

CHAPTER 28A

CONSOLIDATED FOOD LICENSING LAW

28A.08 License fees; penalties.

28A.09 Inspection fees for vending machines.

28A.15 Exclusions.

28A.08 LICENSE FEES; PENALTIES.

License fees, penalties for late renewal of licenses, and penalties for not obtaining a license before conducting business in food handling that are set in this section apply to the sections named except as provided under section 28A.09. Except as specified herein, bonds and assessments based on number of units operated or volume handled or processed which are provided for in said laws shall not be affected, nor shall any penalties for late payment of said assessments, nor shall inspection fees, be affected by this chapter. The late penalty may be waived by the commissioner.

Type of food handler	Penalties		
	License Fee	Late Renewal	No License
1. Retail food handler			
(a) Having gross sales of less than \$50,000 for the immediately previous license or fiscal year	\$ 40	\$ 10	\$ 13
(b) Having \$50,000 to \$250,000 gross sales for the immediately previous license or fiscal year	\$ 75	\$ 25	\$ 25
(c) Having \$250,000 to \$1,000,000 gross sales for the immediately previous license or fiscal year	\$125	\$ 50	\$ 50
(d) Having over \$1,000,000 gross sales for the immediately previous license or fiscal year	\$250	\$ 75	\$100
2. Wholesale food handler			
(a) Having gross sales or service of less than \$250,000 for the immediately previous license or fiscal year	\$100	\$ 25	\$ 50
(b) Having \$250,000 to \$1,000,000 gross sales or service for the immediately previous license or fiscal year	\$150	\$ 38	\$ 75
(c) Having over \$1,000,000 gross sales or service for the immediately previous license or fiscal year	\$200	\$ 50	\$100
3. Food broker	\$ 75	\$ 25	\$ 25
4. Wholesale food processor or manufacturer			
(a) Having gross sales of less than \$250,000 for the immediately previous license or fiscal year	\$200	\$ 50	\$ 75
(b) Having \$250,000 to \$1,000,000 gross sales for the immediately previous license or fiscal year	\$275	\$ 75	\$100

	(c) Having over \$1,000,000 gross sales for the immediately previous license or fiscal year	\$375	\$100	\$125
5.	Wholesale food processor of meat or poultry products under supervision of the U. S. Department of Agriculture			
	(a) Having gross sales of less than \$250,000 for the immediately previous license of fiscal year	\$100	\$25	\$38
	(b) Having \$250,000 to \$1,000,000 gross sales for the immediately previous license or fiscal year	\$150	\$50	\$45
	(c) Having over \$1,000,000 gross sales for the immediately previous license or fiscal year	\$175	\$50	\$53
6.	Wholesale food manufacturer having the permission of the commissioner to use the name Minnesota farmstead cheese	\$30	\$10	\$15

History: 1987 c 396 art 11 s 4

NOTE: This section was also amended by Laws 1987, chapter 358, section 85, to read as follows:

"28A.08 License fees; penalties.

The fees for licenses and the penalties for late renewal of licenses set in this section apply to the sections named except as provided under section 28A.09. Except as specified herein, bonds and assessments based on number of units operated or volume handled or processed which are provided for in said laws shall not be affected, nor shall any penalties for late payment of said assessments, nor shall inspection fees, be affected by this chapter.

	Type of food handler	License Fee	Penalty
1.	Retail food handler		
	(a) Having gross sales of less than \$50,000 for the immediately previous license or fiscal year	\$40	\$10
	(b) Having \$50,000 to \$250,000 gross sales for the immediately previous license or fiscal year	\$75	\$25
	(c) Having \$250,000 to \$1,000,000 gross sales for the immediately previous license or fiscal year	\$125	\$50
	(d) Having over \$1,000,000 gross sales for the immediately previous license or fiscal year	\$250	\$75
2.	Wholesale food handler		
	(a) Having gross sales of less than \$250,000 for the immediately previous license or fiscal year	\$100	\$25
	(b) Having \$250,000 to \$1,000,000 gross sales for the immediately previous license or fiscal year	\$150	\$38
	(c) Having over \$1,000,000 gross sales for the immediately previous license or fiscal year	\$200	\$50
3.	Food broker	\$75	\$25
4.	Wholesale food processor or manufacturer		
	(a) Having gross sales of less than \$250,000 for the immediately previous license or fiscal year	\$200	\$50
	(b) Having \$250,000 to \$1,000,000 gross sales for the immediately previous license or fiscal year	\$275	\$75
	(c) Having over \$1,000,000 gross sales for the immediately previous license or fiscal year	\$350	\$100
5.	Wholesale food processor of meat or poultry products under supervision of the U.S. Department of Agriculture		

(a) Having gross sales of less than \$250,000 for the immediately previous license of fiscal year (b) Having \$250,000 to \$1,000,000 gross sales for the immediately previous license or fiscal year (c) Having over \$1,000,000 gross sales for the immediately previous license or fiscal year 6. Wholesale food manufacturer having the permission of the commissioner to use the name Minnesota farmstead cheese	\$100 \$150 \$175 \$30	\$25 \$50 \$50 \$10"
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28A.09 INSPECTION FEES FOR VENDING MACHINES.

Subdivision 1. **Annual fee; exceptions.** Every coin-operated food vending machine is subject to an annual state inspection fee of \$15 for each nonexempt machine except nut vending machines which are subject to an annual state inspection fee of \$5 for each machine, provided that:

(a) Food vending machines may be inspected by either a home rule charter or statutory city, or a county, but not both, and if inspected by a home rule charter or statutory city, or a county they shall not be subject to the state inspection fee, but the home rule charter or statutory city, or the county may impose an inspection or license fee of no more than the state inspection fee. A home rule charter or statutory city or county that does not inspect food vending machines shall not impose a food vending machine inspection or license fee.

(b) Vending machines dispensing only gum balls, hard candy, unsorted confections, or ice manufactured and packaged by another shall be exempt from the state inspection fee, but may be inspected by the state. A home rule charter or statutory city may impose by ordinance an inspection or license fee of no more than the state inspection fee for nonexempt machines on the vending machines described in this paragraph. A county may impose by ordinance an inspection or license fee of no more than the state inspection fee for nonexempt machines on the vending machines described in this paragraph which are not located in a home rule charter or statutory city.

(c) Vending machines dispensing only bottled or canned soft drinks are exempt from the state, home rule charter or statutory city, and county inspection fees, but may be inspected by the commissioner or the commissioner's designee.

[For text of subd 2, see M.S.1986]

History: 1987 c 58 s 1; 1987 c 384 art 3 s 15

28A.15 EXCLUSIONS.

[For text of subs 1 to 3, see M.S.1986]

Subd. 4. Any persons required to be licensed under chapter 19 or trucks operating under a certificate or permit issued pursuant to chapter 221 or warehouse operators, other than cold storage warehouse operators, offering storage or warehouse facilities for compensation.

[For text of subs 5 to 8, see M.S.1986]

History: 1987 c 384 art 2 s 7