

# Cottage Food Permit

**If you operate a business out of your home you are not eligible to apply for this registration and will not be registered. Businesses include firms, partnerships, cooperatives, societies, associations, companies and corporations.**

The passage of the Cottage Food Law in Minnesota has changed sections of current legislation under MS 28A.15, specifically, subdivisions 9 and 10. This new law affects all persons selling food formerly under 28A.15 subdivisions 9 and 10, and persons starting business on or after July 1, 2015.

The changes are as follows:

1. All individuals shall register with the Minnesota Department of Agriculture (MDA) before selling exempt food regardless of the amount of food sold. This includes individuals who sold food prior to the enactment of the new law and individuals who start selling food after the enactment of the exemption.
2. Before registering, you are required to take an approved food safety course, and training is required every three years thereafter.
3. Register with the MDA each year you intend to sell food under the Cottage Food Exemption.
4. You can prepare and sell only NON-potentially hazardous food (such as baked goods, certain jams and jellies) and/or home canned pickles, vegetables, or fruits with a pH of 4.6 or lower.
5. You must label food with your name and address, the date produced, and the ingredients, including potential allergens.
6. **Display a sign that says “These products are homemade and not subject to state inspection.” If you are selling on the Internet, post this statement on your webpage.**
7. The person who makes the food must be the same person who sells the food, and the food must be sold and delivered directly to the ultimate consumer by the person who made it.
8. Sales may be from the home, at farmer’s markets, community events, or on the Internet.
9. Your local city, county, or township may require you to buy a business license from them or prohibit your sales due to zoning requirements.
10. Food sales per individual cannot exceed \$18,000 in a calendar year, and you must pay a fee if you sell between \$5,000 and \$18,000 dollars per year.

Please be aware that these sales are subject to income tax and may be subject to sales tax. Contact the Minnesota Department of Revenue for more information at 651-556-3000.