Cottage Food Producer Registration Training

Required for Gross Annual Food Sales of $7,665 or Less (Tier 1)

Revised December 23, 2021

In accordance with the Americans with Disabilities Act, this information is available in alternative forms of communication upon request by calling 651-201-6000. TTY users can call the Minnesota Relay Service at 711. The MDA is an equal opportunity employer and provider.
Training Agenda

• Summary of Changes Effective August 1, 2021, and January 1, 2022

• Overview of the Cottage Foods Exemption
  • Who qualifies?
  • What makes a food non-potentially hazardous?
  • Which foods and pet treats can and cannot be sold?
  • Where can foods and pet treats be sold?

• Safe Food Handling Practices

• Packaging and Labeling

• Registration Process
What has Changed in Cottage Food Law?

• Sales limits raised:
  - Overall gross annual receipts to $78,000 (up from $18,000)
  - Registration fee exemption to $7,665 (up from $5,000)
• Pet treats added for cats and dogs (not pet food)
• An individual registrant can organize their cottage food business as a business entity recognized by state law
• Labeling must now include the name and registration number OR the name and address; and the statement “These products are homemade and not subject to state inspection.”
• Water activity value of 0.85 specified in what makes a food non-potentially hazardous
What is the Cottage Foods Exemption?

- Minnesota Statute 28A.152 – Cottage foods exemption
- Minnesota Statute 25.391 – Exemption for home-processed pet treats
- Qualifying individual does not need a license to sell food or pet treats
- Must follow ALL the restrictions in the statute
Who Qualifies as a Cottage Food Producer?

The cottage food exemption applies to individuals

• An individual who qualifies for the exemption may organize the individual’s cottage food business as a business entity recognized by state law

• Business entity name (registered LLC, etc.) or assumed business name can also be on registration, but is not required
Who Qualifies as a Cottage Food Producer?

An individual who:

• Prepares non-potentially hazardous food without a license or inspection

• Manufactures food in their home that does not require time or temperature controls for safety

• Sells and delivers the food directly to the end consumer (cannot mail the food)

• Sells from the home, at farmers’ markets, community events, or online

• Produces and sells home-canned pickles, fruits, and vegetables with an equilibrium pH of 4.6 or lower only in Minnesota
Who Qualifies as a Cottage Food Producer?

An individual who:

• Sells up to $78,000 gross annual sales per year

• Displays a sign that states, “These products are homemade and not subject to state inspection”

• Registers annually with the Minnesota Department of Agriculture after required training

• Follows local city, county, or township business licensing, sales prohibitions, and zoning requirements
Question:

Which of the following qualifies as a cottage food producer?

A. Groups of persons
B. Licensed retail food handlers
C. An individual
D. All of the above
Answer:

C. An individual

• To qualify as a cottage food producer, you must be an individual. You can organize your business as an entity recognized in state law.
What Is A Non-Potentially Hazardous Food?

- Home-canned pickles, fruits and vegetables with an equilibrium **pH of 4.6 or lower** (which means the food is acidic, making it more difficult for bacteria to grow)

- A food that has a **water activity of 0.85 or below** (which means the food product is relatively dry or has a high sugar or salt content that binds up the water, making it more difficult for bacteria to grow)

- If you need to refrigerate food to keep it safe, then the food does **not** qualify for the cottage food exemption
• If you use a standardized (Extension service or USDA approved and tested) canning recipe, testing your food product for pH or water activity is not required
  • Follow the recipe exactly
  • Retain recipe and source as documentation
• If using a non-standard recipe, you must have the product tested for safety by a lab
  • Test for pH ($\leq 4.6$), water activity ($\leq 0.85$) as appropriate
  • May also require a process authority evaluation
  • Alcohol content of some foods may need to be tested (E.g., flavored extracts)
Question:

What is the pH OR water activity level a food product must have to be sold under the cottage food exemption?

A. pH of 4.1 and water activity of 0.90
B. pH of 4.6 and water activity of 0.85
C. pH of 5.0 and water activity of 0.80
D. None of these are correct
Correct Answer:

B. pH of 4.6 and water activity of 0.85

• The highest pH value allowed for canned products under this exemption is 4.6 and the highest water activity allowed is 0.85.
Examples of Non-Potentially Hazardous Foods You CAN Make and Sell

- Acidified or acidic, home-canned and home-processed:
  - Fruits
  - Pickles
  - Vegetables
  - Fermented Foods
  - Vinegar
  - Condiments
- Baked goods
- Candy and confections
- Dried, dehydrated and roasted Items (beans, herbs, nuts, seeds)
- Icings, frostings, sugar art
- Jams, jellies, preserves, fruit butters
- Hulled hemp seeds, hemp seed oil, hemp seed powder can be added as ingredients in human foods

Depending on the recipe, some of these items could be potentially hazardous and may need to be lab tested.
Examples of Foods You **CANNOT** Make and Sell

- Food that originated from an animal or aquatic species (raw or cooked), such as charcuterie boards, baked salmon, dehydrated beef jerky
- Cooked plant food, such as cooked rice or steamed green beans
- Food that consists of raw seed sprouts, cut melons, cut fresh tomatoes, cut leafy greens, or garlic-, vegetable-, or herb-based oil mixtures (pesto is an example)
Examples of Foods You CANNOT Make and Sell

- Foods that contain Cannabidiol (CBD)
- Cheesecake
- Fresh cut fruit as a topping or garnish
- Fresh fruit or vegetable juice that is not heat treated
- Eggrolls or spring rolls
Question:

Which of the example product(s) listed below can be made and sold under the cottage food exemption?

A. Roasted walnuts  
B. Pickled green beans  
C. Chocolate chip cookies  
D. All of the above
Correct Answer:

D. All of the above

• Roasted walnuts, pickled green beans, and chocolate chip cookies can all be made and sold under the cottage food exemption.
Question:

True or False?

Food products containing cannabidiol (CBD) can be made and sold under the cottage food exemption.
Correct Answer:

False

• Cannabidiol (CBD) is not an approved ingredient for use in food products, which includes food products produced under the cottage food exemption.
Question:

Which of the example product(s) listed below can be made and sold under the cottage food exemption?

A. Cakes topped with cut fresh fruit garnish
B. Cheesecake
C. Charcuterie boards
D. Canned, pickled cucumbers
Correct Answer:

D. Canned, pickled cucumbers

• Fresh cut fruits, cheesecake, and charcuterie are considered potentially hazardous foods. They may not be prepared and sold under the cottage food exemption.
Pet Treats You **CAN** Make and Sell

- Baked or dehydrated dog and cat treats
  - E.g., oatmeal peanut butter biscuits
- Must also be considered “human safe”
- Must be appropriate and safe for the intended pet species
Pet Treats You **CANNOT** Make and Sell

- Pet treats containing hemp, hemp extract, hemp derivative, and CBD

- Pet treats of animal origin
  
  Examples: Frozen liver, raw ground venison, dehydrated turkey jerky
Pet Treats You **CANNOT** Make and Sell

- Pet treats containing common **human food ingredients** that are **not safe** for dogs and/or cats, include, but are not limited to:
  - Chocolate/cacao
  - Xylitol
  - Hops
  - Macadamia nuts
  - Onions
  - Garlic
  - Grapes and raisins

For more information about ingredients or products that are potentially toxic to dogs or cats, visit the links below.

- [https://www.petpoisonhelpline.com/poisons/](https://www.petpoisonhelpline.com/poisons/)
- [https://www.aspca.org/pet-care/animal-poison-control](https://www.aspca.org/pet-care/animal-poison-control)

If you have questions about the safety of a specific ingredient, contact the MDA Pet Food Unit at 651-201-6221
Question:

Pet treats can be produced and sold for which animal(s)?

A. Cats
B. Birds, fish, and reptiles
C. Dogs
D. Both A and C
Correct Answer: D. Both A and C

- Home-processed pet treats can only be made for dogs and cats under the exemption for cottage food producers.
Question:

Which of the example pet treat product(s) listed below can be made and sold under the cottage food exemption?

A. Frozen beef liver
B. Raw ground venison
C. Dehydrated turkey jerky
D. Oatmeal peanut butter biscuit
Correct Answer:

D. Oatmeal peanut butter biscuit

• A, B, and C are from animal origin. They may not be sold under the cottage food exemption.
Question:

True or False?

Pet treats containing hemp, hemp extract, including cannabidiol (CBD), can be made and sold under the cottage food exemption.
Correct Answer:

False

• Hemp, hemp extract, including CBD are not approved ingredients for use in pet treats.
Where Cottage Food and Pet Treats **CAN** be Sold

- Farmers’ markets
- Community events
- Online (delivered in-person)
- From your home if approved by local ordinances
Where Cottage Food and Pet Treats **CANNOT** be Sold

Cottage foods **CANNOT** be purchased by another business for resale.

Cottage foods **CANNOT** be sold in a retail store or by a licensed food business.

**Examples:**
- Grocery store
- Restaurant
- Convenience Store
- Gift Shop
- Clothing Store
- Consignment Store
- Boutique
QUESTION:
"I own my own gift shop. Can I sell cupcakes in my own shop that I make at home?"

ANSWER:
No, you CANNOT sell cottage foods in a retail store, even if you own the store.
Where Cottage Food and Pet Treats **CANNOT** be Sold

You **CANNOT** ship cottage food or pet treats through the mail or a delivery service.

You **CANNOT** sell your cottage food or pet treats in another state unless that state allows it. Minnesota cottage food regulations do not apply to other states.
Question:

True or False?

You can ship cottage foods and pet treats through the mail.
Correct Answer:

False

• Cottage foods and pet treats cannot be shipped in the mail or through a delivery service. They must be provided in-person to the consumer.
Question:

Where can cottage foods be sold?

A. In a grocery store
B. Directly from your home, online, farmers’ markets, and community events
C. Through the mail
D. At a restaurant
Correct Answer:

B. Directly from your home, online, farmers’ markets, and community events

• Cottage food products may be sold directly from homes, online, farmers’ markets, and community events.
In this section you will learn about:

- What is a foodborne illness?
- The symptoms of a foodborne illness
- How you can prevent spreading a foodborne illness
- How to clean and sanitize equipment and work surfaces
- How to clean up vomiting and diarrheal events
What is a Foodborne Illness?

An illness caused by consuming food or beverages that contain harmful pathogens or other contaminants

- Pathogens are microscopic organisms that can cause disease or illness
- Can be viruses, bacteria, parasites

Foodborne illness is also known as “food poisoning”
Question:

True or False?

Foodborne illness, also known as food poisoning, is caused by consuming food or beverages containing harmful pathogens or other contaminants.
Correct Answer:

True

• Foodborne illness, also known as food poisoning, results from eating food or beverages containing harmful pathogens or other contaminants.
What Practices Cause Most Foodborne Illness?

- Sick food workers
  - 1 out of 3 outbreaks are linked to infected food handlers
- Touching food with dirty hands
- Time and temperature abuse
  - Food not kept sufficiently hot or cold
- Contaminated ingredients or food
- Using contaminated equipment
  - Poor cleaning and sanitizing
Question:

The most common practice(s) that cause foodborne illness are?

A. Sick food workers
B. Using dirty equipment
C. Dirty hands
D. All of the above
Correct Answer:

D. All of the above

- Sick food workers, using contaminated equipment, and touching food with dirty hands are among the most common practices that cause foodborne illness.
Symptoms of Foodborne Illness

- Most common symptoms of foodborne illness are vomiting and/or diarrhea
- Other symptoms might include abdominal cramps, nausea, fever, joint/back aches, and fatigue.
- Symptoms can appear within 30 minutes to 6 weeks after eating unsafe food
  - Symptoms typically last 1-7 days

If you suspect you have a foodborne illness, call the Minnesota Department of Health Foodborne Illness Hotline

1-877-FOOD-ILL
If you or a member of your household has been sick with vomiting or diarrhea, wait 72 hours after you no longer have symptoms before you produce, package, or sell food.

Additional restrictions may apply if you are diagnosed with:

- Norovirus
- Salmonella
- Shigella
- Hepatitis A virus
- Shiga toxin-producing *E. coli* (STEC)
- Infection with another bacterial, viral or parasitic pathogen

More information at [https://www.health.state.mn.us/diseases/foodborne/index.html](https://www.health.state.mn.us/diseases/foodborne/index.html)
Dangers of Preparing Food When Sick

• You can transfer your illness to others through the food you prepare
• Most foodborne illness outbreaks have been caused by people who prepared food when they were sick
• Norovirus is a virus easily transmitted, and the most common cause of short-term diarrhea and vomiting
  • Has been spread through frosting on cakes and cookies and handling food with bare hands
To prevent food contamination:
• Use clean clothes, aprons
• Maintain short, clean fingernails
• Cover cuts
• Limit jewelry on hands
• Restrain loose hair (cover or tie back)
• Do not touch ready-to-eat foods like baked goods with bare hands – use gloves, tongs, spatula, etc.
• Change gloves when soiled or switching tasks

Most importantly, wash hands often!

Gloves do not replace handwashing!
When to Wash Your Hands?

**Before:**
- Preparing food
- Beginning a new task

**After:**
- Using the restroom
- Handling raw meat/poultry, eggs, produce
- Handling animals and pets
- Eating, smoking, coughing, blowing nose
- Touching hair, face, body
- Handling garbage
- Cleaning
- Shaking hands, using phone
Handwashing Steps

1. Wet hands and forearms with hot water
2. Apply soap
3. Scrub hands, fingernails, and forearms for at least 20 seconds
4. Rinse off soap, turn off faucet with paper towel
5. Dry with single use paper towel
Do not touch ready-to-eat foods like baked goods with bare hands.

Use gloves, tongs, spatula, etc.
Glove Use

- Disposable gloves can spread germs like unwashed hands
- Not a substitute for handwashing
- Use for a single task – Do not reuse
- Wash hands before putting on a new pair of gloves
- Change gloves when:
  - Damaged
  - Soiled
  - Task is interrupted
Question:

What is the MOST important step you can take to prevent foodborne illness?

A. Wash your hands often
B. Use a hair restraint
C. Keep your fingernails covered
D. Reuse single use plastic gloves
Correct Answer:

A. Wash your hands often

• Good handwashing removes pathogens and is the most important step you can take to prevent the spread of foodborne illness.
Protect your Food from Contamination

**During storage and transport:**
- Keep food wrapped or in a covered container
- Set food in a clean, dry container for transport
- Store food off the floor or ground
- Keep away from potential sources of contamination such as plumbing and chemicals

**During display:**
- Keep food covered, wrapped or sealed in packaging
- Do not handle with bare hands; use utensils or disposable gloves
- Store food off the floor or ground
Question:

Select the BEST answer. Cottage food products not displayed for sale should be stored ________.

A. Under the handwashing station
B. Directly on the grass or ground under the table
C. Off the ground in clean, dry containers
D. Wherever there is space available
Correct Answer:

C. Off the ground in clean, dry containers

• Cottage food products must be protected from contamination during preparation, storage, and sale.
Cleaning and Sanitizing

Clean and sanitize sinks, equipment, utensils, tables, and counter tops before, during and after food preparation

1. Wash with hot, soapy water
2. Rinse with clean water
3. Apply a sanitizer safe for food contact surfaces
4. Air dry equipment and surfaces
You can make others sick if vomit or diarrhea in your home is not cleaned up properly

- Protect yourself and others
- Clean surfaces to remove liquid and debris
- Sanitize surfaces using a bleach water mixture
- Wash clothing, rugs, bedding
- Wash hands after clean up

Specific instructions can be found at https://extension.umn.edu/sanitation-and-illness/norovirus-step-step-clean-vomit-and-diarrhea
Your Pets Cannot Help Make the Treats

• Keep pets out of the food preparation area while preparing foods under the cottage food exemption

• If pets come into the area, clean and sanitize food preparation surfaces
Question:

True or False?

Food preparation surfaces need to be washed, rinsed, and sanitized before food is prepared, and at any point during preparation that the surfaces become dirty.
Correct Answer:

True

• Food contact surfaces need to be washed, rinsed, and sanitized before starting food preparation, and at any point during preparation that the surfaces become dirty.
• Package your food in a clean, dry place to protect it from contamination
• Remember not to touch food with bare hands
• Do not misrepresent your products, for example, by using materials that make the product look different than it is, like colored plastic wrap
Label must include:

1. Producer name
2. Producer address OR registration number
3. The date the food was prepared
4. List of ingredients, including any allergens
   - Major allergens: Eggs, Milk, Wheat, Tree Nuts, Peanuts, Soy, Fish, Crustacean Shellfish
5. The statement “These products are homemade and not subject to state inspection”
Signage Requirements at the Point of Sale

“THESE PRODUCTS ARE HOMEMADE AND NOT SUBJECT TO STATE INSPECTION.”

Example of sign required where you sell cottage foods, and wording required on cottage food labels.
Check Your Understanding

Question:

True or False?

Prepared food offered for sale must be labeled with:

• Producer name,

• Producer address OR registration number,

• Date on which the food was prepared,

• Ingredients and any major allergens,

• Statement “These products are homemade and not subject to state inspection.”
Correct Answer:

True

All cottage food product labels must list the producer name, registration number OR the name and address of the producer, the date the food was prepared, the ingredients and any major allergens, and the statement “These products are homemade and not subject to state inspection.”
Chocolate Chip Cookies with Walnuts
Made on: 7/10/2021
Sally Baker
Cottage Food Registration # 12345678

**Ingredients:** Enriched flour (wheat flour, niacin, reduced iron, thiamine, mononitrate, riboflavin and folic acid), butter (milk, salt), chocolate chips [sugar, chocolate liquor, cocoa butter, butterfat (milk)], walnuts, sugar, eggs, salt, artificial vanilla extract, baking soda.

**CONTAINS:** Wheat, eggs, milk, walnuts

**These products are homemade and not subject to state inspection**
Nutrition facts panels are NOT needed for cottage food products in Minnesota unless you make a claim on your label:

- Nutrition claim such as ‘fat-free’ or ‘low sodium’
- Health claim such as ‘prevents heart disease’

Claims are regulated under Title 21, Part 101 of the Code of Federal Regulations and require nutritional analysis.
Pet treat labels must include:

1. Producer Name
2. Producer address OR registration number
3. Date on which the pet treat was prepared
4. Ingredients
5. The statement “These products are homemade and not subject to state inspection”

*Major allergens are NOT required on pet treat labels*
Peanut Butter & Pumpkin Dog Biscuits

Date Prepared: 8/1/2021
Sally Baker
Cottage Food Registration #12345678
Ingredients: Whole Wheat Flour, Peanut Butter, Pumpkin, Vegetable Oil, Cinnamon

THESE PRODUCTS ARE HOMEMADE AND NOT SUBJECT TO STATE INSPECTION
Question:

True or False?

Major allergens are not required on pet treat labels
Correct Answer:

True

• Major food allergens are not required to be listed on pet treat labels.
Question:

Each individual pet treat package offered for sale must be labeled with:

A. Producer Name
B. Producer address or registration number
C. Ingredients AND Date on which the pet treat was prepared
D. The statement “These products are homemade and not subject to state inspection”
E. All of the above
Correct Answer:

E. All of the above

• All pet treat packages must be labeled with the producer name, address or registration number or the producer, the date on which the pet treat was prepared, ingredients, and the statement, “These products are homemade and not subject to state inspection.”
How to Become Registered

• **Step 1: Determine if you are eligible to register for this license exemption.** This includes verifying the food you plan to make is non-potentially hazardous and that your local city, county, or township does not have home sales prohibitions based on zoning requirements. Reviewing this training is helpful to verify eligibility.

• **Step 2: If you are eligible, complete the training and exam for the Cottage Food Producer Registration.** Your training and exam requirements will depend on your expected gross annual sales.
  
  • If your sales are expected to be less than $7,665 per year, complete this Tier 1 training and exam.
  
  • If your sales are expected to be more than $7,665 per year, you will need to take an in-person or online training through the University of Minnesota Extension program before registering with the MDA. Find training information here: [University of Minnesota Extension cottage food course information](#)
• **Step 3: Complete the online registration application and exam:**

• **Online Licensing and Payment System**
  - Choose “Cottage Foods Producer Registration” from the dropdown menu

• If you do not have access to a computer, you may request a paper application, training and exam by calling 651-201-6062. Leave a detailed message, including your first and last name and mailing address.
• **Step 4: MDA will send you a registration card in the mail with a unique registration number.** Post the registration card in a location visible to customers where you are selling your food or have it with you and make it available upon request.
  
  • You may check the status of your registration at [Licensing Information Search](#).
  
  • It may take up to 2 weeks for your registration to display in the online system and 3-4 weeks for registrations to be mailed.
  
  • You can sell your cottage food items after you have submitted your registration and do not receive any further notifications from MDA.
• Cottage food registrations received by the MDA before December 16th of each year expire at the end of that same calendar year (December 31st)

• Cottage food registrations received after December 16th of each year will expire the following year on December 31st

• Cottage food registrants will receive a renewal form in the mail approximately 6 weeks prior to the end of the year.

• You must renew your registration each year to continue producing and selling your food.
## Registration Renewal Requirements

<table>
<thead>
<tr>
<th>Tier</th>
<th>Gross Annual Sales</th>
<th>Registration Renewal Due</th>
<th>Annual MDA Registration Fee</th>
<th>Training and Exam Frequency</th>
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| Tier 1  | $0 - $7,665*            | Yearly                    | None                        | Yearly  
  • Online - MDA website  
  • Paper version available for those without a computer |
| Tier 2  | $7,666 – $78,000        | Yearly                    | $50                         | Every 3 years  
  • In-person or online cottage food course through University of MN Extension ($50 course fee) |

*increase from $5,000 to $7650 effective January 1, 2022
Question:

True or False?

Registration and training for Tier 1 cottage food producers (up to $7,665 in gross annual food sales) is required every 5 years.
Correct Answer:

False

• Registration and training for Tier 1 cottage food producers is required yearly.
Question:

Fill in the blank with the BEST answer.

Before registering with the Minnesota Department of Agriculture as a cottage food producer, I need to confirm that _____________ allow home-based food businesses.

A. Food and retail businesses
B. Food and safety inspectors
C. Neighborhood groups and city councils
D. Local units of government such as city, county, or township licensing and zoning agencies
Correct Answer:

D. Local units of government such as city, county, or township licensing and zoning agencies.

• Local units of government, such as a city/county/township/zoning agency, may have business licensing requirements or sanitation, public health, or zoning ordinances that you are required to follow, in addition to the cottage food exemption requirements.
Thank you!

Your training is complete!

The next step is to apply and become registered as a cottage food producer at our Online Licensing and Payment System. With a completed application and passing score, your registration application will be processed.