



Overview of MDA's Potential Food Licensing Model

Katherine Simon, REHS | Division Director

Jeff Luedeman, MS, REHS | Assistant Division Director

Historical Context

- Last major modification of MDA licensing was in 2003
- Barriers due to system of classification and place of business
- Classifications have been challenging for innovative business models
- System does not clearly relate to food safety risk or programs
- Stakeholder informed changes to potential licensing model

Desired Outcomes

- Simplification
- Business access
- Business innovation
- Business adaptation / evolution
- Conveys food safety risk

Potential Licensing Changes

Current License Classifications

Retail Food Handler

Retail Mobile Food Handler

Wholesale Food Handler

Wholesale Food Processor or Manufacturer

Food Broker

Potential License Categories

Home Food Processor

Small-Scale Food Handler

Food Handler

Mobile Food Handler

Home Food Processor

Description of Category

- Minnesota residential kitchen
- No fee for preoperational plan review
- Menu: non-TCS foods & TCS foods frozen or refrigerated
- Single license for:
 - Separate preparation and storage locations
 - Offsite sales of pre-packaged food items
- License follows licensee (relocation)
- Mail delivery of non-TCS foods

Conditions / Limitations on Category

- Sales direct to consumer
- No HACCP / specialized process or game animal
- No processing meat / poultry / fish / juice / raw egg / dairy
- No reheating / cooling cooked TCS foods
- Cottage foods subject to Cottage Food Exemption – not comingled

Home Food Processor Examples

- A person who prepares and sells direct to consumer value-added products from a residential kitchen in Minnesota.
- Non-TCS foods and qualified refrigerated or frozen TCS foods such as cakes, pies and processed and packaged produce, sandwiches, salads, etc.
- No additional license for offsite sales of prepackaged foods.

Small-Scale Food Handler

Description of Category

- Facilities & equipment meet GMP at minimum or Minnesota Food Code
- Sales direct to consumer and to others for resale
- Base-fee retail and manufactured food activities (endorsements)
- Single license for:
 - Separate preparation and storage locations
 - Offsite sales of pre-packaged food items
- License follows licensee

Conditions / Limitations on Category

- Sales cap
- No primary residential kitchen
- Preoperational construction plan review
- Additional fees for specialized process / HACCP at retail and wholesale processing

Small-Scale Food Handler Examples

- A person / small business operating from:
 - a shared commercial kitchen,
 - an additional kitchen at a residential / farm premises, or
 - a commercial kitchen offsite from residence
- A business that is not principally about food but is regularly engaged in food sales
- Food shelves
- Aggregated raw agricultural commodities
- No additional license for offsite sales of prepackaged foods.

Food Handler

Description of Category

- Facilities & equipment meet GMP or Minnesota Food Code as applicable
- Sales direct to consumer and to others for resale
- Base-fee retail and manufactured food activities (endorsements)
- No additional license for offsite sales of pre-packaged food items

Conditions / Limitations on Category

- No primary residential kitchen
- Preoperational construction plan review per MS 28A.082 as applicable
- Additional fees for specialized process / HACCP at retail and wholesale processing
- Additional license for separate place-of-business activity

Food Handler Examples

- Some prepackaged food stores
- Convenience / grocery stores / meat markets
- Food salvaging
- Food processing for resale
- Food storage warehouses
- May be engaged in specialized processes / HACCP
- No additional license for offsite sales of prepackaged foods.

Mobile Food Handler

Description of Category

- Meets Minnesota Food Code or GMP as applicable
- Sales direct to consumer and to others for resale
- No change in classification of mobile food handler types
- No license required for retail food vehicle, portable structure, or cart if selling prepackaged food as extension of business with Home Food Processor, Small-scale Food Handler, or Food Handler license

Conditions / Limitations on Category

- Preoperational construction plan review per MS 28A.082 as applicable
- Subject to licensing periods in MS 157.15 for mobile units, seasonal temporary or seasonal permanent food stands, and special event food stands
- No specialized process / HACCP, food salvage, or bottling
- Additional license for each additional unit or type

Mobile Food Handler Examples

- Mobile food units, seasonal temporary and seasonal permanent food stands, and special event food stands
- Retail food vehicles, portable structures, and carts
- Mobile units, food stands, and possibly retail food vehicles, structures, or carts at:
 - fairgrounds
 - farmers' markets,
 - community events,
 - other places of business such as wineries and farm / orchard locations, etc.

Summary of Potential License Categories

	Home Food Processor	Small-Scale Food Handler	Food Handler	Mobile Food Handler
Sales	Retail	Retail and wholesale	Retail and wholesale	Retail and wholesale
Plan review	Yes, no fee	Yes	Yes	Yes
Sales cap	No	Yes	No	No
Facilities and equipment	Primary residential kitchen	GMP minimum	GMP or MN Food Code as applicable	GMP or MN Food Code as applicable
License	<ul style="list-style-type: none"> • Annual • Multiple activities • Follows licensee • Offsite sales extension (PPF) 	<ul style="list-style-type: none"> • Annual • Multiple activities • Follows licensee • Offsite sales extension (PPF) 	<ul style="list-style-type: none"> • Annual • Per place of business • Offsite sales extension (PPF) 	<ul style="list-style-type: none"> • Annual • Statewide • Per unit or type
Food safety risk	Menu limitations	Base fee activities	Base fee activities	Activity restrictions
Other	Delivery by mail	License fee scale		

Closing Remarks

- Potential to prorate initial license fee, quarterly or fraction thereof
- Clarify sales to self or same legal entity
- Aiming to provide a simplified licensing structure that:
 - bridges licensing exemption to food handler
 - supports business access, innovation, and evolution
 - conveys food safety risk



Thank you!

Katherine Simon

Katherine.Simon@state.mn.us

952-452-4107

Jeff Luedeman

Jeff.luedeman@state.mn.us

651-331-9151