

FOOD AND FEED SAFETY DIVISION Phone: 651-201-6081 Fax: 651-201-6119 New registration number:

COTTAGE FOOD PRODUCER REGISTRATION

Registration Period of January 1 to December 31

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 (including sole-proprietorships). Businesses such as firms, partnerships, 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	License year applied for:	
Email	Website Address or Weblink for Facebook Page	

Registration Type (select one)

 \$0 to \$5,000 in annual sales (*no fee*)

 \$5,001 to \$18,000 in annual sales (*\$50 fee*)*

Registration Fee Due \$ _____ 600545 (3100)

Cottage Foods Training

Note: An in-person workshop is required training for the \$5,001-\$18,000 annual sales level

 Date training completed (*if applicable*) _____

By initialing this box, I attest that I will produce only foods deemed non-potentially hazardous and allowed under the Cottage Foods Exemption (Minn. Stat. 28A.152), and I will abide by state law.

For a partial list of approved and non-approved foods, please contact mda.cottagefood@state.mn.us or call 651-201-6081

Note: Food and treats for family pets and other commercial feed products (per Commercial Feed Law Chapter 25) are not included in the cottage food law. Please submit a request for information of feed licensing and product registration requirements to mda.licensing@state.mn.us

Submit completed application and payment* by mail or email:

*If annual sales are \$5,001 to \$18,000, include \$50 payment. Make checks payable to "Minnesota Department of Agriculture."

Mail (with \$50 payment, if applicable)

 Minnesota Department of Agriculture
 Attention: Cottage Food Registrations
 625 Robert Street North
 Saint Paul, MN 55155-2538

Email

 (*option only available if payment is not required*)
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 For Office Use Only 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 web page. 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 and submitted with this form is true and correct. *See warning on back of this form.*

Name (please print) _____

Signature _____ **Date** _____

(Required for processing. Unsigned applications will be returned).

For Office Use Only

Cottage Foods Exemption

Minnesota Statutes [2017] 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 at a community event or farmers' market;
- (2) directly from the individual's home to the ultimate consumer, to the extent allowed by local ordinance; or
- (3) through donation to a community event with the purpose of fund-raising for an individual, or fund-raising for an educational, charitable, or religious organization.

(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.