

Cottage Food Law Simplified

The new MN Cottage Food Law went into effect last July, and brought with it quite a few changes that affect those who want to sell cottage foods at our market, or anywhere.

As of July, 2015, **you must register with the State of MN** if you want to sell homemade (cottage) foods. Cottage foods are defined as 'Non-potentially Hazardous Foods' that are produced in the home, by individuals, for the purpose of selling them to the public.

Non-potentially hazardous foods fall under the following categories:

1. Acid and acidified home-canned and home-processed foods:
 1. fruits
 2. pickled
 3. vegetables
 4. fermented
 5. vinegar
 6. condiments
 7. ingredients
2. Baked goods
3. Candy/confections
4. Dried, Dehydrated and Roasted
5. Icings, Frosting, Sugar art
6. Jams, Jellies, Preserves, Fruit Butters

For a more detailed list of approved and excluded foods,

[click HERE](#), for the list.

Who Must Register?

All individuals must register with the Minnesota Department of Agriculture before selling cottage foods. This includes all vendors at all farmers' markets in Minnesota who sold this

type of Non-Potentially Hazardous food prior to the enactment of this [new law](#). The registration is valid for one calendar year, January 1 – December 31.

The individual who makes the cottage foods must be the same individual who sells the foods; the food must be sold and delivered directly to the ultimate consumer by the individual who made it. You may, however, hire someone, or have a volunteer sell your food under your registration certificate.

Sales/Registration Fees

Gross sales on cottage foods per individual **cannot exceed \$18,000** in a calendar year. Sales are based on what was sold the previous year. Income under this law (just as it was under the previous law) is taxable income.

Fees:

- Individuals selling between \$0 and \$5,000 register with MDA annually for **free**.
- Individuals selling between \$5,001 and \$18,000 register with MDA annually for **\$50**.

Registration Process

In order to complete the registration form, you will need your contact information, your Minnesota Tax ID or Social Security Number, at which sales level you're registering, and the list of products you'll make and sell. Once you are successfully registered, the MDA will mail you your Cottage Foods Producer Registration certificate.

The Steps...

1. Read the info on the [MFMA's fact sheet](#) so you understand the law.
2. Take a MDA-approved [online, food safety training](#).
3. [Complete the registration form](#). The form requires your signature, so you'll need to print it, sign it, scan it and email it to the MDA; or print and mail it to them.
4. Email or mail a copy of your registration certificate (when you get it) to barb@growingwestside.com, or bivans.steve@gmail.com, or bring it with you when you come to your West Side Farmers Market, Vendor Orientation session. If you join

the market in the middle of the season, you can either email it, or bring it with you your first day. Please remember it! WSFM cannot allow anyone to sell cottage foods without the certificate this year. Inspectors will be coming around at some point.

5. Put a copy of your license in your papers that you bring with you to the market every week.

It would be best if you read through the full document about the new law, to familiarize yourself with it. You can [find it HERE](#).

If accessing the online content is difficult, you can get help directly from the MDA by:

- Calling MDA at (651) 201-6027, or Visiting MDA at 625 North Robert Street, St. Paul MN 55155-2538
- Contacting your local MDA Food Inspector to help you complete the registration:
<http://gis.mda.state.mn.us/food/>