

Food and Feed Safety Division, Ph. 651-201-6081

Requires New License #

Minn. Stat. Sec. 28A.152

20__ Cottage Food Producer Registration

The data on this form will be used to process your application. You must provide your Minnesota Tax ID number. If you do not have one, you must provide your social security number (MS Sec 270C.72). We are required by law to collect this information and we cannot grant your registration without it. No one will have access to your social security number except those permitted access by law, your written consent, court order, or those department employees whose job duties require access. If you are unsure if you need a Minnesota Tax ID, contact the Minnesota Department of Revenue at www.taxes.state.mn.us.

This registration is for individuals only (including sole-proprietorships). Businesses such as firms, partnerships, corporations, societies, associations, companies, and corporations may not be registered as a cottage food producer.

Individual Name	Minnesota Tax ID (NOT FEDERAL) or Social Security #	
Operating As	Mailing Address (If Different)	
Physical Street Address (no PO Box)	City, State, Zip Code	
City, State, Zip Code	Contact Home #	Contact Cell #
County	Accepting Text Messages? Yes No	
Email	Website Address or Weblink for Facebook Page	

Registration Type - Select One

\$0-\$5,000 in annual sales (no fee) \$5,001-\$18,000 in annual sales (\$50 fee) 600545 (3100)

Please List Common or Usual Name of Products You Propose to Manufacture as a 28A.152 Exempt Cottage Food Producer.
If Necessary, Include a Brief Description of the Product.

- | | |
|----------|----------|
| 1. _____ | 5. _____ |
| 2. _____ | 6. _____ |
| 3. _____ | 7. _____ |
| 4. _____ | 8. _____ |

Complete and Submit the Following to the Address Below

Cottage Food Producer Registration Application
\$50 payment if applicable (annual sales greater than \$5,000)
Please make checks payable to: Minnesota Department of Agriculture

Minnesota Department of Agriculture
Attn: Cashier
625 Robert Street North
Saint Paul, MN 55155-2538

OR

If no payment is included, complete registration materials
can be sent in electronically to the following address:
mda.cottagefood@state.mn.us

By signing this form I certify that I understand I can sell only food exempt under 28A. 152 that I have produced and that it must have a label attached with my name, address, zip code, a listing of ingredients including any allergens, and the date the food was produced. I understand that I must post a sign stating "these products are homemade and not subject to state inspection". If I sell on the internet I must post a notice that the "food is homemade and not subject to state inspection" on my webpage. I understand that I must register annually and if my sales exceed \$5000, I must also pay a registration fee. I certify that I have taken the required training as specified by MDA. I hereby certify that the information contained in the submitted with this form is true and correct. See warning on back of this form.

Signature _____ Date _____

Name (Please Print) _____

For Office Use Only

Cottage Foods Exemption

Minnesota Statutes [2015] Section 28A.152

Subdivision 1. Licensing Provisions Applicability

- (a) The licensing provisions of sections 28A.01 to 28A.16 do not apply to the following:
- (1) an individual who prepares and sells food that is not potentially hazardous food, as defined in Minnesota Rules, part 4626.0020, subpart 62, if the following requirements are met:
 - (i) the prepared food offered for sale under this clause is labeled to accurately reflect the name and address of the individual preparing and selling the food, the date on which the food was prepared, and the ingredients and any possible allergens; and
 - (ii) the individual displays at the point of sale a clearly legible sign or placard stating: "These products are homemade and not subject to state inspection."; and
 - (2) an individual who prepares and sells home-processed and home-canned food products if the following requirements are met:
 - (i) the products are pickles, vegetables, or fruits having an equilibrium pH value of 4.6 or lower;
 - (ii) the products are home-processed and home-canned in Minnesota;
 - (iii) the individual displays at the point of sale a clearly legible sign or placard stating: "These canned goods are homemade and not subject to state inspection."; and
 - (iv) each container of the product sold or offered for sale under this clause is accurately labeled to provide the name and address of the individual who processed and canned the goods, the date on which the goods were processed and canned, and ingredients and any possible allergens.
- (b) An individual who qualifies for an exemption under paragraph (a), clause (2), is also exempt from the provisions of sections 31.31 and 31.392.

Subdivision 2. Direct Sales to Consumers

- (a) An individual qualifying for an exemption under subdivision 1 may sell the exempt food:
- (1) directly to the ultimate consumer;
 - (2) at a community event or farmers' market; or
 - (3) directly from the individual's home to the consumer, to the extent allowed by local ordinance.
- (b) If an exempt food product will be delivered to the ultimate consumer upon sale of the food product, the individual who prepared the food product must be the person who delivers the food product to the ultimate consumer.
- (c) Food products exempt under subdivision 1, paragraph (a), clause (2), may not be sold outside of Minnesota.
- (d) Food products exempt under subdivision 1 may be sold over the Internet but must be delivered directly to the ultimate consumer by the individual who prepared the food product. The statement "These products are homemade and not subject to state inspection." must be displayed on the Web site that offers the exempt foods for purchase.

Subdivision 3. Limitation on Sales

An individual selling exempt foods under this section is limited to total sales with gross receipts of \$18,000 or less in a calendar year.

Subdivision 4. Registration

An individual who prepares and sells exempt food under subdivision 1 must register annually with the commissioner. The annual registration fee is \$50. An individual with \$5,000 or less in annual gross receipts from the sale of exempt food under this section is not required to pay the registration fee.

Subdivision 5. Training

- (a) An individual with gross receipts between \$5,000 and \$18,000 in a calendar year from the sale of exempt food under this section must complete a safe food handling training course that is approved by the commissioner before registering under subdivision 4. The training shall not exceed eight hours and must be completed every three years while the individual is registered under subdivision 4.
- (b) An individual with gross receipts of less than \$5,000 in a calendar year from the sale of exempt food under this section must satisfactorily complete an online course and exam as approved by the commissioner before registering under subdivision 4. The commissioner shall offer the online course and exam under this paragraph at no cost to the individual.

Subdivision 6. Local Ordinances

This section does not preempt the application of any business licensing requirement or sanitation, public health, or zoning ordinance of a political subdivision.

Subdivision 7. Account Established

A cottage foods account is created as a separate account in the agricultural fund in the state treasury for depositing money received by the commissioner under this section. Money in the account, including interest, is appropriated to the commissioner for purposes of this section.

WARNING

Pursuant to Minn. Stat. 34A.05, a person is guilty of a gross misdemeanor if they knowingly make or offer a false statement on an application for registration, license or permit; during investigation of a violation; or on a record or report. **A person may lose their registration if they use fraudulent and deceptive practices to avoid following Minnesota food laws.**