**28A.03 DEFINITIONS.**

Subdivision 1. **Scope.** The definitions in this section apply to sections 28A.01 to 28A.16.

Subd. 2. **Commissioner.** "Commissioner" means the commissioner of agriculture.

Subd. 3. **Person.** "Person" has the meaning given in section 34A.01, subdivision 10.

Subd. 4. **Place of business.** "Place of business" means every location where food or food items are manufactured, processed, sold, stored, or handled, including buildings, locations, permanent or portable structures, carnivals, circuses, fairs, or any other permanent or temporary location.

Any vehicle or similar mobile unit from which food is sold shall be considered a place of business for purposes of this section if the food therefrom has been manufactured, packaged or dispensed from bulk, or processed in any manner thereon.

Subd. 5. **Food.** "Food," "nonperishable food," "frozen food," "perishable food," and "readily perishable food" have the meanings given in section 34A.01.

Subd. 6. **Sell; sale.** "Sell" and "sale" have the meanings given in section 34A.01, subdivision 12.

Subd. 7. **Principal mode of business.** "Principal mode of business" means that type of business described under paragraph (a) or (b) in section 28A.05 within which category the greatest amount of the applicant's food business lies.

Subd. 8. **Custom processor.** "Custom processor" means a person who conducts activities as defined in section 31A.02, subdivision 5.

Subd. 9. **Major violations.** "Major violation" includes conditions that cause food products to become adulterated, as defined in section 31.121, or fraudulently misbranded, as defined in section 31.123.

Subd. 10. **Vending machine.** "Vending machine" means a self-service device that, upon insertion of a coin, paper currency, token, card, or key, dispenses unit servings of food in bulk or in packages without the necessity of replenishing the device between each vending operation.

Subd. 11. **Regularly engaged.** "Regularly engaged" means any person who operates a food business over a period of time at uniform, consistent intervals.

Subd. 12. **Risk category.** "Risk category" means a classification of the level of food safety risk associated with food handling, processing, preparation, and storage based upon an assessment by regulatory food safety professionals of the potential likelihood and severity of harm.

Subd. 13. **Gross sales or service.** "Gross sales or service" means a calculation in dollars of the total value of food sales or service at the location before taxes or deductions that includes the value of food items held for distribution to other places of business or donated.

**History:** *1971 c 339 s 3; 1975 c 412 s 9; 1977 c 160 s 1; 1978 c 502 s 1; 1983 c 300 s 3; 1986 c 444; 1995 c 220 s 42; 1996 c 407 s 17; 2008 c 297 art 1 s 10; 2012 c 244 art 2 s 4-6; 2017 c 88 art 2 s 51; 2020 c 89 art 4 s 20; 2025 c 34 art 5 s 1-3*