

Product	Explanation for sale at a Minnesota farmers' market	Document
	<p>(See FDA's Small Businesses & Homemade Cosmetics Fact Sheet)</p>	
Soap	<p>Allowed</p> <p>No license needed. Vendor has label requirements and must charge tax.</p>	No
Crafts	<p>Allowed</p> <p>No license needed. Some crafts will require vendors to charge a sales tax.</p>	No
Non-Food Activities	<p>Allowed</p> <p>Activities are allowed, dependent on the market's management.</p>	None
Raw Milk	<p>Not allowed</p> <p>Sale of raw milk is allowed in Minnesota only on the farm premises and with restrictions. Raw milk must not be sold at farmers' markets. (See MDA fact sheet, What is Raw Milk?)</p>	
Alcoholic Drinks	<p>Limited Options</p> <p>All alcohol sales in Minnesota require a license from the Department of Public Safety (DPS) and are restricted to certain locations. Alcohol sales and samples can be served at a farmers' market by using some other entity's DPS license. The Food Sampling & Demonstration exemption from licensing <u>does not apply</u> to alcoholic beverages.</p>	DPS License

Farmers' Market Rules for Out-of-State Vendors

Vendors from surrounding states (Wisconsin, Iowa, South Dakota, North Dakota) may sell at Minnesota farmers' markets as long as they follow all Minnesota laws, licensing, and food code rules. Conversely, Minnesota vendors may sell in other states as long as they follow those states' laws, licensing, and food code rules.

Vendor Compliance with Food Laws, Licensing, Food Code Rules

Food laws, licensing, and food code rules in Minnesota are complicated. Both the Minnesota Department of Agriculture (MDA) and the Minnesota Department of Health (MDH) issue food licenses. Both MDA and MDH have some delegated authorities, which are local government entities authorized to administer state food laws. Delegated authorities under MDH may have stricter standards than the state. For some foods, there are additional requirements overseen by the Food and Drug Administration or the United States Department of Agriculture.

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Produce	Allowed Excluded from licensing as long as it's 100% product of the seller's farm. If the Food Safety Modernization Act Produce Safety Rule applies to the farmer, the farmer must post their name and address at their booth.	No
Produce	Allowed If a vendor buys produce from another source and resells it at the market, the vendor must have an MDA license. (See <i>Selling Minnesota Produce</i> at www.misa.umn.edu/publications/local-food-fact-sheet-series)	MDA license
Mushrooms	Allowed	None

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	<ul style="list-style-type: none"> • Farmers growing their own mushrooms are excluded from licensing as a product of the farm. • People foraging / harvesting wild mushrooms must complete an MDA-approved mushroom identification course (currently only being offered in Minnesota by the Minnesota Mycological Society). Upon successful completion of the course, the class certificate must be kept on file at the MDA. https://www.mda.state.mn.us/food-feed/certified-wild-mushroom-harvester 	<p>MDA registration</p>
<p>Eggs</p>	<p>Allowed</p> <p>Excluded from licensing if eggs are 100% produce of the seller's farm and the farmer owns FEWER than 3,000 hens. Must follow MN Rules on egg handling, and keep eggs at 45°F or lower at the market. Eggs may be kept cold in a mechanized refrigerator or cooler.</p> <p><i>(See Selling Minnesota Shell Eggs at www.misa.umn.edu/publications/local-food-fact-sheet-series)</i></p>	<p>MDA registration (voluntary)</p>
<p>Eggs</p>	<p>Allowed</p> <p>Excluded from MDA licensing if eggs are 100% product of the seller's farm; but if the farmer owns MORE than 3,000 hens, USDA registration is required. Must follow MN Rules on egg handling, and keep eggs at 45°F or lower at the market. Eggs may be kept cold in a mechanized refrigerator or cooler.</p> <p><i>(See Selling Minnesota Shell Eggs at www.misa.umn.edu/publications/local-food-fact-sheet-series)</i></p>	<p>MDA registration (voluntary)</p> <p>USDA registration (required)</p>
<p>Eggs</p>	<p>Allowed</p> <p>If a vendor buys eggs from another source and resells them at the market, the vendor <u>must</u> have an MDA license and <u>may</u> be required to register with USDA. Must follow MN Rules on egg handling, and keep eggs at 45°F or lower at the market. Eggs may be kept cold in a mechanized refrigerator or cooler.</p> <p><i>(See Selling Minnesota Shell Eggs at www.misa.umn.edu/publications/local-food-fact-sheet-series)</i></p>	<p>MDA license</p> <p>possibly USDA registration</p>

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<p>Meat</p>	<p>Allowed</p> <p>Excluded from licensing if the meat is 100% product of the seller's farm, with no added off-farm ingredients (such as spice blends). Any meat sold at a farmers' market must be processed under inspection at either a USDA or Minnesota Equal-To plant. <i>(See Selling Minnesota Meat Products at www.misa.umn.edu/publications/local-food-fact-sheet-series)</i></p>	<p>No license</p> <p>All packages must have the mark of inspection</p>
<p>Meat</p>	<p>Allowed</p> <p>If a vendor buys meat from another source and resells it at the market; or if any off-farm ingredients are added to the meat (such as spice blends), the vendor must have an MDA license. Any meat sold at a farmers' market must be processed under inspection at either a USDA or Minnesota Equal-To plant. <i>(See Selling Minnesota Meat Products at www.misa.umn.edu/publications/local-food-fact-sheet-series)</i></p>	<p>MDA license</p> <p>All packages must have the mark of inspection</p>
<p>Fish</p>	<p>Allowed</p> <p>Excluded from licensing if the fish is 100% product of the seller's farm or was caught by the seller, with no added off-farm ingredients (such as spice blends). Must be processed and packaged in a facility meeting CGMP (current good manufacturing practices) and labeled.</p>	<p>No license</p>
<p>Fish</p>	<p>Allowed</p> <p>If a vendor buys fish from another source and resells it at the market; or if any off-farm ingredients are added to the fish (such as spice blends), the vendor must have an MDA license.</p>	<p>MDA license</p>

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	<p>If a vendor buys dairy products from another source and resells it at the market; or if any off-farm ingredients are added to dairy products; the vendor must have an MDA license. Dairy products for sale at a farmers' market <u>must be pasteurized</u> (exception: aged cheese) and processed in a properly licensed dairy plant.</p> <p>No dairy products may be sold under the cottage foods exemption.</p> <p>Dairy products for sale must be held at 41°F or colder at all times.</p> <p>(See <i>Dairy in Minnesota</i>, www.mda.state.mn.us/food-feed/dairy-minnesota)</p>	<p>Dairy plant <u>license</u> if processed in on-farm dairy plant</p>
<p>Pure Maple Syrup or Maple Sugar</p>	<p>Allowed</p> <p>Excluded from licensing if it's 100% product of the seller's farm. This includes sugarbush rented or leased by the farmer. Maple syrup products must be boiled down and packaged in a facility that meets Current Good Manufacturing Practices (CGMPs).</p> <p>Labeling requirements: statement of product identity, net quantity of product contents (weight or volume), vendor name and address.</p> <p>(See FDA's Small Entity Compliance Guide regarding CGMPs)</p>	<p>No</p>
<p>Pure Honey</p>	<p>Allowed</p> <p>Excluded from licensing if it's 100% product of the seller's farm. The hives are considered the "farm," so even if hives travel to multiple locations not owned by the farmer, including locations in other states, the honey from the farmer's hives is still product of the farm.</p> <p>Honey must be extracted and packaged in a facility that meets Current Good Manufacturing Practices (CGMPs).</p> <p>Labeling requirements: statement of product identity, net quantity of product contents (weight or volume), vendor name and address.</p> <p>Suggested but not required on label: "raw honey not safe for young children."</p> <p>(See FDA's Small Entity Compliance Guide regarding CGMPs)</p>	<p>No</p>

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<p>Poultry and Rabbit</p>	<p>Allowed</p> <p>Excluded from licensing if the poultry or rabbit product is 100% product of the seller's farm, with no added off-farm ingredients. Poultry or rabbit for sale at the farmers' market must either be processed under inspection at a USDA or Minnesota Equal-To plant, OR be processed on the seller's farm in an approved facility under the PL 90-492 exemption. <i>(See Selling Minnesota Poultry Products at www.misa.umn.edu/publications/local-food-fact-sheet-series)</i></p>	<p>No license</p> <p>All packages must have the mark of inspection, OR an exempt PL 90-492 label.</p>
<p>Poultry and Rabbit</p>	<p>Allowed</p> <p>If a vendor buys poultry or rabbit product from another source and resells it at the market; or if any off-farm ingredients are added to the poultry or rabbit product (such as spice blends), the vendor must have an MDA license and the poultry or rabbit must be processed under inspection at either a USDA or Minnesota Equal-To plant. <i>(See Selling Minnesota Poultry Products at www.misa.umn.edu/publications/local-food-fact-sheet-series)</i></p>	<p>MDA license</p> <p>All packages must have the mark of inspection</p>
<p>Dairy Products</p>	<p>Allowed</p> <p>Excluded from licensing if the dairy products are 100% product of the seller's farm, with no added off-farm ingredients and no component of milk purchased from other farms. Dairy products for sale at a farmers' market <u>must be pasteurized</u> (exception: aged cheese) and processed in a properly licensed (if off-farm) or permitted (if on-farm) dairy plant. No dairy products may be sold under the cottage foods exemption. Dairy products must be held at 41°F or colder at all times. <i>(See Dairy in Minnesota, www.mda.state.mn.us/food-feed/dairy-minnesota)</i></p>	<p>No license</p> <p>Dairy plant <u>permit</u> if processed in on-farm dairy plant</p>
<p>Dairy Products</p>	<p>Allowed</p>	<p>MDA license</p>

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	<p>finger-food) and beverages are decanted or dispensed into a cup, glass, etc. Minnesota Department of Health (MDH) has licensing jurisdiction over food and beverage service.</p> <ul style="list-style-type: none"> If a vendor already has an MDA license, depending on details of their business they <u>may</u> be able to do limited food and beverage service under that license – but this <u>must</u> be verified with their inspector. 	<p>Permission under existing MDA license</p>
<p>Food Trucks</p>	<p>Food trucks selling food and beverages will require a license from MDH. Additionally, they may be required to have a permit from the local government unit.</p>	<p>MDH license</p>
<p>Food Sampling and Cooking Demonstrations</p>	<p>Allowed</p> <p>No license is required to do food sampling or cooking demonstrations at a farmers' market or community event. There is no restriction on <i>types</i> of food cooked or sampled, but food safety requirements specified in Minnesota Rules must be followed.</p> <p>(See Farmers' Market or Community Event; Food Product Sampling and Demonstration Law, Minnesota Statute 28A.151; -and- Special Event Food Stands, Minnesota Rules 4626.1855)</p>	<p>No</p>
<p>Pet Food / Pet Treats</p>	<p>Allowed</p> <p>Any person selling pet food or specialty pet food in Minnesota must have an MDA Commercial Feed License, which costs \$75 per year.</p> <p>In addition, all pet and specialty pet foods sold exclusively in packages of 10 lbs. or less must be registered with the MDA Pet Food Program. There is a registration fee of \$100 per product. Product registration is valid from July 1 to June 30 and must be renewed annually. Some pet treats (e.g., pig ears) are exempt from registration.</p> <p>(See Minnesota Department of Agriculture Pet Food Program)</p>	<p>MDA Commercial Feed License</p> <p>MDA Pet Food Product Registration</p>

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Maple Syrup or Honey with added off-farm ingredients	<p>Allowed</p> <p>If off-farm ingredients are added to maple syrup or honey, vendors have two options:</p> <ul style="list-style-type: none"> • Cottage Food Exemption: can be made in home kitchen, with sales cap • License: must be made in commercial kitchen, no sales cap <p>Labeling requirements: statement of product identity, net quantity of product contents (weight or volume), vendor name and address, ingredient list and notice of any allergens.</p>	<p>MDA Cottage Food Producer certificate</p> <p>- or -</p> <p>MDA license</p>
Cottage Foods	<p>Allowed</p> <p>Cottage Food Law requires the vendor to register with MDA. Only non-potentially hazardous foods may be sold under the Cottage Food Exemption. Find the Non-Potentially Hazardous Food list: www.mfma.org (See Cottage Food Producer Registration on the MDA website)</p>	<p>MDA Cottage Food Producer certificate</p>
Beverages, non-alcoholic, packaged	<p>Allowed</p> <p>Options for vendors:</p> <ul style="list-style-type: none"> • Cottage Food: water-bath canned beverages that meet non-potentially hazardous food guidelines are allowed. See Non-Potentially Hazardous Food list: www.mfma.org • Licensed: A vendor could manufacture and sell a packaged beverage • Licensed: A vendor could buy packaged beverages from another source and resell at the market 	<p>MDA Cottage Food Producer Certificate</p> <p>-or-</p> <p>MDA license</p>
Foods and Beverages, served ready to eat	<p>Allowed</p> <p>Except for food sampling and demonstration, all other food and beverage service requires a license. Food and beverage service means food is served with eating utensils (or napkin if it's</p>	<p>MDH license</p> <p>-or-</p>

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Food CBD Products	<p>Not Allowed</p> <p>CBD products are under the jurisdiction of the federal Food and Drug Administration (FDA). FDA authority for food in Minnesota is implemented by the MDA. CBD products are still NOT allowed in any food products in MN.</p> <p>[See FDA Regulation of Cannabis and Cannabis-Derived Products, Including Cannabidiol (CBD)]</p>	
Non-food CBD Products	<p>Allowed with many restrictions</p> <p>For non-food CBD products, the FDA's authority in Minnesota is implemented by the Minnesota Board of Pharmacy. As of January 1, 2020, the sale of CBD products that meet certain labeling and testing requirements will be permitted under MN law.</p> <p>[See FDA Regulation of Cannabis and Cannabis-Derived Products, Including Cannabidiol (CBD)]</p>	<p>FDA approval</p> <p>MN Board of Pharmacy approval</p>
Hemp Products	<p>Allowed</p> <p>Excluded from MDA food licensing if it's 100% product of the seller's farm.</p> <ul style="list-style-type: none"> • The seller must be licensed to produce industrial hemp under MDA's Industrial Hemp Pilot Program. • Products sold must be from hemp that tested under the THC limit allowed for industrial hemp. <p>(See MDA's Industrial Hemp Pilot Program)</p>	<p>MDA Industrial Hemp Producer License</p>
Bath & Body Products, Cosmetics	<p>Allowed</p> <p>Bath and body products fall under the jurisdiction of either the FDA or the Consumer Product Safety Commission (CPSC). Some products require approval from FDA. Labeling requirements apply. Some products require the vendor to charge sales tax.</p>	<p>FDA Approval</p>