

1.1 **Department of Agriculture**

1.2 **Proposed Permanent Rules Relating to Labeling Statements**

1.3 **1556.0110 DEFINITIONS.**

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

1.5 Subp. 2. **Agricultural products.** "Agricultural products" means livestock or  
1.6 livestock products, dairy products, poultry or poultry products, fish, fruit, vegetables,  
1.7 grains, including natural and cultivated wild rice, bees, apiary products, products made  
1.8 from trees, including firewood, wreaths, maple syrup and maple products, Christmas trees,  
1.9 and floral ~~greenhouse~~ and nursery crops.

1.10 [For text of subps 3 to 6, see M.R.]

1.11 Subp. 7. **Produced in Minnesota.** "Produced in Minnesota" means dairy animals,  
1.12 poultry, or other livestock that were fed in Minnesota for at least 60 days prior to milking,  
1.13 processing, or slaughtering, maple syrup or maple products that were collected from  
1.14 trees growing in Minnesota, Christmas trees, wreaths, firewood, and other products made  
1.15 from trees grown in Minnesota for not less than one year, ~~or~~ fruits, vegetables, grains,  
1.16 or ~~floral~~ and nursery crops, including but not limited to trees, shrubs, and perennials that  
1.17 have been grown in Minnesota for at least 90 days prior to sale, or greenhouse crops,  
1.18 including but not limited to annual plants that have been grown in Minnesota for at least  
1.19 28 days prior to sale.

1.20 [For text of subps 8 to 10, see M.R.]

1.21 **1556.0120 "MINNESOTA GROWN" AND "FRESH FROM YOUR NEIGHBOR"**  
1.22 **LABELING STATEMENTS.**

1.23 Subpart 1. **Eligible products.** The products listed in items A and B are eligible to be  
1.24 packaged with "Minnesota grown" and "Fresh from your neighbor" labeling statements.

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

2.5 B. A processed agricultural product may be identified with the labeling  
2.6 statements if no less than 80 percent of the featured product component was produced in  
2.7 Minnesota, except a product containing wild rice may only be identified with the labeling  
2.8 statements if 100 percent of the wild rice was produced in Minnesota and products  
2.9 intended for use as firewood may only be identified with the labeling statements if 100  
2.10 percent of the firewood was produced in Minnesota.

2.11 [For text of subps 2 to 4, see M.R.]

2.12 **1556.0145 "FEATURING" LABELING STATEMENT.**

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

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

2.19 B. A processed agricultural product may be identified with the labeling  
2.20 statement if no less than 80 percent of the agricultural product named on the labeling  
2.21 statement was produced in Minnesota, except wild rice may only be identified on the  
2.22 labeling statement if 100 percent of the wild rice was produced in Minnesota and products  
2.23 intended for use as firewood may only be identified on the labeling statement if 100  
2.24 percent of the firewood was produced in Minnesota.

2.25 [For text of subps 2 to 4, see M.R.]

3.1 **1556.0160 LICENSING; AUTHORIZATION.**

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

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

3.11 The application form must be accompanied by a fee established in Minnesota  
3.12 Statutes, section 17.102. If an applicant is ineligible, the fee must be refunded. Producers  
3.13 and processors applying for a license to use the "Minnesota grown organic" labeling  
3.14 statement must also provide written evidence of current organic certification.

3.15 [For text of subp 3, see M.R.]

3.16 **1556.0165 "MINNESOTA GROWN ORGANIC" LABELING STATEMENT.**

3.17 Subpart 1. **Eligible products.** The products listed in items A and B are eligible to be  
3.18 identified with the "Minnesota grown organic" labeling statement.

3.19 A. A raw agricultural product may be identified with the labeling statement if  
3.20 the product has been certified organic by a certification agency accredited by the United  
3.21 States Department of Agriculture and if no less than 80 percent of the agricultural product  
3.22 was produced in Minnesota, except wild rice and firewood may only be identified with the  
3.23 labeling statement if 100 percent of the product was produced in Minnesota.

3.24 B. A processed agricultural product may be identified with the labeling  
3.25 statement if the product has been certified organic by a certification agency accredited by

4.1 the United States Department of Agriculture and if no less than 80 percent of the featured  
4.2 product component was produced in Minnesota, except a product containing wild rice may  
4.3 only be identified with the labeling statement if 100 percent of the wild rice was produced  
4.4 in Minnesota and products intended for use as firewood may only be identified with the  
4.5 labeling statement if 100 percent of the firewood was produced in Minnesota.

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

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

4.14 Subp. 4. **Appearance of labeling statement.** The labeling statement may be added  
4.15 to an eligible product or display in any color or color combination.