

1.1 ..... moves to amend H.F. No. 1430 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2020, section 28A.152, subdivision 1, is amended to read:

1.4 Subdivision 1. **Licensing provisions applicability.** (a) The licensing provisions of  
1.5 sections 28A.01 to 28A.16 do not apply to the following:

1.6 (1) ~~an individual~~ a person who prepares and sells food that is not potentially hazardous  
1.7 food, as defined in Minnesota Rules, part 4626.0020, subpart 62, if the following  
1.8 requirements are met:

1.9 (i) the prepared food offered for sale under this clause is prepared at the person's residence  
1.10 and labeled to accurately reflect the name and address of the ~~individual~~ person preparing  
1.11 and selling the food, the date on which the food was prepared, and the ingredients and any  
1.12 possible allergens; and

1.13 (ii) the ~~individual~~ person displays at the point of sale a clearly legible sign or placard  
1.14 stating: "These products are homemade and not subject to state inspection."; and

1.15 (2) ~~an individual~~ a person who prepares and sells home-processed and home-canned  
1.16 food products if the following requirements are met:

1.17 (i) the products are pickles, vegetables, or fruits having an equilibrium pH value of 4.6  
1.18 or lower, or a water activity value of .85 or less;

1.19 (ii) the products are home-processed and home-canned in Minnesota;

1.20 (iii) the ~~individual~~ person displays at the point of sale a clearly legible sign or placard  
1.21 stating: "These canned goods are homemade and not subject to state inspection."; and

1.22 (iv) each container of the product sold or offered for sale under this clause is accurately  
1.23 labeled to provide the name and the registration number or address of the ~~individual~~ person

2.1 who processed and canned the goods, the date on which the goods were processed and  
 2.2 canned, and ingredients and any possible allergens.

2.3 (b) ~~An individual~~ A person who qualifies for an exemption under paragraph (a), clause  
 2.4 (2), is also exempt from the provisions of sections 31.31 and 31.392.

2.5 (c) In this section, residence means the property where the person resides.

2.6 Sec. 2. Minnesota Statutes 2020, section 28A.152, subdivision 2, is amended to read:

2.7 Subd. 2. **Direct sales to consumers.** (a) ~~An individual~~ A person qualifying for an  
 2.8 exemption under subdivision 1 may sell the exempt food:

2.9 (1) directly to the ultimate consumer at a community event or farmers' market;

2.10 (2) directly from the ~~individual's home~~ person's residence to the ultimate consumer, to  
 2.11 the extent allowed by local ordinance; or

2.12 (3) through donation to a community event with the purpose of fund-raising for an  
 2.13 individual, or fund-raising for an educational, charitable, or religious organization.

2.14 (b) If an exempt food product will be delivered to the ultimate consumer upon sale of  
 2.15 the food product, the ~~individual~~ person who prepared the food product must be the person  
 2.16 who delivers the food product to the ultimate consumer.

2.17 (c) Food products exempt under subdivision 1, paragraph (a), clause (2), may not be  
 2.18 sold outside of Minnesota.

2.19 (d) Food products exempt under subdivision 1 may be sold over the Internet but must  
 2.20 be delivered directly to the ultimate consumer by the ~~individual~~ person who prepared the  
 2.21 food product. The statement "These products are homemade and not subject to state  
 2.22 inspection." must be displayed on the website that offers the exempt foods for purchase.

2.23 Sec. 3. Minnesota Statutes 2020, section 28A.152, subdivision 3, is amended to read:

2.24 Subd. 3. **Limitation on sales.** ~~An individual~~ A person selling exempt foods under this  
 2.25 section is limited to total sales with gross receipts of ~~\$18,000~~ \$78,000 or less in a calendar  
 2.26 year.

2.27 Sec. 4. Minnesota Statutes 2020, section 28A.152, subdivision 4, is amended to read:

2.28 Subd. 4. **Registration.** ~~An individual~~ A person who prepares and sells exempt food  
 2.29 under subdivision 1 must register annually with the commissioner. If a person is a business  
 2.30 entity, an owner of the entity must complete the registration, provide the commissioner with

3.1 the business entity's name, and complete the training required by subdivision 5. An owner  
 3.2 is any person who has an ownership interest in the cottage food business and who is actively  
 3.3 engaged in the direction, management, oversight, or operation of the business. Within 30  
 3.4 days of receiving a person's completed registration, the commissioner must register the  
 3.5 person. A registration is deemed accepted after 30 days following the commissioner's receipt  
 3.6 of a person's complete registration. The annual registration fee is \$50 \$25. An individual  
 3.7 with \$5,000 or less in annual gross receipts from the sale of exempt food under this section  
 3.8 is not required to pay the registration fee.

3.9 Sec. 5. Minnesota Statutes 2020, section 28A.152, subdivision 5, is amended to read:

3.10 Subd. 5. **Training.** ~~(a) An individual with gross receipts between \$5,000 and \$18,000~~  
 3.11 ~~in a calendar year from the sale of exempt food~~ A person under this section must complete  
 3.12 a safe food handling training course that is approved by the commissioner before registering  
 3.13 under subdivision 4. The training ~~shall~~ must not exceed eight hours and must be completed  
 3.14 every three years while the ~~individual~~ person is registered under subdivision 4. The  
 3.15 commissioner must make the training available in English, Spanish, Somali, and Hmong  
 3.16 languages. The commissioner must also make an online course and exam available at no  
 3.17 cost to a person with gross receipts of less than \$5,000.

3.18 ~~(b) An individual with gross receipts of less than \$5,000 in a calendar year from the sale~~  
 3.19 ~~of exempt food under this section must satisfactorily complete an online course and exam~~  
 3.20 ~~as approved by the commissioner before registering under subdivision 4. The commissioner~~  
 3.21 ~~shall offer the online course and exam under this paragraph at no cost to the individual."~~

3.22 Amend the title accordingly