

COTTAGE FOOD LAW REPORT

Sherburne County

Minnesota · Elk River · FIPS 27141 · Population 97,820 ·
Crosodo Index #922*

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: SHERBURNE COUNTY

CROSODO INDEX #922* · FIPS 27141 · Elk River

Sherburne County

Population 97,820 · State baseline: Minn. Stat. §28A.152 · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Minnesota cottage food law (§28A.152, 2025 amendment): \$78,000 annual sales cap (CPI-indexed, 2025 amendment). Two tiers: Tier 1 (~\$7,665/year, free online registration training only); Tier 2 (up to \$78,000, \$50 training course renewed every 3 years, \$30 annual registration fee). Allowed: non-PHF foods including baked goods, condiments, dry goods, fermented foods, preserves, snacks, juices, home-canned goods (pH ≤4.6 or aw ≤0.85). No indirect sales (direct to consumer only). No inspection.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No specific restriction under Minnesota cottage food law.

HOME OCCUPATION PERMIT?

Varies (Sherburne County (Elk River) municipalities may have home occupation zoning requirements. Minnesota does not expressly preempt local zoning for cottage food operations. Operators should verify with Sherburne County planning or local township.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (No inspection authority for MN Cottage Food Producer registrations.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Minnesota cottage food law (§28A.152, 2025 amendment): \$78,000 annual sales cap (CPI-indexed, 2025 amendment). Two tiers: Tier 1 (~\$7,665/year, free online registration training only); Tier 2 (up to \$78,000, \$50 training course renewed every 3 years, \$30 annual registration fee). Allowed: non-PHF foods including baked goods, condiments, dry goods, fermented foods, preserves, snacks, juices, home-canned goods (pH ≤4.6 or aw ≤0.85). No indirect sales (direct to consumer only). No inspection.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No specific restriction under Minnesota cottage food law.
WATER SUPPLY	No specific requirement.
HANDWASHING	No specific statutory requirement; training course covers food safety practices.
FOOD STORAGE	Non-PHF shelf-stable foods only; home-canned goods with specific pH/water activity requirements.

Inspection & permitting

INSPECTION REQUIRED	No — No inspection authority for MN Cottage Food Producer registrations.
HOME OCCUPATION PERMIT	Varies — Sherburne County (Elk River) municipalities may have home occupation zoning requirements. Minnesota does not expressly preempt local zoning for cottage food operations. Operators should verify with Sherburne County planning or local township.
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Direct to consumer only; no retail/wholesale. Sales at home, farmers markets, events permitted. Home-canned goods cannot be shipped out of state.
MAX EMPLOYEES IN HOME	No employee limit specified in Minnesota cottage food law.

Relevant county code

No Sherburne County-specific cottage food code identified.

RESEARCH NOTES

No Sherburne County-specific cottage food rules found. Sherburne County is a fast-growing exurb of the Twin Cities (Elk River). Minnesota cottage food law was updated in 2025 (c 34 art 5) to raise the cap to \$78,000 and index it for inflation. MDA website returned 404 during research but content confirmed from revisor.mn.gov and Forrager.

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/sherburne-county-discuss>

Bordering counties — cottage food law

Regulation	Sherburne County	Wright County	Stearns County
HOME KITCHEN ALLOWED	Yes	Yes	Conditional
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No specific restriction under Minnesota cottage food law.	Not explicitly prohibited by state statute; kitchen must maintain sanitary conditions.	No specific state prohibition; standard food safety practices apply.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Conditional
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Direct to consumer only; no retail/wholesale. Sales at home, farmers markets, events permitted. Home-canned goods cannot be shipped out of ...	Direct sales permitted. Home-canned products may not be sold outside of Minnesota. Other cottage food products can be sold at any venue inc...	Sales at farmers markets, roadside stands, on-farm, direct, online (in-state only), and certain retail channels. Home-canned products may n...
HOME OCCUPATION PERMIT	Varies	Varies	Varies
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Minnesota cottage food law (§28A.152, 2025 amendment): \$78,000 annual sales cap (CPI-indexed, 2025 amendment). Two tiers: Tier 1 (~\$7,665/y...	Annual sales capped at \$78,000 (2025 amendment, CPI-indexed with July 2025 base). Two-tier system: Tier 1 (up to ~\$7,665/year) requires fre...	Minnesota two-tier system: Tier 1 (up to ~\$7,665/year) requires free Cottage Food Producer Registration Training. Tier 2 (up to \$78,000/yea...
FOOD STORAGE	Non-PHF shelf-stable foods only; home-canned goods with specific pH/water activity requirements.	Non-TCS (non-refrigerated) finished products required. Home-canned products must have pH 4.6 or lower or water activity 0.85 or less. Store...	Non-PHF products only; proper storage to prevent contamination required.
POPULATION	97,820	142,543	158,622

State context — Minnesota cottage food law

Sherburne 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 Minn. Stat. §28A.152	ANNUAL SALES CAP 78000
REGISTRATION REQUIRED Yes	FOOD HANDLER CERT Yes
KITCHEN INSPECTION No	DIRECT SALES ONLY 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 Sherburne County's specific zoning rules, permits, and what other home bakers are seeing locally.

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