

## COTTAGE FOOD LAW REPORT

# Clay County

Minnesota · Moorhead · FIPS 27027 · Population 65,307 ·  
Crosodo Index #1024\*

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

**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: CLAY COUNTY

CROSODO INDEX #1024\* · FIPS 27027 · Moorhead

# Clay County

Population 65,307 · State baseline: Minn. Stat. §28A.152 · **MEDIUM**

### QUICK VIEW FOR BAKERS IN THIS COUNTY

**HOME KITCHEN ALLOWED?**

Yes (Registration required with MDA. Two tiers: Tier 1 (up to ~\$7,665/year, free registration training); Tier 2 (up to \$78,000/year, \$50 training fee, \$30 annual registration). Food handler certification required for Tier 2. No kitchen inspection.)

**SEPARATE KITCHEN REQUIRED?**

No

**PETS ALLOWED?**

No specific state prohibition; good manufacturing practice applies

**HOME OCCUPATION PERMIT?**

Varies (Clay County is home to Moorhead (Fargo-Moorhead metro area). No specific Clay County cottage food home occupation permit identified beyond state registration. Contact Clay County Planning & Zoning or City of Moorhead for local zoning.)

**ON-SITE / PORCH PICKUP?**

Yes

**INSPECTION REQUIRED?**

No (No routine inspection; MDA may investigate complaints)

### Home kitchen rules

<b>HOME KITCHEN ALLOWED</b>	Yes — Registration required with MDA. Two tiers: Tier 1 (up to ~\$7,665/year, free registration training); Tier 2 (up to \$78,000/year, \$50 training fee, \$30 annual registration). Food handler certification required for Tier 2. No kitchen inspection.
<b>SEPARATE DEDICATED KITCHEN</b>	No
<b>PET RESTRICTIONS</b>	No specific state prohibition; good manufacturing practice applies
<b>WATER SUPPLY</b>	Potable water required
<b>HANDWASHING</b>	Standard handwashing facilities required
<b>FOOD STORAGE</b>	Non-PHF foods and pH-tested acidified foods; proper storage required

### Inspection & permitting

<b>INSPECTION REQUIRED</b>	No — No routine inspection; MDA may investigate complaints
<b>HOME OCCUPATION PERMIT</b>	Varies — Clay County is home to Moorhead (Fargo-Moorhead metro area). No specific Clay County cottage food home occupation permit identified beyond state registration. Contact Clay County Planning & Zoning or City of Moorhead for local zoning.
<b>LOCAL BUSINESS LICENSE</b>	Varies

### Customer-facing rules

<b>ON-SITE CUSTOMER PICKUP</b>	Yes
<b>ON-SITE SIGNAGE</b>	Conditional
<b>DELIVERY / PICKUP RULES</b>	Direct sales only; no wholesale or retail sales. Farmers markets, events, home, and online within Minnesota. Home-canned goods for direct MN sales only.
<b>MAX EMPLOYEES IN HOME</b>	No specific limit stated

### Relevant county code

Contact Clay County or Moorhead City for local zoning

#### RESEARCH NOTES

Minnesota §28A.152 (amended 2025) raised annual cap to \$78,000 for Tier 2. Clay County is the Moorhead-Fargo border area. No specific Clay County cottage food overrides found. Registration required at state level; tiered training costs apply. No county URLs in input.

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#### SOURCES VERIFIED AT RESEARCH TIME

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

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

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

## State context — Minnesota cottage food law

Clay 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.

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

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

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### 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/>

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## Questions?

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

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

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