

COTTAGE FOOD LAW REPORT

Benton County

Minnesota · Foley · FIPS 27009 · Population 41,881 · Crosodo Index #1545*

STATE BASELINE	STATE TIER	ANNUAL SALES CAP (STATE)	CONFIDENCE	LAST VERIFIED
Minn. Stat. §28A.152	Great	78000	MEDIUM	2026-05-06

IMPORTANT — NOT LEGAL ADVICE

This report compiles publicly-available statutes, regulations, and county zoning rules into a research reference. It is **not legal advice** and is provided **without warranty** as to accuracy, completeness, or current applicability.

Cottage food law changes frequently. Counties may amend zoning, health departments may issue new permits, and state legislatures may update statutes after the publication date shown above.

Always verify rules directly with your state department of health/agriculture and your county health and planning offices before relying on them for any business or regulatory decision. Consult a licensed attorney for advice specific to your situation.

MINNESOTA: BENTON COUNTY

CROSODO INDEX #1545* · FIPS 27009 · Foley

Benton County

Population 41,881 · State baseline: Minn. Stat. §28A.152 · **MEDIUM****QUICK VIEW FOR BAKERS IN THIS COUNTY****HOME KITCHEN ALLOWED?**

Yes (Minnesota cottage food law (Minn. Stat. §28A.152, amended 2025) allows up to \$78,000 annual gross sales of non-potentially hazardous foods from a home kitchen. Tier 1 (up to ~\$7,665/year): free online training only. Tier 2 (up to \$78,000/year): paid training course and \$30 annual registration fee required. Direct sales, farmers markets, community events, and internet sales permitted. Canned goods cannot be sold across state lines.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific state cottage food pet restriction; good sanitation practices required.

HOME OCCUPATION PERMIT?

Varies (No county-specific cottage food permit identified. Benton County is a central Minnesota county near St. Cloud with county seat Foley. Local townships may have home occupation zoning standards. Operators should contact Benton County planning or their local township.)

ON-SITE / PORCH PICKUP?

Conditional

INSPECTION REQUIRED?

No (Complaint-based investigation only.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Minnesota cottage food law (Minn. Stat. §28A.152, amended 2025) allows up to \$78,000 annual gross sales of non-potentially hazardous foods from a home kitchen. Tier 1 (up to ~\$7,665/year): free online training only. Tier 2 (up to \$78,000/year): paid training course and \$30 annual registration fee required. Direct sales, farmers markets, community events, and internet sales permitted. Canned goods cannot be sold across state lines.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No specific state cottage food pet restriction; good sanitation practices required.
WATER SUPPLY	No specific state cottage food water testing requirement.
HANDWASHING	No specific state cottage food handwashing mandate beyond food safety training requirements.
FOOD STORAGE	Non-potentially hazardous foods only; no refrigeration required.

Inspection & permitting

INSPECTION REQUIRED	No — Complaint-based investigation only.
HOME OCCUPATION PERMIT	Varies — No county-specific cottage food permit identified. Benton County is a central Minnesota county near St. Cloud with county seat Foley. Local townships may have home occupation zoning standards. Operators should contact Benton County planning or their local township.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Conditional
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct sales from home, farmers markets, community events, and internet sales permitted. Canned goods may not be sold across state lines.
MAX EMPLOYEES IN HOME	Not specified in state cottage food statute.

Relevant county code

No county-specific cottage food ordinance identified; state MDA rules govern.

RESEARCH NOTES

No Benton County-specific cottage food zoning ordinance found. State MDA rules govern; local jurisdictions largely defer to state law. Defaulted to MN state baseline plus medium confidence.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.co.benton.mn.us>

<https://www.revisor.mn.gov/statutes/cite/28A.152>

<https://www.mda.state.mn.us/food/business/cottage-food-producer-registration>

Questions? Join the Crosodo Forum to discuss your county's specific zoning rules at <https://crosodo.com/nb/minnesota/benton-county-discuss>

State context — Minnesota cottage food law

Benton County's rules sit on top of Minnesota's state cottage food framework. The state law sets the floor — counties can add but cannot remove protections.

STATUTE	ANNUAL SALES CAP
Minn. Stat. §28A.152	78000
REGISTRATION REQUIRED	FOOD HANDLER CERT
Yes	Yes
KITCHEN INSPECTION	DIRECT SALES ONLY
No	No

INDIRECT SALES

No — Sales are limited to direct-to-consumer channels: community events, farmers markets, from the producer's home, online (in-state delivery by the producer personally or by mail/commercial delivery), and fundraising donations. Restaurants, retail stores, roadside stands, mail order wholesale, and catering are prohibited. All deliveries must be made by the producer personally unless shipped by mail or commercial delivery upon a prior online sale. Home-canned products in the pH/water-activity exemption category (Subd. 1(a)(2)) may not be sold outside of Minnesota.

For the full state-level analysis including the verbatim statute text, see the [Minnesota cottage food law report](#).

STATE-LEVEL REFERENCES

State statute: <https://www.revisor.mn.gov/statutes/cite/28A.152>

State dept cottage food page: <https://www.mda.state.mn.us/food/business/cottage-food-producer-registration>

Forrager.com: <https://forrager.com/law/minnesota/>

Questions?

Join the Crosodo Forum to discuss Benton County's specific zoning rules, permits, and what other home bakers are seeing locally.

<https://crosodo.com/nb/minnesota/benton-county-discuss>
