

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

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Data Privacy Tennessee 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 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. This form will be published on the FSDTF website.

Date of FIT Meeting: 09/15/2020

Meeting Participants:

- FIT Members:
 - Blake Nordin
 - Julia Selleys
 - Lolly Occhino
 - Kathy Zeman
 - Jane Jewett
- Other:
 - Jeff Luedeman
 - Alida Sorenson
 - Natasha Hedin

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General Business Information (Do not include this section in public-facing online database)	
Name of business:	Richfield Farmers' Market Aitkin Farmers' Market Grand Rapids Farmers' Market Wabasha Farmers' Market
Location of business:	Richfield, Aitkin, Grand Rapids, and Wabasha, MN
Referred by:	<input type="checkbox"/> MDA <input type="checkbox"/> MDH <input checked="" type="checkbox"/> x 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.)	All businesses are currently licensed by the MDA
Why was this business referred to FIT?	
Current business model:	<ul style="list-style-type: none"> • Up until June 2020, these markets were licensed as Wholesale Food Handlers and were operating according to protocols laid out in the <i>Selling Minnesota: Aggregation of Farmers' Produce</i> document. • The markets have been operating with mostly temporary structures: pop-up canopies and folding tables. Two of the markets, Wabasha and Grand Rapids, also have trailers. Most product is received and distributed on the same day. The markets with trailers may have product in transit overnight. • The markets use an online sales platform to offer vendors' products for sale and receive customer orders. On market days, the markets receive product from multiple vendors, aggregate products to fill customer orders, and distribute the product to retail and wholesale customers. • Majority of the farmers are selling produce, eggs, meat, honey, and maple syrup under the product of the farm exclusion from licensing, M.S. 28A.15 Subd. 2. Farmers selling meat products with added ingredients, such as sausage or bacon, have their own food handler licensing from MDA. Any bakers selling product to the market are licensed. There are also some licensed makers of jam, jelly, syrup, or other processed food products. • Most of these markets are operating in a limited time frame, receiving products from vendors and distributing products to customers within a four-hour window. Therefore, some of these markets are using camping coolers with ice to maintain temperatures. Some of these markets are using mechanical refrigeration.
Key issues examined by FIT:	<ul style="list-style-type: none"> • Does Retail Food Vehicle/Portable Structure or Cart licensing mean there can be no wholesale sales?

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	<ul style="list-style-type: none"> • Is there a difference in how licensed markets can aggregate products and how markets can be licensed for aggregation & sales depending on whether vendors are physically present during aggregation and sales? • What restrictions would there be on meat items if markets were licensed and vendors were not present during the assembly of orders?
Other issues:	<ul style="list-style-type: none"> • Also discussed cottage food being offered for sale on the market platform. • Determined that the cottage food producer would need to walk their product out to the customer and the customer would have to pay the cottage food producer in person.
What issues were resolved?	
Description of resolution:	<ul style="list-style-type: none"> • Clarification that nothing prevents a market licensed as a Retail Food Vehicle/Portable Structure or Cart from also selling at wholesale, up to 50% of total sales. The license held by the operator should reflect the predominance of sales. • Licensed farmers' markets doing aggregation and sales of products from multiple vendors do not need to have those vendors present when sales take place, no matter the type of product, so long as the product is from an approved source. • Licensed farmers' markets handling highly perishable products such as meat, dairy, or eggs must have adequate measures to maintain required temperatures of those products. • Cottage Food Producer payments and products cannot be handled by farmers' markets as part of aggregation and sales. Cottage Food Producers must sell directly to their customer, and not through any intermediaries.
Other notes:	
Licensing authority representative (name and organization):	Jeff Luedeman, Food and Feed Safety Division, Minnesota Department of Agriculture
Recommendations / Lessons Learned	
FBO:	
Internal (FIT):	
Licensing agency:	Minnesota Department of Agriculture
Rules / Statutes:	M.S. 28A.15 Subd. 2.

Exclusion of liability statement

The report generated is a *recommendation* by the FIT Subcommittee; it is the role of the jurisdictional regulatory body to determine next steps for the FBO. Neither the FIT Subcommittee nor the FSDTF are the final decision maker regarding the future of a case. FSDTF and its subcommittees are advisory bodies only. The job of the FIT Subcommittee is to aid

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FBOs with complex questions as it relates to licensing, and offer suggestions based on member's experience and expertise. The FSDTF and its subcommittees do not have any enforcement or regulatory authority and are not liable for any issues or consequences arising out of the use of the FSDTF or any subcommittees thereof.