



Minnesota Cottage Foods Law

Minnesota Statute 28A.152 Cottage Foods Exemption



Non-Potentially Hazardous Foods

As of July 1, 2015, individuals can sell non-potentially hazardous (NPH) foods made in their home kitchens, without a license (Minnesota Statute 28A.152). Non-potentially hazardous (NPH) foods are foods that do not support the rapid growth of bacteria that would make people sick when held outside of refrigerated temperatures. These are the types of foods the Minnesota Cottage Foods Law exempts from licensing. MNCFPA and MFMA have worked with the Minnesota Department of Agriculture, the Minnesota Department of Health, and the University of Minnesota Extension Food Safety Team to compile this list. As of August 1, 2021, non-potentially hazardous (NPH) pet treats made in their home kitchens, without a license (Minnesota Statute 28A.152).

This list is offered by MNCFPA and MFMA as a guideline. Cottage food producers are responsible for ensuring their products meet the legal requirements of the law. Final legal determination for cottage food products rests with MDA. If a food item is not on this list, contact your local Minnesota Department of Agriculture Pet Food Unit: (651) 201-6221 or MDA.FFSDPetFood.MDA@state.mn.us

LIST UPDATES

This list will be reviewed periodically and updated as needed. **This list was last updated: August 17, 2021.** For additional updates, see Cottage Food Questions and Answer Blog, University of Minnesota Extension, <http://blog-cottage-food.extension.umn.edu/>.

USING THIS LIST

For ease of use, this list is divided into Food Type categories. Each category lists three options: Allowed Foods, Not Allowed Foods, and Exceptions. All foods listed in the “Exceptions” column need extra information and we strongly recommend you contact the MDA to discuss the potential risks associated with the “Exceptions” foods

1. Pet Treats – pg. 2

Never allowed under this exemption:

Dairy
Eggs
Fish
Meat
Poultry
Seafood

1. Pet Treats

Food Type	Allowed	Not-Allowed	Exceptions
<p>Pet Treats</p>	<ul style="list-style-type: none"> Baked or dehydrated dog and cat treats, intended for intermittent or supplemental feeding only and not intended to be a source of complete and balanced nutrition. i.e. Oatmeal peanut butter biscuits. Dog or cat treats must be safe for human consumption AND consumption by the intended species. Treats must also meet non-potentially hazardous requirements (pet food treats must have a pH of ≤ 4.6 or a water activity content of $\leq .85$ (baked or dehydrated)). 	<ul style="list-style-type: none"> Dog food, intended to be a source of complete and balanced nutrition. Treats for other animals besides cats and dogs. Pet treats containing hemp, hemp extract, hemp derivatives, and CBD are not approved ingredients for use in pet treats. Pet treats of animal origin including but not limited to: <ul style="list-style-type: none"> Frozen liver Raw ground venison Dehydrated turkey jerky. Pet treats containing common human food ingredients that are not safe for <u>dogs and/or cats</u>, including but not limited to: <ul style="list-style-type: none"> Chocolate/cacao Xylitol Hops Macadamia nuts Onions Garlic Grapes & Raisins 	

APPENDIX

TESTING LABS

You may choose a commercial testing lab that fits your needs. Pricing varies but averages \$15/pH test, \$30/water activity and \$100/alcohol content test/per product.

- Market Fresh Food Testing Laboratory, (612)331-4050, Minneapolis, <http://www.marketfreshlabs.com/>.
 - Minnesota Valley Testing Lab, (507) 354-8517, New Ulm, <http://www.mvttl.com/>.
 - Medallion Labs, 1-800-245-5615 or (763)764-4453, Minneapolis, <https://www.medallionlabs.com/>.
 - Mocon, Minneapolis, (763) 493-6370, <https://www.mocon.com/>.
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REFERENCES

- For more information about ingredients that are potentially toxic to dogs or cats: <https://www.petpoisonhelpline.com/poisons/>
- <https://www.aspca.org/pet-care/animal-poison-control>
- ASPCA Animal Poison Control Center Phone Number: (888) 426-4435
- For questions about the safety of a specific ingredient, contact the Minnesota Department of Agriculture (MDA) Pet Food Unit at 651-201-6221

RESOURCES

- Minnesota Cottage Foods Producers Association, mncfpa@gmail.com and <https://www.mncfpa.org/>
- Minnesota Department of Agriculture Cottage Foods Producers Guidance and Registration, <https://www.mda.state.mn.us/food-feed/cottage-food-producer-registration>
- Minnesota Farmers' Market Association, info@mfma.org, www.mfma.org
- MN Registered Cottage Food Producers Facebook Group – <https://www.facebook.com/groups/610571982425738>
- University of Minnesota Extension Food Safety Team, <https://extension.umn.edu/courses-and-events/cottage-food-producer-food-safety-training>