COMMERCIAL KITCHEN GUIDE

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Community Commercial Kitchens

Community commercial kitchens available for rent to members of the public are a relatively new phenomenon. These kitchens are often used as incubation facilities for beginning food entrepreneurs like caterers, product manufacturers, or food truck operators. It may also be a means for local farmers to add value to raw product in order to expand their marketing potential.

Community commercial kitchens are different from other community kitchens in that they are licensed and regulated and may be used to create products for sale in wholesale or retail markets. Some community kitchens may be available in churches, park facilities, or through other local venues for various purposes but unless these kitchens are licensed as commercial kitchens, they are not permitted to be used to produce products for sale to the public.

This guide is intended to provide information on policies and regulations for those looking to open or operate in a community commercial kitchen. Glossary terms will be in bold. Tenants and owners have separate sections in this guide, but it is advantageous for both owners and tenants to be familiar with the rules that apply to each.

For Kitchen Managers

How to start a community commercial kitchen:

This overview will focus only on the regulatory steps needed to open a community commercial kitchen. The order of these steps is important BUT may vary from place to place. Conducting a feasibility study and surveying prospective tenants in order to determine the amount and type of demand for the kitchen is a good first step.[1] After that, discuss your plans with a health inspector, the building department, and the zoning department early-on. When meeting with these officials, be sure to write down the date, time, location of your meeting, and the person with whom you are meeting. This way you will know who to contact if a problem or question should arise. It can also be helpful to repeat instructions you receive back to the person with whom you're meeting to be sure that your understanding of their instructions is the same as their understanding.

Contact a health inspector to discuss your plans

It will be helpful to contact your food inspector right away to establish a relationship. [2] An early relationship can save you the hassle and cost of having to fix unforeseen problems later on in the process. Be sure to contact your inspector before spending money or a significant amount of time on your project. Consult your inspector about insurance needs and then contact your insurance company.

Health Inspector:
- discuss preliminary plans
- identify potential issues

Planning and Zoning

If a commercial community kitchen will be the primary use of your business (i.e. it will not be secondary to another business like a café or grocery store) it may be considered industrial use. Although it may be tempting to rehabilitate a kitchen facility of a previous business, you may run into trouble if the previous business was not zoned for industrial use (Non-industrial businesses may include: restaurants, delis, churches, etc.). Check with your local planning and zoning authorities to see if your commercial kitchen plan is allowed in the location being considered. (See Appendix E for determining your planning and zoning contact)

Planning & Zoning Department:
- is a kitchen allowed in that part of town
- do you need special permits
- what inspections will you need

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1. Resources on conducting feasibility studies: http://www.extension.umn.edu/rsdp/community-and-local-food/introduction/business-of-local-food-production/#marketing2
2. Map on locating your inspector: MDH http://www.health.state.mn.us/divs/eh/food/license/contactmap.html
   MDA http://gis.mda.state.mn.us/territories/

Be sure to consult with the department about building codes. Failing to do so might force you to tear down and reconstruct your project according to applicable state codes and guidelines. The MN Department of Labor and Industry has directories of licensed contractors. [3] Hiring an architect to help with this process may be helpful but not a requirement. New building construction or significant alterations to an existing building will require inspections and permit(s). Electrical, plumbing, and HVAC (like installing ventilation ducts or exhaust hoods) each typically require inspections to ensure that additions are installed safely or by qualified professionals. Construction in small municipalities that do not issue their own building permits will require a plumbing inspection by the state plumbing inspector. [4]

Building Department:

- needed permits and inspections for plumbing, HVAC and electrical work

Create a kitchen plan

Kitchen Plan:

- understand your equipment and infrastructure needs
- identify who your tenants will be (wholesale and/or retail)
- design the workspace

Having an idea of what products will be created in your kitchen and how many tenants will use the kitchen will dictate the equipment and layout that you need. Consider how you can build your kitchen for a wide variety of future tenants. If you might have retail tenants in the future, you will need to provide specific, high-standard equipment for retail tenants (i.e.: **NSF equipment**) since this is required for them. This equipment is not required for wholesale operators, but they can use the same high-standard equipment retail operators are required to use. Separate storage spaces for tenant products should be maintained.

A kitchen plan must be submitted and approved by the regulating agency before construction begins. (Work with your food inspector to determine the state or local regulating agency you need to contact.) To ensure the approval process will happen as quickly as possible, include all information your regulating agency has asked for. An example kitchen map and list of potential equipment items are given in Appendix A and Appendix B.

Your kitchen should be designed to have a logical flow, especially in regards to how food or other processing items move from clean to dirty areas. Be prepared to discuss with inspectors how the kitchen is set up to minimize **cross-contamination**. In the example kitchen layout in Appendix A, the dirtiest equipment is located in one corner of the kitchen (three-compartment sink, garbage, mop sink, and hand washing sink) while the cleanest equipment areas are located in the opposite corner of the kitchen (Slicer, scale, storage, grill, oven, etc.). Your hand washing sink should be placed in a convenient place to minimize **cross-contamination** – often this is a place near the

3. MN Department of Labor and Industry directories for contractors: http://www.dli.mn.gov/ccld/licverify.asp
4. State Plumbing Inspector information: https://www.dli.mn.gov/CCLD/plumbinginspect.asp

door. It's important to be able to discuss with your inspector the ways in which your kitchen design discourages **cross-contamination**.

Your kitchen will need to use **potable water**. When constructing a commercial kitchen on your farm, or in any area that utilizes well water, you will need to coordinate with your MDA or MDH inspector. They will design a testing schedule with you to ensure your water does not contain unsafe levels of coliforms, e-coli, nitrates, arsenic, or other contaminates. If unacceptable levels of contamination are present, corrective action will be required before you are allowed to operate out of your kitchen.

Wholesale or Retail?

Retail **food preparers**[5] (licensed by MDH or a local MDH delegated agency) face different regulatory standards than wholesale food manufacturers (licensed by MDA). If your facilities are up to retail **food preparer** standards, then wholesale tenants will also be able to use those facilities. It may be cheaper or easier to build wholesale facilities, but then the variety of potential tenants may be limited. Potential retail tenants include caterers, farmers' market vendors, food truck operators,[6] or others who prepare ready-to-eat products directly for sale to the public.

Another potential interest for retail tenants is the sale of **value-added products** at **farmers' markets**. Value-added products have been processed - like jams or salsas. Unprocessed products, like raw vegetables and berries, are exempt from licensing or kitchen requirements. Two exemptions called the "**Pickle Bill**"[7] and the "**Not Potentially Hazardous Foods**"[8] allow for limited sales of certain home baked and home canned foods without licensing or certification. Since commercial kitchens are designed for wholesale or retail preparers who wish to sell beyond the limitations of these exemptions, tenants must meet licensing and certification requirements to operate in those kitchens.

Wholesale operations involve sales to other entities that are one or more steps away from the direct consumer. Wholesale sales may be to grocery stores, farm-to-school, farm-to-institution, and sales to aggregators or distribution companies.

Meat in Wholesale Products

Meat processing for wholesale markets is not recommended in community commercial kitchens since additional regulations come into play. If you use more than 3% raw or 2% cooked meat in wholesale products, then your facilities must be under continuous inspection by a USDA Food Safety and Inspection Service (FSIS) inspector or a Minnesota "Equal To" inspector. [9, 10]

5. This is a term designed for this document and is not a term defined by MN statute and/or rule.
6. Minnesota Food Truck Association: http://www.mnfoodtruckassociation.org/
7. Pickle Bill: http://www.mda.state.mn.us/food/safety/minn-food-code-fact-sheets/pickle-bill.aspx
8. Not Potentially Hazardous Foods: https://www.mda.state.mn.us/food/business/~/media/Files/licensing/dairyfood/fm-vendor-guide.ashx
9. Selling Poultry: http://www.mda.state.mn.us/food/safety/~/media/Files/food/foodsafety/poultrysales.ashx
10. Approved Sources of Meat/Poultry: http://www.mda.state.mn.us/food/safety/~/media/Files/food/foodsafety/meatpoultry.ashx

Wholesale production of sandwiches or pizzas containing meat products may be exempt under specific conditions from this requirement for continuous inspection, but refer to footnote nine and ten for an MDA document describing approved sources of meat and poultry.

Meat used by Food Preparers

"**Food preparers**"[5] in the community commercial kitchen context are people who make ready-to-eat food in the kitchen and then deliver it to a location where it is eaten. Their sales are considered retail since the food is being sold directly to the consumer. Since they are not selling wholesale, **food preparers**[5] do not face the same restrictions as above, but meat used must be an "approved source." That means it must be processed at a USDA-inspected or Minnesota "Equal To" plant and stamped with either the USDA or State of Minnesota symbol indicating that it was inspected and passed.

Important Considerations for Operating your Kitchen

Coordinator

There should be a coordinator (kitchen manager/owner) who can communicate between all kitchen tenants and inspectors to make sure everyone is on the same page, aware of each other's processes, and know of important issues (storage, cross-contamination threats, etc). Coordinators are especially important for managing the kitchen schedule and being a go-to person for problems when a tenant is using the kitchen.

Food Manager Certification and Person In Charge

Each tenant in a community commercial kitchen must be, or employ, a Certified Food Manager [11, 12] (CFM). If the kitchen owner is preparing food in the kitchen space, they need to be, or employ, a CFM as well. The CFM is responsible for ensuring the safety of day-to-day operations and to make sure that the operation adheres to food code. Depending on your local ordinances, a CFM or a Person In Charge (PIC) may be required to be on site at all times that food is being prepared. If the CFM will not be present during all hours food is being produced in the kitchen, they must train and appoint a PIC (often another employee) who will be responsible for oversight on a given shift and be responsible for food safety. It is recommended, but not required by state law, that the commercial community kitchen owner, manager, or coordinator be a CFM even if they are not making products in the kitchen.

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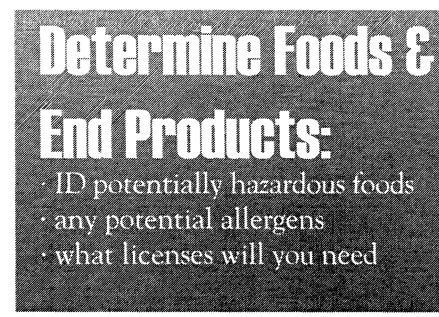
11. Food Manager Certification and Training: http://www.health.state.mn.us/divs/eh/food/fmc/index.html
12. Food Manager Certification through U of M Extension: http://www.extension.umn.edu/food/food-safety/courses/

For Individual Processors and Kitchen Tenants:

How to start your business in a community commercial kitchen:

If you are starting a new business, various resources are available to help you such as "Starting a Food Business in Minnesota" (2008) - a MDA publication.[13] Another useful resource for those starting a business or adding to their current business plan is AURI (Agricultural Utilization Research Institute),[14] a free service for residents of the state of Minnesota. AURI is able to help with questions involving product development, product labeling, and marketing.

Determining what you want to sell



An important first step to producing **value-added products** in a community commercial kitchen is to clarify what type of food(s) you want to work with and what you plan to do with your product. Your food(s) and end use will determine the certifications and licensing you must meet.

What food(s) do you want to use?

Possibilities abound when making **value-added food products**. You will need to know ahead of time what products you want to produce and what ingredients you will use in those products. Inspection and licensing revolves around menu and flow of food (the sequence of steps to turn raw materials into manufactured food products). Things to prepare to talk about before contacting your inspector include **potentially hazardous foods**,[15] ingredients, and equipment you will use. This is because minimizing cross-contamination is very important. **Cross-contamination** is a major contributor to the spread of food-borne illness. If you want to make any changes to your ingredients, menu, or processes; you will need to notify your inspector. For ideas on what processing methods might be applicable to your particular produce, see Appendix C.

Allergens

When creating **value-added products**, it is important to be aware of any potential allergy-related issues in your product. Many recalls of food products are related to misbranding

13. "Starting a Food Business in Minnesota" (2008): http://www.mda.state.mn.us/~/media/Files/food/business/starting-foodbiz.ashx
14. AURI http://www.auri.org/wp-content/assets/legacy/research/Nutritional labeling brochure 02 05 web.pdf
15. MN Food Code on Potentially Hazardous Foods: https://www.revisor.leg.state.mn.us/rules/?id=4626.0020

and undeclared allergens. Even if you are exempt from ingredient or nutrition labeling, listing potential allergens is a service to people who suffer from food allergies.[16]

Exemptions

Depending on what you would like to sell and how much you would like to sell, you may or may not need to operate out of a commercial kitchen. A piece of legislation called the "**Pickle Bill**"[17] allows for sales up to $5,000 of certain home processed and home canned foods without licensing or certification.

A separate exemption for "**Not Potentially Hazardous Foods**"[18] allows up to $5,000 in sales of non-hazardous foods (ie: baked goods) without licensing or certification. This means, a person could sell a maximum of $10,000 in exempt goods each year without licensing and certification if no more than $5,000 of the goods met **Pickle Bill** exemption status and no more than $5,000 of the goods met "**Not Potentially Hazardous Foods**" exemption status. Commercial kitchens are designed, however, for retail producers who wish to sell beyond the limitations of these two exemptions, so tenants must meet licensing and certification requirements to operate in a commercial kitchen.

Creating a HACCP Plan

Create a HACCP plan:
- ID foods which need to be covered by the plan
- develop list of ingredients, materials, equipment, and recipes
- develop a process flow diagram
- verify the process flow diagram with your inspector

The **Hazard Analysis and Critical Control Point (HACCP)** system is a way to ensure food products are produced safely. Businesses creating food products create a HACCP plan to help them and their inspectors identify where and how a food safety issue could occur. The plans are proof that proper safety precautions are being used as well as a guide to what might be wrong if an issue with the food product came to light. There are seven principles of HACCP: 1) Conduct a hazard analysis 2) Identify critical control points 3) Establish critical limits for control points 4) Establish monitoring procedures 5) Establish corrective actions 6) Establish record keeping procedures 7) Verify procedures.

Key steps of the HACCP plan include 1) Identifying which foods need to be covered by the plan 2) Developing a list of ingredients, materials, equipment, and recipes 3) Developing a process flow diagram and 4) Verifying the process flow diagram. More detailed information on HACCP and how to complete these key steps are available in the MDA document listed in the footnote of this page.[19]

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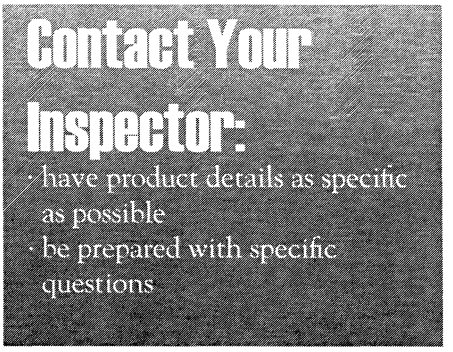
16. More information on food allergens: http://www.mda.state.mn.us/food/safety/food-ingredient-allergies.aspx
17. Pickle Bill: http://www.mda.state.mn.us/food/safety/minn-food-code-fact-sheets/pickle-bill.aspx
18. "Not Potentially Hazardous Foods": https://www.mda.state.mn.us/food/business/~/media/Files/licensing/dairyfood/fm-vendor-guide.ashx
19. MDA HACCP Plan Creation Guide: http://www.mda.state.mn.us/news/publications/food/haccpbook.pdf

Five Classifications for Licenses:

Jurisdiction	Classification	Description	Example:
MDA (Minnesota Statute 28A.05 & 28A.06)	**Wholesale Food Processor**	A person/entity who processes raw food into food products	A food entrepreneur who uses apples from a local orchard to make frozen, uncooked apple pies.
	Wholesale Food Handler	Person/entity who sells food product to others for resale	A local food hub that aggregates local products and puts together orders for wholesale buyers. For example, it purchases cases of apple pies to re-sell to area resorts, restaurants, and others.
	Retail Food Handler	Person/entity who sells food product directly to the ultimate consumer	A CSA farmer wants to diversify her weekly shares with a variety of local products, so she purchases apple pies from the local food hub and includes pies in her weekly CSA boxes
	Retail Mobile Food Handler[20]	Person selling from a mobile unit or a retail food vehicle, portable structure, or cart	A food entrepreneur who sells apple pies from her permanent business wants to sell her apple pies from a trailer at the farmers' market as well to increase her customer base.
MDH (Minnesota statue 157)	**Food Preparer**[21]	Person/entity who makes prepared food that will be sold directly to end purchasers of this food	• A caterer who wants to serve slices of ready-to-eat apple pies at the dessert table at a retirement party. • A farmers' market vendor who sells slices of pie for customers to sit down & eat at the market.

20. Your inspector will help you determine whether you qualify as a mobile food handler depending on your business.
21. This is a term designed for this document and is not a term defined by MN statute and/or rule.

Beginning a Relationship with your Inspector



It is a good idea to begin a relationship with an inspector from your licensing agency early in the planning process. To find your inspector, see the links in the footnote of this page.[22] Before you contact the inspector, have as complete of an idea of the products you want to create as possible. This will allow inspectors to have a better idea of what you intend to do and make it easier for them to help you. Inspectors want to help but are trained to think in regulatory terms. General, vague, or wide-open exploratory questions should be avoided. Instead, ask detailed questions and have specific answers about what you want to do. See Appendix D for examples.

What do you plan to do with your product?

There are five main categories of licensing that an individual tenant may meet. Your particular operation may meet multiple classifications in the previous table. If you make your product in the community commercial kitchen and only sell your product from that location, then you will need a license for the activity that is the majority of your business. Your inspector will help you determine which license this should be. If you are making or selling food from another permanent location besides the community commercial kitchen, you will need an additional license for that other location. What kind of license you need at the other location will depend on what you're selling there. If you plan to sell food at other locations from a mobile unit or a portable stand, you will need a mobile license as well as your permanent location license.

Example: June's Apple Pies

June is using apples from her orchard to make pies in a community commercial kitchen. She mostly makes raw, frozen pies to sell at the local grocery store (**wholesale food processor**). On Tuesdays, she sells baked slices of her pies in the café at the front of the community commercial kitchen to try to make more people aware of her product (**food preparer**) but this is a small portion of the total income from her pies. June works with her inspector and obtains a MDA wholesale food processor license since this is the majority of her sales.

June is thinking about selling her frozen pies from a trailer at a local farmers market the first Saturday of every month (**retail mobile food handler**). After discussing her goals with her inspector, she obtains a Retail Mobile Food Handler license from MDA so that she can sell pies from her mobile unit.

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22. MDA Inspector: http://gis.mda.state.mn.us/territories/
MDH or Local Inspector: http://www.health.state.mn.us/divs/eh/food/license/contactmap.html

Licensing and Insurance

Obtain License and Insurance:
- obtain CFM
- train a PIC
- contact your insurance agent

Individual tenants must be licensed by the appropriate agency (MDA, MDH, or MDH delegated authority). Tenants must either be trained as **Certified Food Manager**[23] (CFM) or employ a CFM. A kitchen owner must also meet this requirement if the owner is using the kitchen to create food. The CFM must train a **Person In Charge** (PIC) if the CFM will not be present during all hours of operation. Course cost will depend on the instructor who is offering the course. The cost to apply for state certification or renew certification is currently $35. This cost should be included in your business plan so it can figure into product pricing and the general cost of doing business. Other Food Manager Certification programs like ServSafe[24] are also acceptable.

In addition to licensure, both the community commercial kitchens and the individual tenants must carry their own insurance policies. Contact your insurance agent prior to operating out of a community commercial kitchen. **General liability insurance** will protect the kitchen and tenants against liability claims from someone being injured on the kitchen premises; **product liability insurance** will protect against liability claims if the food you prepare makes people sick; **property insurance** will protect you if any of your own equipment stored at the kitchen is stolen or damaged; and workers' comp insurance will protect you if your workers are injured at work.

Separate licensing and insurance requirements of both kitchen managers and tenants is required in order to ensure that all consumable products created in the kitchen are as safe as possible. Since these are necessary costs of doing business, it is important to incorporate licensing and insurance costs into the business plan. Set the price for your product after you have factored in all of the costs of running your business.

Plan Review

Have Production Plan Created:
- contact MDA or MDH, based on your licensing classifications

Each user of a community commercial kitchen will need to complete a plan review with a MDA, MDH, or local inspector in order to use the kitchen. A plan review will enable the appropriate department to see if the products you intend to create are made in a safe manner and in approved facilities. In most cases, food processors manufacture their products in a facility that they own or operate. In the case of community commercial kitchens, many different processors share a facility. This might be a new concept to some inspectors so it will be useful to coordinate this process with the community commercial kitchen owner/manager and their inspector too.

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23. Certified Food Manager and Food Manager's Certificate: http://www.health.state.mn.us/divs/eh/food/fmc/index.html
24. ServSafe Certification: http://www.hospitalitymn.org/displaycommon.cfm?an=1&subarticlenbr=293

For those creating prepared, ready-to-eat foods, contact your state or local MDH inspector[25] to begin the plan review process.

If you are looking to create:

- Foods that are considered ingredients or components (a customer would have to take further steps before the food is ready-to-eat) and/or,
- Food products that will be sold to consumers through a different food business than your own

the Minnesota Department of Agriculture has jurisdiction over these foods. Contact your inspector to check if MDA conducts a formal plan review for your license activity.

Labeling

Prepackaged food products offered for customer self-service are required to have a label. The process of designing a label and having it reviewed can take longer than it would seem. Working with a group like AURI[26] from the beginning of your product development may be a good idea. There are various companies you can hire to test your product to determine the nutrition facts panel information if you send them a sample. FDA exemptions[27] exist for labeling if you do not make claims about your product **and** you produce fewer than 10,000 units of each product in a year **and** have fewer than 10 full time employees.

Design Product Label:

- consider obtaining outside help and optional MDA review
- keep label as simple as possible
- print only as needed until you receive MDA suggestions

A key part of creating a label is meeting very specific guidelines[28] for label design. It is not required to submit your label to your inspector to be reviewed, but it may be a good idea to ensure you won't need to redo your labels or recall your product in the future. You are allowed to sell products while you are waiting for MDA to review your product label. The MDA label review process can take a long time, so it is best if you only print labels as-needed or in small batches until you hear whether your label should be changed in any way.

Be wary of too much creativity with the design of your label. Food labels have very specific requirements. Any claims made on a label must be able to be verified. For example, a product cannot say "Made with eggs high-in omega-3 fatty acids" just because the chickens that produced the eggs were fed flax meal. This claim can only be made if the eggs were formally tested and shown to be high in omega-3 fatty acid compared to regular eggs.

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25 Finding your local or state MDH contact: http://www.health.state.mn.us/divs/eh/food/license/contactmap.html
26 AURI: http://www.auri.org/wp-content/assets/legacy/research/Nutritional labeling brochure 02 05 web.pdf
27 FDA Exemptions: http://www.mda.state.mn.us/food/safety/basic-label-req.aspx
28 Lable Creation Guidelines: http://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/LabelingNutrition/ucm064866.htm

Owner Checklist:

- ☐ Contact health inspector and discuss plans
  - ☐ Discuss preliminary plans
  - ☐ ID any potential issues
  - ☐ Discuss insurance needs
- ☐ Contact your relevant planning and zoning department or local official (city/township/county/etc.)
  - ☐ Find out if kitchen is allowed on the location you want
  - ☐ Discuss if you need any special permits
  - ☐ Find out what inspections you will need
- ☐ Contact your building department or local official
  - ☐ Consider hiring a contractor
  - ☐ Consider hiring an architect
  - ☐ Discuss which permits and inspections are needed (plumbing/HVAC/etc.)
- ☐ Create a kitchen plan
  - ☐ Understand equipment options and infrastructure needs
  - ☐ Identify who your tenants will be (wholesale/retail)
  - ☐ Design the workspace
- ☐ Decide on a coordinator to communicate between kitchen tenants
- ☐ Receive CFM training if you plan to process food in the kitchen as well
  - ☐ Investigate other licensing you will need by continuing to Kitchen Tenant Checklist

Kitchen Tenant Checklist:

- ☐ Determine what you want to sell
  - ☐ ID potentially hazardous foods
  - ☐ ID potential allergens
  - ☐ Determine license(s) you need
- ☐ Create a HACCP Plan
  - ☐ Identify foods which need to be covered by the plan
  - ☐ List of ingredients, materials, equipment, and recipes
  - ☐ Create a process flow diagram
  - ☐ Verify the process flow diagram with your inspector
- ☐ Begin a relationship with your inspector
  - ☐ Have product details as specific as possible
  - ☐ Be prepared with specific questions for your inspector
- ☐ Obtain license(s) and insurance
  - ☐ Complete CFM training or hire a CFM
  - ☐ Train a PIC (or PICs) if CFM will not be present at all times
  - ☐ Contact your insurance agent
- ☐ Have production plan complete
  - ☐ Contact MDA, MDH, or both based on your licensing needs
- ☐ Design a product label
  - ☐ Consider obtaining outside help and optional MDA review
  - ☐ Keep label as simple as possible
  - ☐ Print only as needed until you receive feedback on your label

Regulatory Grid (Select Examples, Not all-inclusive):

Regulator Agency	Jurisdiction/Authority
MDA	• Enforces USDA regulations • Wholesale Food Processor or Manufacturer Licensing; Wholesale or Retail Food Handler Licensing
MDH	• Enforces the Minnesota food code under the authority granted in MN Statutes, section 157. The MN food code is based on the 1995 FDA model food code. • Retail Food and Beverage Service Licensing
USDA	• Food Safety Inspection Service (FSIS) ensures commercial meats (excluding game meats like venison), poultry, and egg products are safe, wholesome, and correctly packaged/labeled.
FDA	• Ensures foods not under the USDA Food Safety Inspection Service (FSIS) jurisdiction are safe, wholesome, and correctly labeled.
Local Planning and Zoning	• Local specifications may affect the type of processing that can be conducted (wholesale or retail) and community kitchen specifications.
MN Department of Public Safety	• Alcohol licensing
County or City Health Office	• May provide inspectors for community kitchen projects and retail/wholesale operators within the kitchen, if the county or city is a "delegated authority" under MDH or MDA.[29]

29. Delegation Map: http://www.health.state.mn.us/divs/eh/food/license/delegation.html

Glossary

CFM: Certified Food Manager. This person is responsible for ensuring the safety of day-to-day operations and to make sure that the operation adheres to food code. This may be an owner, kitchen manager, and/or coordinator, but each tenant must have a CFM or must themselves be a CFM. If the CFM will not be present at all times during operations in the kitchen, the CFM must appoint and train a Person In Charge (PIC) who is responsible for oversight on a given shift and responsible for food safety.

Chain of custody: the documentation that each supplier or handler was an "approved source" of product and/or properly licensed for the activity they performed along the entire supply chain back to the farm gate.

Critical control point: "Critical control point" means a point or procedure in a specific food system where loss of control may result in an unacceptable health risk.

Cross-Contamination: the process by which bacteria or other microorganisms are unintentionally transferred from one substance or object to another, with harmful effect.

Farmers' Market: an association of three or more people who sell their farm- or garden-grown wares in public venues

FDA: the Food and Drug Administration is an agency of the U.S. Health and Human Services that is responsible for protecting public health. One aspect of this mission is food safety.

Food preparer:[30] A person who plans to make prepared food that will be sold directly to purchasers of this food (example: event caterer). This falls under the jurisdiction of MDH.

FTE: Full time equivalent. Minnesota law does not define employees as full or part time, rather Minnesota Rules 5200.0170[31] defines a workweek. A workweek is a fixed and regularly recurring period of 168 hours, seven consecutive 24-hour periods. For the purpose of overtime calculation Minnesota Statutes 177.25[32] states hours worked in excess of 48 hours in a workweek must be paid at one-and-one-half times the regular rate of pay.

General liability insurance: Protect the kitchen and tenants against liability claims from someone being injured on the kitchen premises.

HACCP Plan: "Hazard analysis critical control point (HACCP) plan" means a written document that delineates the formal procedures for following the HACCP principles developed by the National Advisory Committee on Microbiological Criteria for Foods.

MDA: Minnesota Department of Agriculture. In charge of Wholesale Manufacturer Licensing, and Wholesale or Retail Food Handler Licensing.

MDH: Minnesota Department of Health. In charge of Retail Food and Beverage Service licensing.

Not Potentially Hazardous Foods exemption: Applies if selling less than $5,000 per year of baked goods such as fruit pies, cookies, or breads. Sellers must post a visible sign saying "These products are homemade and not subject to state inspection."

NSF Equipment: The National Sanitation Foundation (NSF) creates standards and certification to be benchmarks for all commercial foodservice equipment that is used for retail enterprises.

PIC: "Person in charge" means the individual present at a food establishment who is responsible for the operation at the time of inspection. They are trained and appointed by the CFM.

Pickle Bill Exemption: Allows for limited sales of certain home processed and home canned foods without licensing or certification.[33]

Potable Water: Water safe enough to be consumed by humans or used with low risk of immediate or long term harm.

Potentially Hazardous Foods: means a food that is natural or synthetic and is in a form capable of supporting rapid and progressive growth of infectious/toxic microorganisms such as Clostridium botulinum and Salmonella enteritidis.

Examples of potentially hazardous foods:

- Food from an animal origin that is raw or heat treated.
    - Examples: Eggs, milk, meat, and poultry.
- Food from a plant origin that is heat treated.
    - Examples: Cooked rice, cooked potatoes, and cooked noodles.
- Raw seed sprouts.
- Cut melons, including watermelon, cantaloupe, and honeydew.
- Garlic and oil mixtures.

Producer: A person who grows food products for consumption.
Product liability insurance: Protects against liability claims if the food you prepare makes people sick.

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30. This is a term designed for this document and is not a term defined by MN statute and/or rule.
31. MN Rules 5200.0170: https://www.revisor.mn.gov/rules/?id=5200.0170
32. MN Statutes 177.25: https://www.revisor.mn.gov/statutes/?id=177.25

Processor: A person who takes raw food products and alters them for consumption by processing the food (ie: canning, chopping, freezing, etc.)

Property insurance: Protects you if any of your own equipment stored at the kitchen is stolen or damaged

Preparer: A person who uses raw and/or processed food products to create ready-to-eat foods that are served to individuals

Retail food handler: Person who sells food product directly to the ultimate consumer. They are subject to MDA regulation.

USDA: United States Department of Agriculture. Authority over meat or poultry product grading and authority when products containing meat cross state lines.

Value-added Products: A change in the physical state of a product that enhances the value of a product as demonstrated through a business plan (ie: the milling of wheat into flour or the making of apples into apple butter).

Wholesale food handlers: Person who sells food product to others for resale. They are subject to MDA regulation.

Wholesale food processor: A person who processes raw food into food items or who packages food for sale to others for resale.

Workers' compensation insurance: Protects you if your workers are injured at work

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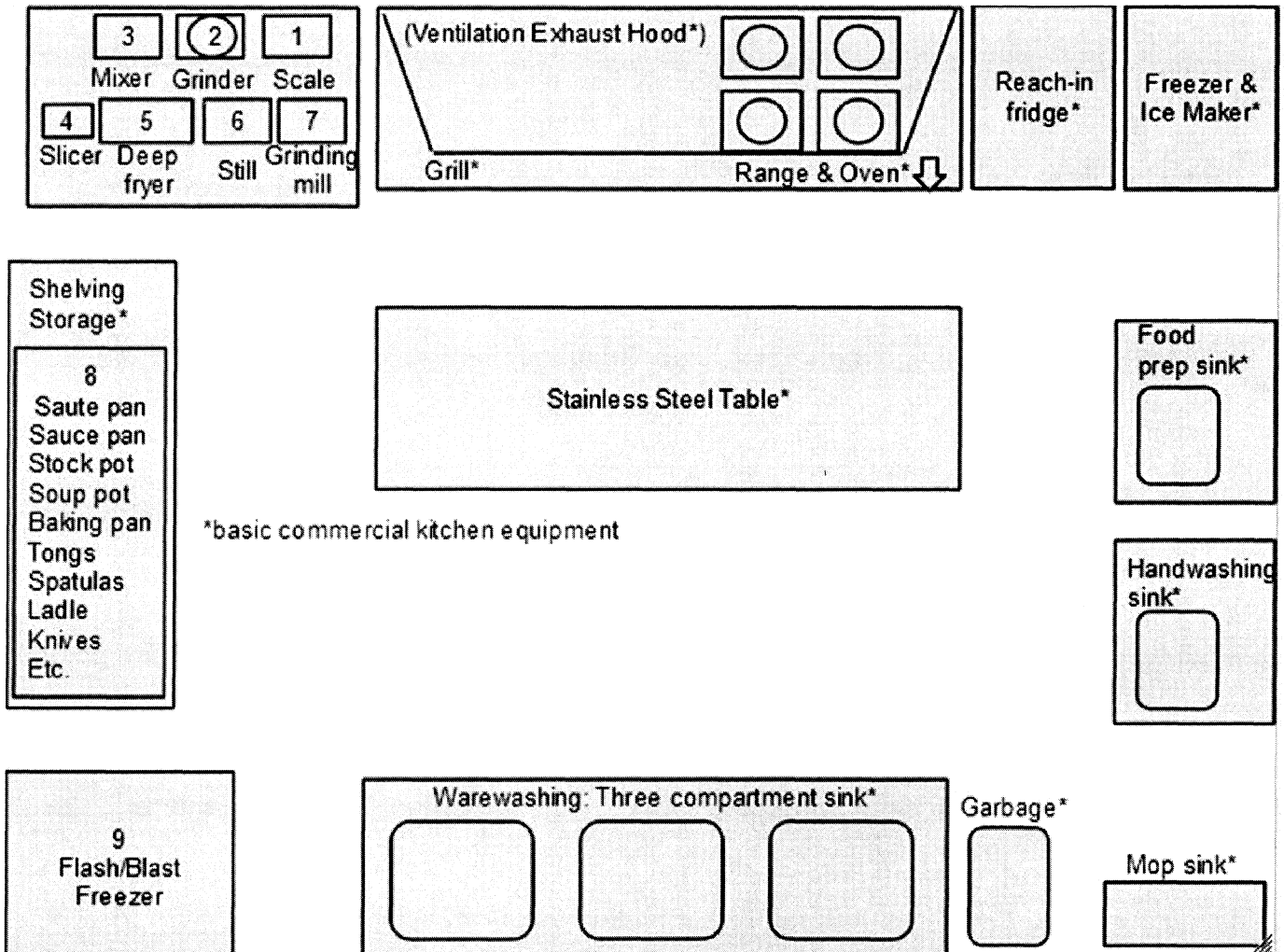
33. Pickle Bill: http://www.mda.state.mn.us/food/safety/minn-food-code-fact-sheets/pickle-bill.aspx

Appendix A Example Community Kitchen



Appendix B Kitchen Equipment

Basic Equipment:

Stainless steel table	Highly sanitary work table made of stainless steel which provides easy washdown. Curved edges recommended for safety.
Reach-in Fridge	Refrigerator built for commercial food service use that has more even cooling capacity and maximizes storage space compared to a residential refrigerator.
Walk-in Cooler and Walk-in Freezer	An enclosed storage space refrigerated to recommended refrigeration/freezer temperatures, which can be walked into, and has a total chilled storage area of less than 3,000 square feet.
Commercial Freezer	Freezer designed to freeze food and prevent bacterial growth that is more powerful and operates at a more consistent temperature than a residential freezer.
Ice Machine	Machine designed to produce and store high-quality ice. Consider the type of ice most relevant for use. (ie: full cube, half cube, flake, or nugget)
Food prep sink	A one or two compartment sink for washing produce, filling pots/pans/steam kettles or other cooking reservoirs, and providing water needed in recipes.
Handwashing sink	Sink(s) should be placed in or immediately adjacent to any restroom(s). Sinks should be easily accessible for persons renting out the kitchen. Check local code for specifics they might have on placement of handwashing sinks.
Warewashing: Three compartment sink	Recommended in case commercial dishwasher breaks. The sink should have three compartments and must be able to fully submerge the largest kitchen utensil or pot.
Mop sink	One-compartment sink for rinsing mops. Kitchen must also accommodate place to hang mops and have curbed floor drain.
Range & Oven	A unit with cooking, grilling, and broiling capacities. Restaurant ranges are more versatile due to multiple range arrangement options and take-up less space than heavy-duty ranges.
Grill	Feature which can be bought separately but is often included in commercial range and oven models.
Ventilation exhaust hood	A device with a mechanical fan that hangs above the cooktop in the kitchen. It removes airborne grease, fumes, smoke, odors, heat, and steam from the air. "Type I" indicates fire-suppression while "Type II" indicates no fire-suppression.

Other specialized equipment:

Mixer	A machine for stirring, whisking, or beating ingredients. Stand mixers good for large quantities that commercial kitchen users may be making.
Food processer	Designed to slice, shred, chop, julienne or complete any other slicing task very quickly.
Scale	Unit for measuring ingredients by weight. Variety of choices including small, handheld units for measuring grams all the way up to heavy-duty scales that can weigh in pounds.
Slicer	Designed to slice deli meat, slicers have adjustable cut thicknesses. Some models designed for slicing no more than two hours a day. Commercial kitchens requiring more slicing capacity will find heavy-duty models that can operate all day long.
Deep fryer	Method for cooking food in hot oil. Think about pot design and oil type with kitchen users before purchasing - both affect the quality and flavor of fried foods. Commercial fryers come with three different fry pot designs: tube-type, open-pot and flat-bottom.
Grinding mill	Method for milling grains into flours.
Important Pans and Pots	Sauté pan, sauce pan, stock pot, soup pot, baking pans in various sizes, baking sheets. Kitchen users can be expected to bring in less utilized pan types if needed for product.
Tongs, spatulas, knives, etc	Tongs, spatulas, knives, etc. Kitchen users can be expected to bring in other, less utilized utensils if needed for product.
Flash/blast freezer	Freezer capable of quickly freezing food items by holding them at temperatures well below water's freezing point.

Appendix C Regulation Matrix

Processing Methods (non-exhaustive list)	MN Crops (non-exhaustive list) based on the MN Grown Directory	MDA and Federal Processing Regulations/Recommendations	Equipment Needed (see commercial kitchen map for key)
Blanching, Boiling, Roasting, Steaming before serving or further processing through freezing, saucing, etc...	Apples, Beans, Asparagus, Beets, Broccoli, Cabbage, Carrots, Garlic, Greens, Hazelnuts, Kohlrabi, Mushrooms, Onions, Pears, Peppers, Potatoes, Pumpkins, Rhubarb, Squash, Sweet peas, Tomatoes	**Heat treated foods:** **Potentially hazardous foods** (see Glossary) must be cooled from 140°F to 70°F within two hours. An additional four hours is allowed to completely cool the food product to 41°F. The faster foods pass through the "temperature danger zone" as they are cooled, the better. Blanched or cooked vegetables should be cooled and/or frozen quickly. If product is sold in frozen form, it must be kept below 0 degrees F. **Quick cooling methods:** SHALLOW PANS (for soups, sauces, gravies, etc.) 1. Put a 2 inch layer of food in a shallow, stainless steel pan. 2. Do not cover. 3. Put the pan in a cooler where cold air can blow across it. 4. Cover the food after it has cooled. ICE BATH 1. Put the food container into an ice bath. 2. Stir the food every 30 minutes - - more often if possible.	Range, Oven, Food prep sink, Reach-in Fridge, Freezer & Ice Maker

Processing Methods (non-exhaustive list)	MN Crops (non-exhaustive list) based on the MN Grown Directory	MDA and Federal Processing Regulations/Recommendations	Equipment Needed (see commercial kitchen map for key)
Fruit Butter, Nut Butter, Chutneys **(Requires approved HACCP Plan)**	Apples, Berries, Carrots, Cherries, Currants, Garlic, Hazelnuts, Herbs, Pears, Plums, Pumpkins, Rhubarb, Squash, Tomatoes	**Fruit butter standard of identity:** the required soluble solids contents for fruit butter is not less than 43% **Canned fruit standards of identity:** The required soluble solids content for fruit butter is not less than 43%. For chutney[4], the total soluble solids content shall be not less than 50% **pH:** Products (chutneys, nut butters, other) must have a pH below 4.6 in order to be considered a non-potentially-hazardous food product.	Range, Oven, Food prep sink, Reach-in Fridge, Freezer & Ice Maker
Jams, Jellies, Fruit Syrup, and Spreadable Fruits **(Requires approved HACCP Plan)**	Apples, Berries, Cherries, Currants, Grapes, Melons, Pears, Peppers, Plums, Pumpkins, Rhubarb, Tomatoes	**Jam, jelly, and preserve standards of identity:** The required soluble solids contents for jelly, jams and preserves, not less than 65%	Electronic pH meter, Range, Food prep sink
Pickling **(Requires approved HACCP Plan)**	Apples, Asparagus, Beets, Berries, Broccoli, Cabbage, Carrots, Cherries, Cucumbers, Currants, Garlic, Grapes, Green Beans, Melons, Onions, Pears, Peppers, Plums, Pumpkins, Radishes, Rhubarb, Rutabagas, Squash, Tomatoes, Turnips, Wax Beans.	**Relevant (MDA) pickling regulations:** • When pickled food item, use a pH meter, calibrate it each day of use, and measure the pH of each batch processed pH must be below 4.6. • Keep a record of measurements and calibrations. • pH may change as the acids are absorbed throughout the canned foods. Check each batch two or three weeks after production • Store canned goods in a cool, dry, dark environment	Electronic pH meter, Range, Food prep sink

Processing Methods (non-exhaustive list)	MN Crops (non-exhaustive list) based on the MN Grown Directory	MDA and Federal Processing Regulations/Recommendations	Equipment Needed (see commercial kitchen map for key)
Juice and Cider **(Requires approved HACCP Plan)**	Apples, Asparagus, Beets, Berries, Broccoli, Cabbage, Carrots, Cherries, Cucumbers, Currants, Garlic, Grapes, Melons, Onions, Pears, Pumpkins, Rhubarb, Squash, Tomatoes.	Juices should be heat treated to kill any bacteria. A general heat kill recommendation is 3 seconds at 160°F for juices with a pH of 3.6 to 4.0.[5] Contact the MDA for specifics on your product. Dairy and Food Inspection Division, MDA: 651-201-6027 **Note on Apples**: Apple juice is one source of exposure to arsenic from food. Arsenic levels cannot exceed 10 µg/kg or 10 ppb total arsenic. Rotten or bruised apples may also contain high levels of a toxin called patulin. Damaged apples or parts of apples should be thrown-out before producing juice or cider.	Electronic pH meter, Range, Food prep sink
Freezing/ Flash Freezing	Apples, Beans, Asparagus, Beets, Berries, Broccoli, Carrots, Cherries, Currants, Elderberries, Grapes, Hazelnuts, Herbs, Kohlrabi, Non-Wild Mushrooms, Pears, Peppers, Plums, Pumpkins, Rhubarb, Soybeans, Squash, Sweet peas	**Temperature:** The freezer must operate at 0°F or lower at all times. **Blanching:** Some vegetables should be blanched before freezing to improve quality. When correctly done, the product will not be fully cooked by blanching, but the blanching denatures proteins responsible for further ripening.[6] Fruits should not be blanched. Best methods for preparing fruit for freezing vary by fruit.[7] **Freezing:** Fresh fruit and blanched vegetables can go into freezer- type, food-grade plastic bags or containers. Additional rules and regulations[8] apply, if produce will be vacuum packed.	Food prep sink, Reach-in Fridge, Freezer

Processing Methods (non-exhaustive list)	MN Crops (non-exhaustive list) based on the MN Grown Directory	MDA and Federal Processing Regulations/Recommendations	Equipment Needed (see commercial kitchen map for key)
Dehydrating/ drying	Apples, Beans, Berries, Cherries, Currants, Garlic, Grapes, Herbs, Mushrooms, Onions, Pears, Peppers, Plums, Sweet peas, Tomatoes	**Pre-treat fruit:** with ascorbic acid, honey, or fruit-juice dip for best color and flavor. Blanch or steam vegetables to preserve color, texture, and taste. Follow drying times exactly, removing about 20% of moisture. Test for dryness: Cut pieces in half. It shouldn't look moist and shouldn't be sticky. You should not be able to squeeze any moisture from the fruit. After drying, conditioning fruit is the process used to equalize moisture and reduce the risk of mold growth. To condition fruit: Pack loosely in covered jars. Let stand for seven to 10 days. Excess moisture is absorbed by the drier pieces. Shake jars daily to separate the pieces and check for moisture condensation. If you see moisture, remove food and re-dry at 140 to 160 degrees Fahrenheit. If food is moldy, discard it, throw away the plastic freezer bag or sterilize the jar. Store in airtight containers so moisture doesn't rehydrate the product allowing microbes to grow. Dried foods last longer in cooler temperatures. Store up to one year at 60°F or for six months at 80°F. (The above information is quoted directly from the drying instructions in a MDA handout. To see this handout: http://www.mda.state.mn.us/food/safety/~/media/Files/food/foodsafety/fs-freezedried.ashx)	Range, Oven, Food prep sink, Reach-in Fridge, Commercial Dehydrator, Other dehydrator if approved by inspector.

Processing Methods (non-exhaustive list)	MN Crops (non-exhaustive list) based on the MN Grown Directory	MDA and Federal Processing Regulations/Recommendations	Equipment Needed (see commercial kitchen map for key)
Canned Goods **(Requires approved HACCP Plan)**	Apples, Beans, Asparagus, Beets, Berries, Broccoli, Carrots, Cherries, Currants, Elderberries, Grapes, Hazelnuts, Herbs, Kohlrabi, Non-Wild Mushrooms, Pears, Peppers, Plums, Pumpkins, Rhubarb, Soybeans, Squash, Sweet peas	**Canned fruit standards of identity:** Fruit can be canned at different syrup heaviness levels. Specific directions and ratios of sugar to water for making the syrup can be found in this USDA document on canning fruit.[9] **Other canned goods:** Low acid foods - such as most vegetables - can be canned with a hot water-bath process if they are pickled to reach a pH of 4.6 or lower. Vegetables on the list MUST be pickled. Non-pickled low-acid vegetables must be pressure canned. To pressure can, the operator must be certified and use approved pressure canning equipment.	Electronic pH meter, Range, Food prep sink
Fermentation **(Requires approved HACCP Plan)**	Apples, Beans, Beets, Carrots, Cabbage, Cucumbers, Onions, Radishes, Sweet Corn	Firm, fresh fruits or vegetables should be used that have not spoiled. Weigh or measure ingredients carefully since the proportion of fresh product to other ingredients can affect safety. Fermented products are subject to spoilage from microorganisms like yeasts or molds. Standard canning jars and self-sealing lids are important in preventing spoilage. pH needs to be 4.6 or less for fermented products.[10]	Electronic pH meter, Food prep sink

Processing Methods (non-exhaustive list)	MN Crops (non-exhaustive list) based on the MN Grown Directory	MDA and Federal Processing Regulations/Recommendations	Equipment Needed (see commercial kitchen map for key)
Baked (multi-ingredients)	Apples, Beans, Asparagus, Beets, Berries, Broccoli, Cabbage, Carrots, Cherries, Cucumbers, Currants, Garlic, Grapes, Greens, Hazelnuts, Herbs, Honey, Kohlrabi, Melons, Mushrooms, Onions, Pears, Peppers, Plums, Potatoes, Pumpkins, Radishes, Rhubarb, Squash, Sweet peas, Tomatoes, Buckwheat, Corn, Flax, Sunflower, Wheat, Wild Rice	**Heat treated foods:** **Potentially hazardous foods** (see Glossary) must be cooled from 140°F to 70°F within two hours. An additional four hours is allowed to completely cool the food product to 41°F. The faster foods pass through the "temperature danger zone" as they are cooled, the better. Non-potentially hazardous baked goods made from fruits (like apple pies or muffins) do not need to be held at 41°F	Range, Oven, Food prep sink, Reach-in Fridge

Be aware you may need a **Hazard Analysis Critical Control Point** plan if you cure or smoke food, use food additives as a method to preserve food, or use a reduced oxygen method for packaging food. See MDA HACCP guidelines[11] for more information.

Appendix D Example Questions for Inspectors

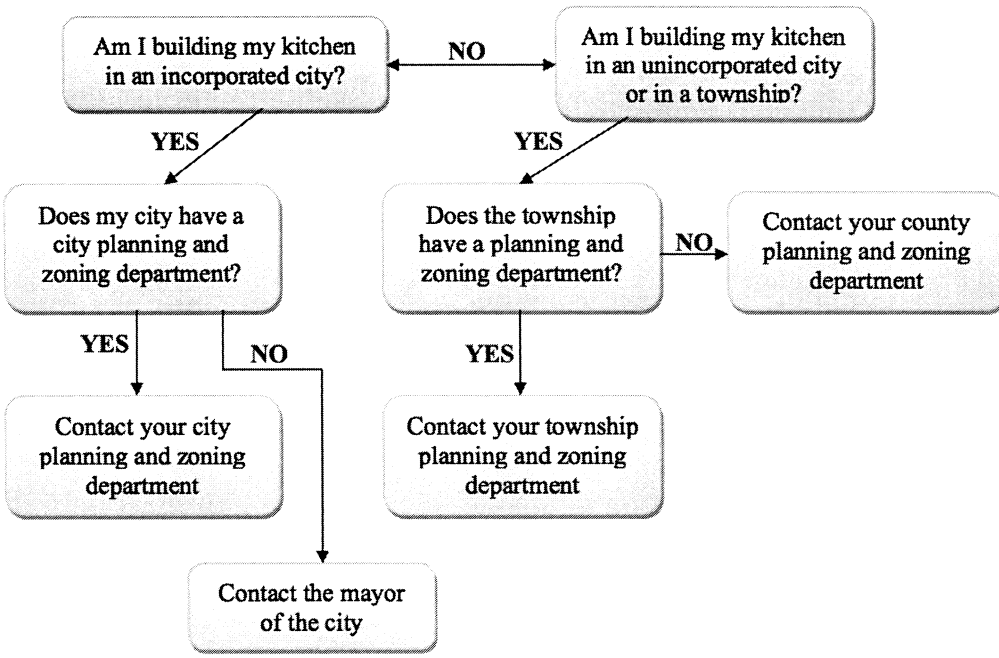
DON'T SAY: *I am thinking about making pies, what do I need to do?*

DO SAY: I want to make savory pies out of the eggs my chickens produce. I will also use a variety of garden vegetables I grow as ingredients, as well as store-bought crusts and store-bought dairy products. How can I get licensed for my process?

DON'T SAY: *Can I make dried fruit strips?*

DO SAY: I want to make fruit leathers from apples, plums, and apricots that I grow on my farm. There won't be any additional ingredients. I plan to use a Weston 74-1001 food dehydrator. Is there anything I might need to consider that I am not thinking of?

DON'T SAY: *What do I need to do to make jam?*

DO SAY: I want to make blueberry, strawberry, and blackberry jam with fruit from my farm. I also want to make apple butter with apples I buy from a neighbor. How can I be licensed to produce these jams?

Appendix E_Determining your Planning and Zoning Department Contact