

Subject Food safety
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Summary

This bill, the Minnesota Food Freedom Act, would modify and expand an existing license exemption for those who make and sell certain homemade cottage foods.

Under current law, many individuals and companies that sell food must obtain a state food handler license and be inspected by the Minnesota Department of Agriculture (MDA) or a delegated local health board. Cottage food producers—i.e., individuals who sell no more than \$18,000/year of homemade baked goods, canned goods, or other food items that pose a low risk of foodborne illness—are not required to obtain a food handler license but must register with MDA and satisfy certain labeling and training requirements. While exempt from state food handler licensing, under current law producers of cottage foods may be subject to local licensing requirements.

Under H.F. 433, a person (which for purposes of Minn. Stat. ch. 28A and this bill means an individual, firm, partnership, corporation, cooperative, limited liability company, etc.) could make any homemade, non-meat food item in a private home kitchen and sell it to an informed consumer for home consumption. The bill defines informed consumer as one who is notified orally or in writing that the food and the person who made it are not licensed or inspected. Unlike current law, there would be no annual sales limit or fee, nor any registration, labeling, or training requirements. Sellers of homemade food would also be exempt from other state food laws and requirements.

The bill would also preempt the application of local business licensing, permitting, certification, inspection, packaging, and labeling requirements to eligible sellers of homemade food.