

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 4500

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DATE
03/04/2024

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Introduction and first reading
Referred to Agriculture, Broadband, and Rural Development

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to agriculture; modifying provisions related to food product sampling and
1.3 demonstration; amending Minnesota Statutes 2022, section 28A.151, subdivisions
1.4 1, 2, 3, 5, by adding a subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2022, section 28A.151, subdivision 1, is amended to read:

1.7 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
1.8 the meanings given them.

1.9 (b) "Farmers' market" means an association of three or more persons who assemble at
1.10 a defined location that is open to the public for the purpose of selling ~~directly to the consumer~~
1.11 ~~the~~ products of a farm or garden occupied and cultivated by the person selling the product.

1.12 (c) "Food product sampling" means distributing to individuals at a farmers' market or
1.13 community event, for promotional or educational purposes, small portions of a food item
1.14 that include as a main ingredient a product sold by the vendor ~~at the farmers' market or~~
1.15 ~~community event~~. For purposes of this subdivision, "small portion" means a portion that is
1.16 no more than three ounces of food or beverage.

1.17 (d) "Food product demonstration" means cooking or preparing food products to distribute
1.18 to individuals at a farmers' market or community event for promotional or educational
1.19 purposes.

1.20 **EFFECTIVE DATE.** This section is effective August 1, 2024.

2.1 Sec. 2. Minnesota Statutes 2022, section 28A.151, subdivision 2, is amended to read:

2.2 Subd. 2. **Food sampling and demonstration.** (a) Food used in sampling and
2.3 demonstration must be obtained from sources that comply with Minnesota Food Law.

2.4 (b) Raw animal, raw poultry, and raw fish products must not be served as samples.

2.5 (c) Food product sampling or food product demonstrations including cooked animal,
2.6 poultry, or fish products must be prepared on site at the event.

2.7 (d) Animal or poultry products used for food product sampling or food product
2.8 demonstrations must be from animals slaughtered under continuous inspection, either USDA
2.9 or Minnesota's "Equal-to" inspection program.

2.10 (e) The licensing provisions of sections 28A.01 to 28A.16 shall not apply to persons
2.11 engaged in food product sampling or food product demonstrations.

2.12 **EFFECTIVE DATE.** This section is effective August 1, 2024.

2.13 Sec. 3. Minnesota Statutes 2022, section 28A.151, subdivision 3, is amended to read:

2.14 Subd. 3. **Food required to be provided at no cost.** Food provided through food product
2.15 sampling or food product demonstrations must be provided at no cost to the individual
2.16 recipient of a sample.

2.17 **EFFECTIVE DATE.** This section is effective August 1, 2024.

2.18 Sec. 4. Minnesota Statutes 2022, section 28A.151, subdivision 5, is amended to read:

2.19 Subd. 5. **Food safety and equipment standards.** (a) Any person conducting food
2.20 product sampling or food product demonstrations shall meet the same food safety and
2.21 equipment standards that are required of a special event food stand in Minnesota Rules,
2.22 parts 4626.1855, items B to O, Q, and R; and 4626.0330.

2.23 (b) Notwithstanding paragraph (a), a handwashing device is not required when only
2.24 prepackaged food samples are offered.

2.25 **EFFECTIVE DATE.** This section is effective August 1, 2024.

2.26 Sec. 5. Minnesota Statutes 2022, section 28A.151, is amended by adding a subdivision to
2.27 read:

2.28 Subd. 7. **Signage.** Food product provided through food product sampling or food product
2.29 demonstrations must be accompanied by a legible sign or placard that lists the ingredients
2.30 and major food allergens.

3.1 **EFFECTIVE DATE.** This section is effective August 1, 2024.