply Chain Partners

*grocery stores, restaurants, food hubs, local distributors*

*Adapted from Tiers of the Food System, Center for Integrated Agricultural Systems, University of Wisconsin-Madison*

- Regulations**
- Inspections**
- Exclusions**
- Licenses**
- Exemptions**
- Registration**

# SELLING MINNESOTA LOCAL FOODS

## Who Regulates Food?



MN Statute 28A:  
[www.revisor.mn.gov/statutes/cite/28A](http://www.revisor.mn.gov/statutes/cite/28A)

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

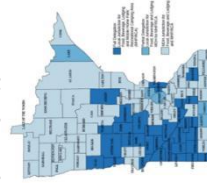
Delegated authorities under MDA are cities or counties that regulate and inspect retail businesses such as grocery and convenience stores within their boundaries. Contact MDA Food Inspection Program: 651-201-6027.



[www.revisor.leg.state.mn.us/statutes/cite/157](http://www.revisor.leg.state.mn.us/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/](http://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 regulations.

### Who should attend?

- Anyone with a passion for their local farms and local food ...
- Who sees potential for local food systems where they live ...
- 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

[www.misa.umn.edu/resources/blazing-trails](http://www.misa.umn.edu/resources/blazing-trails)



## Blazing Trails Workshop in Your County:

RSVP by contacting Tina Moen at [tmoen@co.wabasha.mn.us](mailto:tmoen@co.wabasha.mn.us) or 651-565-5200

**When:** April 30, 2019 from 8-noon

### Location:

Wabasha County Public Health  
411 Hiawatha Drive East  
Wabasha MN, 55981



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