

**Minnesota Department of Agriculture
Food Safety and Defense Task Force
Food Innovation Team Subcommittee**

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Title: Attachment 5: FIT Recommendation Report Template	

Data Privacy Warning:

The Food Innovation Team (FIT) regularly requests data from food business owners (FBOs) interested in participating or gaining food business licensing guidance from FIT through the Pre-Screening Intake Form (PSIF), during FIT meeting proceedings, and as part of the regular processes of FIT. The information provided for these FIT activities will be used before, during, and after FIT meetings to answer licensing questions from FBOs. Information provided is public information and will be discussed at a meeting that is open to the public. If you have information that you want protected, please contact the Food and Feed Safety Interim Division Director, Katherine Simon (Katherine.simon@state.mn.us or (651) 201-6596) before filling out this form and submitting it to FIT.

FIT Website Notification:

Please note that all information contained in this form is subject to public information requests. The information contained in this form will be included on the FIT website with the exception of items under the “General Business Information” category.

Date of FIT Meeting: 7/16/19

Meeting Participants:

- FIT Members:
 - James Backstrom
 - Jane Jewett
 - Julia Selleys
 - Molly Herrmann
 - Jim Roettger
 - Lolly Occhino
 - Lauri Clements
 - Kathy Zeman (WebEx)
- Other:
 - Katherine Simon

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General Business Information (Do not include this section in public-facing online database)	
Name of business:	Farm on Wheels
Location of business:	Kenyon, MN
Referred by:	<input type="checkbox"/> MDA <input type="checkbox"/> MDH <input checked="" type="checkbox"/> FIT member <input type="checkbox"/> MDA Delegated Agency <input type="checkbox"/> MDH Delegated Agency
Current license(s), registration(s), and/or exemption(s): (Please include date of issuance.)	MDA license # 20051292
Why was this business referred to FIT?	
Current business model:	Farm on Wheels
Key issues examined by FIT:	Correct licensing for vendors who sell food products at farmers' markets or other venues
Other issues:	<ul style="list-style-type: none"> • Consistency – other vendors @ same market as Linda were not notified to change their license. • Retail food handler license allowed for meat processors selling meat at farmers' market? Custom processing plant is licensed for operations at its location. • Cross-border sales by out-of-state retailer food handlers
How was the issue resolved?	
Description of resolution:	<ul style="list-style-type: none"> • Correct licensing is Retail Food Vehicle/Portable Structure or Cart; this allows sales at multiple different locations – unless the sales are happening in more than one location simultaneously. In the case of simultaneous sales at multiple locations, additional licenses would be needed. This license does not limit annual days of operation at a single location. • The Retail Food Vehicle/Portable Structure or Cart license is not tied to physical location or structure in the same way as other licenses. It's tied to the transactions that you make with delivery equipment that meets the standards of the license. (i.e. The equipment standards must be appropriate for the product being sold. Refer to the Minnesota Food Code, 4626 to determine appropriate equipment standards.) It

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	<p>allows temporary and malleable structures at the point of sale. It allows operators to sell product in multiple locations sequentially but not simultaneously.</p> <ul style="list-style-type: none"> • Someone with a licensed retail brick & mortar facility who wants to do mobile sales at multiple locations is going to need a mobile type of license for the sales at multiple locations. • Cross-border sales by out-of-state retailer food handlers are subject to MN law when they are selling in MN. (This also applies to tribes. Sovereignty applies on tribal trust land only.) • Contacts with individual vendors up for license renewal are made by the inspectors who cover the territory where the vendor lives – so each inspector is doing their own checking on licensees – there hasn’t been coordination of that. Different vendors at the same farmers’ market may have different inspectors.
Other notes:	<ul style="list-style-type: none"> • Note difference between mobile sales and “Mobile Food Unit.” These two terms not interchangeable. “Mobile Food Unit” is a noun. Mobile sales refer to the action of traveling from place to place. • The Retail Food Vehicle/Portable Structure or Cart license category was developed in 1998. • Hennepin County has a “Facility Change Form” that is used to change license type in between license cycles.
Who resolved the issue (name(s) and organization(s)):	FIT team; statutory & Rule information and history supplied by Jim Roettger.
Date of resolution:	7/16/19
Licensing authority representative (name and organization):	Jodie Burke
Recommendations / Lessons Learned	
Internal (FIT):	Update LFAC Selling Minnesota Meat guide and Selling Minnesota Poultry guide
Licensing agency:	<ul style="list-style-type: none"> • Is there a way to remove the financial burden on individual small businesses to have multiple licenses? Enterprise view rather than physical location view. Have a base license fee and then an add-on for each location, perhaps? (Note: license fees are already scaled to the volume of the sales of the

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	<p>business. Also, more services are given by agency to the small operators. This is a legislative question: what is fair?)</p> <ul style="list-style-type: none"> • Take the policy development question to LFAC • Clarify language on website and application to describe the requirements and restrictions of the different license types. Add Guidance to application that includes examples. • Create Guidance documents for each license type, along the same lines as Cottage Food Guidance or the Special Event Food Stand Guidance. • MDA needs to develop a plan to get farmers' market vendor licenses switched over to the correct license.
Rules / Statutes:	<p>M.S. 28A.05 (license types) M.S. 28A.06 (requirement for license, linked to M.S. 157.15) MN Rules 4626.0020 Subd. 73 (definition of Retail Food Vehicle/Portable Structure or Cart) MN Rules 4626 (appropriate equipment for retail product sales)</p>