

CHAPTER 1556
DEPARTMENT OF AGRICULTURE
MINNESOTA GROWN LABELING STATEMENTS

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1556.0100 AUTHORITY.

This chapter governs licensing and use of the "Minnesota grown" logo and labeling statement and is adopted by the commissioner under Minnesota Statutes, section 17.102.

Statutory Authority: *MS s 17.102*

History: *13 SR 2896; 18 SR 580*

1556.0110 DEFINITIONS.

Subpart 1. **Scope.** The definitions in this section apply to this chapter.

Subp. 2. **Agricultural products.** "Agricultural products" means livestock or livestock products, dairy products, poultry or poultry products, fish, fruit, vegetables, grains, including natural and cultivated wild rice, bees, apiary products, and floral and nursery crops.

Subp. 3. **Commissioner.** "Commissioner" means the commissioner of agriculture or the commissioner's authorized representative.

Subp. 4. **Department.** "Department" means the Department of Agriculture.

Subp. 4a. **Hand harvested wild rice.** "Hand harvested wild rice" means 100 percent natural lake or river grown wild rice which was hand harvested in accordance with Minnesota Statutes, section 84.111.

Subp. 5. **Improper use.** "Improper use" means unauthorized use of the labeling statement or use of the labeling statement in violation of this chapter.

Subp. 6. **Processor.** "Processor" means an individual, partnership, cooperative association, or corporation that processes raw agricultural products and other food ingredients into food products or commercially slaughters or processes animals or poultry.

Subp. 7. **Produced in Minnesota.** "Produced in Minnesota" means dairy animals, poultry, or other livestock that were fed in Minnesota for at least 60 days prior to milking, processing, or slaughtering or fruits, vegetables, grains, or floral and nursery crops that have been grown in Minnesota.

Subp. 8. **Producer.** "Producer" means an individual, partnership, family farm, family farm corporation, authorized farm corporation, or cooperative association engaged in the production for sale or harvest for sale of agricultural products.

Subp. 9. **Retailer.** "Retailer" means an individual, partnership, cooperative association, or corporation that purchases an agricultural product from a producer or wholesaler to sell the agricultural product to a consumer rather than to a person who will resell the product in any form.

Subp. 10. **Wholesaler.** "Wholesaler" means an individual, partnership, cooperative association, corporation, business trust, or unincorporated organization that purchases an agricultural product from a producer or another wholesaler to sell or supply the

agricultural product to a retailer, industrial buyer, restaurant, or institution, or to sell it on behalf of one wholesaler to another wholesaler.

Statutory Authority: *MS s 17.102*

History: *13 SR 2896; 15 SR 692*

1556.0120 "MINNESOTA GROWN" AND "2,000 MILES FRESHER" LABELING STATEMENTS.

Subpart 1. **Eligible products.** The products listed in items A and B are eligible to be packaged with "Minnesota grown" and "2,000 miles fresher" labeling statements.

A. A raw agricultural product may be identified with the labeling statements if no less than 80 percent of the agricultural product was produced in Minnesota, except wild rice may only be identified with the labeling statements if 100 percent of the product was produced in Minnesota.

B. A processed agricultural product may be identified with the labeling statements if no less than 80 percent of the featured product component was produced in Minnesota, except a product containing wild rice may only be identified with the labeling statements if 100 percent of the wild rice was produced in Minnesota.

Subp. 2. **Use of the "Minnesota grown" and "2,000 miles fresher" labeling statements.** A producer licensed under part 1556.0160 may use the "Minnesota grown" and "2,000 miles fresher" labeling statements on an eligible agricultural product. A processor licensed under part 1556.0160 may use the "Minnesota grown" and "2,000 miles fresher" labeling statements on an eligible agricultural product if it was processed or manufactured in a plant located partially or completely in Minnesota.

Subp. 3. **Use by retailers and wholesalers.** A retailer or wholesaler may use the "Minnesota grown" and "2,000 miles fresher" labeling statements without a license in order to display and advertise products that qualify for use of those statements.

Subp. 4. **Appearance of labeling statement.** The labeling statement may be added to an eligible product or display in any color or color combination, except on cultivated wild rice or products containing cultivated wild rice labeling statements may not be printed in navy blue and red or other color combinations designed to make the labeling statement similar in appearance to the "hand harvested wild rice" labeling statement.

Statutory Authority: *MS s 17.102*

History: *13 SR 2896; 15 SR 692; 18 SR 580*

1556.0130 [Repealed, 15 SR 692]

1556.0132 "HAND HARVESTED WILD RICE" LABELING STATEMENT.

Subpart 1. **Eligible products.** Agricultural products containing hand harvested wild rice may be identified with the labeling statement if all of the wild rice contained in the product was hand harvested in Minnesota.

Subp. 2. **Use of the "hand harvested wild rice" labeling statement.** A producer licensed under part 1556.0160 may use the "hand harvested wild rice" labeling statement on an eligible agricultural product. A processor licensed under part 1556.0160 may use the "hand harvested wild rice" labeling statement on an eligible product if the wild rice was processed in a plant located partially or completely in Minnesota.

Subp. 3. **Use by retailers and wholesalers.** A retailer or wholesaler may use the "hand harvested wild rice" labeling statement without a license in order to display and advertise eligible products.

Subp. 4. **Availability and appearance of labeling statement.** The labeling statement may only be purchased from the commissioner at cost in the form of stickers. The stickers will only be made available in the color combination of navy blue and red.

Statutory Authority: *MS s 17.102*

History: *15 SR 692*

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1556.0134 "CULTIVATED WILD RICE" LABELING STATEMENT.

Subpart 1. **Eligible products.** Agricultural products containing cultivated wild rice may be identified with the labeling statement if 100 percent of the wild rice contained in the product was produced in Minnesota.

Subp. 2. **Use of the "cultivated wild rice" labeling statement.** A producer licensed under part 1556.0160 may use the "cultivated wild rice" labeling statement on an eligible agricultural product. A processor licensed under part 1556.0160 may use the "cultivated wild rice" labeling statement on an eligible product if the cultivated wild rice was processed in a plant located partially or completely in Minnesota.

Subp. 3. **Use by retailers and wholesalers.** A retailer or wholesaler may use the "cultivated wild rice" labeling statement without a license in order to display and advertise eligible products.

Subp. 4. **Appearance of labeling statement.** The labeling statement may be added to an eligible product or display in any color or color combination except navy blue and red or other color combinations designed to make the labeling statement similar in appearance to the "hand harvested wild rice" labeling statement.

Statutory Authority: *MS s 17.102*

History: *15 SR 692; 18 SR 580*

1556.0140 "ORGANIC PRODUCT" LABELING STATEMENT.

Subpart 1. **Eligible products.** The products listed in items A and B are eligible to be packaged with the "organic product" labeling statement. All products that carry the "organic product" labeling statement must comply with parts 1555.0005 to 1555.0012 and Minnesota Statutes, sections 31.92 to 31.94.

A. A raw agricultural product, except wild rice, may be identified with the labeling statement if no less than 80 percent of the product was produced in Minnesota on a production unit that complies with parts 1555.0005 to 1555.0012 and Minnesota Statutes, sections 31.92 to 31.94. Wild rice may be identified with the labeling statement if 100 percent of the wild rice was produced in Minnesota on a production unit that complies with parts 1555.0005 to 1555.0012 and Minnesota Statutes, sections 31.92 to 31.94. The entire product must comply with parts 1555.0005 to 1555.0012 and Minnesota Statutes, sections 31.92 to 31.94.

B. A processed product, except a processed product containing wild rice, may be identified with the labeling statement if no less than 80 percent of the featured product component consists of raw agricultural products produced in Minnesota on a production unit that complies with parts 1555.0005 to 1555.0012 and Minnesota Statutes, sections 31.92 to 31.94. A processed product containing wild rice may be identified with the labeling statement if 100 percent of the wild rice was produced in Minnesota on a production unit that complies with parts 1555.0005 to 1555.0012 and Minnesota Statutes, sections 31.92 to 31.94. The entire product must comply with parts 1555.0005 to 1555.0012 and Minnesota Statutes, sections 31.92 to 31.94.

Subp. 2. **Use of the "organic product" labeling statement.** A producer licensed under part 1556.0160 may use the "organic product" labeling statement on an eligible agricultural product. A processor licensed under part 1556.0160 may use the "organic product" labeling statement on an eligible product if it was processed or manufactured in a plant located partially or completely in Minnesota.

Subp. 3. **Use by retailers and wholesalers.** A retailer or wholesaler may use the "organic product" labeling statement without a license in order to display and advertise agricultural products that qualify for the use of the labeling statement.

Subp. 4. **Appearance of labeling statement.** The labeling statement may be added to an eligible product or display in any color or color combination, except that on cultivated wild rice or products containing cultivated wild rice labeling statements may not be printed in navy blue and red or other color combinations designed to make the

labeling statement similar in appearance to the “hand harvested wild rice” labeling statement.

Statutory Authority: *MS s 17.102*

History: *13 SR 2896; 18 SR 580*

1556.0145 “FEATURING” LABELING STATEMENT.

Subpart 1. **Eligible products.** The products listed in items A and B are eligible to be packaged with the “featuring” labeling statement.

A. A raw agricultural product may be identified with the labeling statement if no less than 80 percent of the agricultural product named on the labeling statement was produced in Minnesota, except wild rice may only be identified on the labeling statement if 100 percent of the wild rice was produced in Minnesota.

B. A processed agricultural product may be identified with the labeling statement if no less than 80 percent of the agricultural product named on the labeling statement was produced in Minnesota, except wild rice may only be identified on the labeling statement if 100 percent of the wild rice was produced in Minnesota.

Subp. 2. **Use of the “featuring” labeling statement.** A producer or processor licensed under part 1556.0160 may use the “featuring” labeling statement on an eligible agricultural product.

Subp. 3. **Use by retailers and wholesalers.** A retailer or wholesaler may use the “featuring” labeling statement without a license to display and advertise products that qualify for use of the labeling statement.

Subp. 4. **Appearance of labeling statement.** The labeling statement may be added to an eligible product or display in any color or color combination, except that on cultivated wild rice or products containing cultivated wild rice labeling statements may not be printed in navy blue and red or other color combinations designed to make the labeling statement similar in appearance to the “hand harvested wild rice” labeling statement.

Statutory Authority: *MS s 17.102*

History: *18 SR 580*

1556.0150 OTHER LAW.

Compliance with this chapter does not exempt a producer, processor, retailer, or wholesaler from complying with other laws and rules relating to agricultural products and the labeling of agricultural products.

Statutory Authority: *MS s 17.102 subd 6*

History: *13 SR 2896*

1556.0160 LICENSING; AUTHORIZATION.

Subpart 1. **Approval required.** Authorization to use labeling statements covered by this chapter is dependent upon approval of an application for their use by the commissioner, with the exception of retailers and wholesalers, who may use the labeling statements without a license in order to display and advertise products that qualify for use of the labeling statements.

Subp. 2. **Application to use labeling statements.** An application to use labeling statements covered by this chapter must be made in writing, on a form provided by the department, and must reveal information considered necessary for the enforcement of the Minnesota grown marketing program.

The application form must be accompanied by a fee established in Minnesota Statutes, section 17.102. If an applicant is ineligible, the fee must be refunded.

Subp. 3. **License to use labeling statements.** An applicant who has an application approved must receive a license valid for one year, beginning January 1. Licensees shall apply for renewal of each license before the expiration date of the current license. The

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commissioner shall charge a late fee, as established by Minnesota Statutes, section 17.102, for renewal of a license that has expired.

Statutory Authority: *MS s 17.102*

History: *13 SR 2896; 18 SR 580*

1556.0170 ENFORCEMENT.

The commissioner may make use of random or regular investigations or inspections to ensure the proper use of labeling statements covered by this chapter. The commissioner may investigate any use of the labeling statements if there is reason to believe improper use of a labeling statement exists. The person, firm, partnership, corporation, or association applying the labeling statement to a product must be able to supply documentation to show that the product being labeled meets eligibility requirements of the labeling program.

Statutory Authority: *MS s 17.102*

History: *13 SR 2896; 18 SR 580*

1556.0200 [Repealed, 27 SR 1820]

1556.0205 [Repealed, 27 SR 1820]

1556.0207 [Repealed, 27 SR 1820]

1556.0209 [Repealed, 27 SR 1820]

1556.0211 [Repealed, 27 SR 1820]

1556.0213 [Repealed, 27 SR 1820]

1556.0215 [Repealed, 27 SR 1820]

1556.0217 [Repealed, 27 SR 1820]

1556.0221 [Repealed, 27 SR 1820]

1556.0223 [Repealed, 27 SR 1820]

1556.0225 [Repealed, 27 SR 1820]

1556.0227 [Repealed, 27 SR 1820]