

# Wineries – Wholesale Food Operations

The Minnesota Department of Agriculture (MDA) licenses and inspects food establishments in the state of Minnesota and works to consistently apply and enforce food safety regulations. For the past several years the MDA's Food and Feed Safety Division has licensed breweries and distilleries in the state and is working to license and inspect all commercial establishments producing and selling alcohol, including wineries. This factsheet explains the food regulatory requirements for wine manufacturers and farm wineries that have wholesale sales.

## Wholesale Operations

Wholesale operations sell to other locations that resell the products. They do not sell directly to the end consumer. Wineries that sell bottled wine to distributors, restaurants, and liquor stores have wholesale operations.

Many licensed facilities do a combination of wholesale and retail, and the license type is determined based on dollar amount of sales (more than 50% of one or the other). The license requirement is independent of the requirement to comply with food safety and sanitation regulations. This means that facilities doing both retail and wholesale are subject to regulations pertaining to both.

## Applicable Regulations

Wineries that produce their own wine need to meet the good manufacturing practices (21 CFR 110) in the production locations, and then meet the Minnesota food code (MN Rule 4626) in any retail locations that are also part of that facility, if applicable.

The food code has a requirement for plan review, which has a fee and paperwork associated with it. All retail portions of current, existing operations must go through plan review unless:

- the review was previously done by another agency and all requirements are met, or
- the winery only sells prepackaged nonperishable foods, including the bottled wine.

For more information on plan review and retail operations, see the Wineries- Retail Operations Factsheet.

## The Food Safety Modernization Act (FSMA)

Several rules associated with the Federal FSMA may apply to wholesale winery operations, including the Preventive Controls for Human Food (PCHF) rule and the Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption.

- The PCHF rule applies to all manufacturers and warehouses with some exceptions.
- More information regarding the PCHF rule can be found here: [FDA at a Glance document describing key requirements for the Final Rule on Preventive Controls for Human Food](#)
- The Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption rule applies to all farms with some exceptions.
- More information regarding this rule can be found here: [FDA at a Glance document describing key requirements for the Final Rule on Produce Safety](#)

## Wooden Barrels

There will be some exceptions to the equipment requirements made for industry specific equipment, most notably for wooden barrels used for aging.

## What are examples of facility requirements?

- All areas are well lit and are clean and sanitary at all times to maintain a safe beverage production environment.
- Smooth, durable, easily cleanable walls and ceilings.
- Suitable floors with drainage in the processing area with trapped drains, so that the floors can be easily cleaned.
- Kept free from conditions that might attract pests. Windows and doors must provide an effective prevention from pests.
- Doors going into production rooms and the toilet rooms must be outward facing and self-closing.
- Toilet rooms must be present and cannot be adjacent to the production rooms. They must be completely enclosed with tight fitting self-closing doors. They must be properly plumbed with hot and cold running water. They must have soap and paper towels, and they must have an “Employees must wash their hands” sign posted in a visible place in the toilet room.
- Manufacturing area must have at least one three-compartment sink for small equipment cleaning and sanitizing, and one hand sink- possibly more depending on the size and layout.
- Equipment and parts must be commercial, durable, and adequate for the conditions of use and easily cleanable.
- Floors may be a variety of finishes including sealed concrete, high polish concrete, epoxy, tile, or some other durable, easily cleanable material.

## Steps for Licensing Wholesale/ manufacturing:

To receive a license, contact MDA to schedule an onsite review of the wholesale or manufacturing operations. The assigned area Food Inspector will conduct that review. Call 651-201-6027 to find out which Food Inspector is assigned in your area.

## Water and Septic Requirements

License applicants not connected to municipal utilities must have approved water and septic systems.

- Wells must meet the construction code in place at the time they were dug; this can be checked by reviewing well records at the county or state level.

- The unique well number, evidence of construction approval and well water testing results for a private well must be submitted to the area Food Inspector.
- A letter of compliance from the local authority is needed for approval of a private septic system.

## Additional Construction Requirements

If plumbing work is needed, plumbing plans must be submitted to the Minnesota Department of Labor and Industry or a delegated agency at the city or county level for review prior to construction.

The MDA inspector doing a pre-licensing inspection will also check for all local zoning, building, electrical, mechanical permits and approvals.