



GUIDELINES

- *Products*
- *Artisan*
- *Food Service*
- *Food Sampling and Chef Demonstrations*

Product Guidelines

Producers must abide by all applicable federal, state and local health regulations in the harvest, preparation, labeling and safety of the product(s), brought to market.

Producers must have available a copy of applicable permits, certificates, or inspection reports including those from the Health Department and/or the Department of Agriculture in the state or county where the products originate.

To determine what is required, guidelines have been developed below for your reference. Please confirm these with the Virginia Department of Agriculture and Consumer Services (VDACS) and/or your local Health Department.

Meats

No fresh meat or fresh poultry products will be sold at the market. Only frozen meat and frozen poultry products that have been slaughtered and processed in a USDA state inspected facility will be sold.

Exception: Small poultry growers may apply for an exemption from the VDACS Office of Meat and Poultry Services (OMPS)

Storage

Raw meat must be solidly frozen and maintained at a temperature of 0° F or below at all times. Vendors may transport meat to market in coolers or freezers equipped with properly calibrated thermometers. Calibrated thermometers are to be kept in freezers/storage containers for meat and poultry products at all times when selling at the market and will be checked for appropriate temperature by market personnel.

Labeling

Product labels must record product name, net weight, name and address of responsible party, list of ingredients, inspection legend (plant that did work), and safe handling statement.

Other Meat Products

Processed meat products such as jerky and summer sausage may be sold at farmers market. To sell these items the vendor must be a licensed Meat Wholesaler/ Distributor and the product must utilize a VDACS approved recipe /bear a VDACS approved label be maintained at the appropriate temperature. Processed foods containing meat (more than 3% meat by weight for foods sold uncooked and more than 2% meat by weight for foods sold pre-cooked) must bear a USDA

Inspection Legend to be sold the market. To receive an Inspection Legend, the product must be processed in a USDA inspected meat processing facility. To test the marketability of your product, it is recommended that a vendor work with a meat processing facility with an onsite USDA inspector.

Produce

The sale of fresh fruits and vegetables are welcomed at the market.

If you only grow and sell fresh fruits and vegetables, you do not need to be inspected by VDACS.

However, if you grow sprouts for distribution to restaurants or retail stores, you are classified as a food manufacturer and are required to be under inspection.

Only cultivated mushrooms can be offered for distribution to restaurants and retail stores.

Most fruits and vegetables only require basic coverage for protection from outside contamination, but since, for example, cut melon, cut leafy greens and cut tomatoes are a TCS Food (see information listed under Food Service Vendors section of this material), they must be held at 41F or lower. This applies to samples as well.

Baked Goods, Jams and Jellies

The sale of home-processed baked goods, jams and jellies (no low-acid ingredients), candies, dried fruits/herbs/seasonings/ mixes, (un) coated nuts, (flavored) vinegars, popcorn (balls), cotton candy, dried pasta, roasted coffee, dried tea, cereals, that don't require time or temperature control are permitted to be made in a non-inspected home kitchen, and sold at the market, as long as they are not considered hazardous by the Virginia Department of trail mixes and granola and baked goods Agriculture.

Potentially hazardous foods that would require an inspected kitchen include:

- Meringue, custard or cream pies
- Cheesecakes
- Cream-filled cupcakes or donuts
- Cream cheese-based frostings or fillings

Packaging

Baked goods must be proportioned and pre-packaged in clean, new wrappings, jars or bags. These packages must be sealed and cannot be opened to sell part of the contents.

If providing samples, prepare them at your VDACS approved and inspected facility prior to arriving at the market. Cut baked goods into pieces at your inspected facility, place them on a tray, insert a toothpick into each piece, and keep the tray covered in food safe wrapping, such as plastic wrap.

Labeling:

The standard label must contain product name, net weight, ingredient statement, name and address of manufacturer/distributor/packer, nutritional labeling (exemptions apply), not for resale-processed and prepared without state inspection. You must also have a label displaying the name, physical address and telephone number of the person preparing the food product and date product was processed.

Preserved Foods

A Food Processor License is required to offer thermally process products for sale at the market. Salsa, pickled vegetables, chutneys and sauerkraut are examples of preserved foods.

Low acidified preserved foods must achieve a pH of 4.6 or lower-verified by an electronic pH meter.

Low acid foods are not permitted to be sold if made in the home.

Completion of 'Better Process Control School' course and process approval by a processing authority strongly advised (Virginia Tech Food Innovations Program: Food Testing Services)

Sales must not exceed \$3,000 in total annual gross sales for all acidified products produced.

Note – there are some home-canned foods (pickles and acidified vegetables) that can be made in an uninspected kitchen. See Virginia’s New Home Kitchen Food Processing Exemptions handout.

Labeling

The standard label must contain product name, net weight, ingredient statement, name and address of manufacturer/distributor/packer, nutritional labeling (exemptions apply). Not for resale-processed and prepared without state inspection. You must also have a label displaying the name, physical address and telephone number of the person preparing the food product and the date the food product was processed.

All acidified foods must have a unique identifying code visible to the naked eye.

Processed Foods

Fresh salsas, pickles, and other products containing potentially hazardous ingredients can only be sold if:

- Processor has a Food Processor License
- Product is processed in a licensed facility
- Four-part label is attached
- Proper temperatures are maintained at market

It is possible to have your produce/product processed at a licensed Food Processing Facility and then offer it for sale at market.

Processed foods containing meat (more than 2% meat by weight for raw foods and more than 3% meat by weight for cooked foods) must bear a USDA Inspection Legend to be sold at farmers markets. See Meats above for more information.

Note - VDACS does not issue a “license” or a “permit” currently. A processor that is operating under inspection will only have a copy of their inspection report.

Honey

Honey processed and prepared from hives a producer owns, who sells less than 250 gallons a year and who do not process or sell other food products are exempt from inspection from VDACS. Infused honey products are not.

Labeling

The standard label must contain product name, net weight, ingredient statement, name and address of manufacturer/distributor/packer, nutritional labeling (exemptions apply), processed and prepared without state inspection and Warning: Do not feed honey to infants under one year old.

Pet treats

A VDACS license is required to sell pet treats.

Labeling

Label must include product name, intended species, quantity statement, guaranteed analysis, ingredient statement, and nutritional adequacy statement, feeding directions, name and address of manufacturer/distributor.

Treats can be sold at market prepackaged or in bulk, self-serve style.

Eggs

Producers are Exempt from Virginia Egg Law and do not need inspection if selling less than 150 dozen of your own eggs per week or less than 60 dozen of another producer’s eggs per week.

Shell eggs packed for the consumers are to be stored under refrigeration at a temperature of 45 degrees F or below at all times while selling at the market. Shell eggs must be clean, intact and free of cracks. Eggs must be from the farmer's own fowl.

Note: Reusing egg cartons runs the risk of contamination; consider asking patrons to bring their own

Labeling

Egg cartons must be properly labeled. Product name (term fresh eggs can only be used if product meets requirement for Grade A or higher)/ identity of eggs if other than chicken/safe handling instructions/name and address of packer, Grade (AA, A B) if not inspected.

Ready to Eat Foods

Market vendors are responsible for complying with state and local health department regulations concerning the storage, preparation, and labeling of processed ready to eat foods offered for sale at the farmers market.

All market vendors selling food other than whole uncut fruits and vegetables must submit applicable food safety forms and licenses with their farmer's market application.

A market vendor may be immediately terminated from market participation if he/she fails to comply with their applicable local health department regulations and the USDA farmer's market guidelines.

Dairy Products

All dairy products must be VDACS inspected. Sale of raw milk is prohibited, Sale of cheese made from raw milk must be aged at least 60 days above 35 degrees. For more info contact VDACS Office of Dairy Foods.

Labeling

Labeling must include product name, net weight, ingredient statement, name and address of manufacturer/distributor and sell by date.

Storage

Milk, cheese and other non-frozen dairy products must be maintained at a temperature of 41° F or below at all times. Those concerned with product quality should keep refrigerated products below 40° F.

Frozen dairy items, such as ice cream, must be solidly frozen. If storing products on ice, drain often. Products offered, as samples should be prepped on site in your VDACS approved facility.

Artisan/Other Product Guidelines

Soaps and herbal products include fresh and dried herbs, creams, spritzers, powders, lip balms and scrubs. Soaps and herbal products should highlight regional produce and seasonal ingredients. Exotic, out of region, ingredients (such as oils and essential oils) may be purchased.

Wool and pelts must be carded and cleaned off-farm. No more than 25% of exotic, out of region, fibers may be added to the yarn during processing and spinning. The producer must provide the name, address and telephone number for the facilities where wool and pelts are processed.

For products made with the producer's wool, including blankets, socks, mittens, scarves and caps, information on any processor that is involved in making these products must be included.

Seasonal farm products and crafts produced from materials grown or gathered on the farm such as flower or herb bouquets or wreaths and foraged plant materials are allowed.

The producer must grow Christmas trees and plants.

Farm-related merchandise (e.g., tee-shirts, caps, cookbooks, note cards with farm scenes) can be sold at the armlet as part of the product mix that producer is selling at market. All farm-related merchandise must be shown to the market management for advance approval before selling the item.

Jewelry, art and other artisan products must be local or regionally made and produced in small quantities, usually by hand or using traditional methods.

Food Service Vendor Guidelines

Food service vendors must be prepared to undergo inspection at the market. VDACS inspects vendors at government run markets and the local Virginia Department of Health (VDH) inspects vendors at the market. Contact VDACS for Farmer's Market Food Service Vendor Application information requirements.

Food service vendors must have an on-site utensil and equipment washing set up that includes three basins: one each for washing, rinsing, and sanitization (using the appropriate strength of chlorine or quaternary ammonium - confirmed with sanitizer test strips).

Utensils should be cleaned when changing between raw and ready to eat foods, between raw fruits and vegetables, and time and temperature controlled for safety (TCS) foods, or if they have been contaminated.

TCS Foods require temperature control because they are capable of supporting the growth of various infectious microorganisms or toxins. These foods include meats, dairy products, eggs, mushrooms, cut melons, cut tomatoes, cut leafy greens, and heat-treated plant food such as cooked rice, beans, and vegetables.

TCS foods: Hot Holding is 135°F or higher and Cold Holding is 41°F or lower. Use a calibrated metal stem thermometer to ensure the required temperatures. Ice should be drained frequently at an approved location.

Hands must be washed frequently at an on-site hand washing station. Avoid bare-hand contact with ready to eat foods by using gloves, tongs, deli paper, etc.

Overhead protection for vendor is required (tent, canopy, awning, table umbrella, permanent structure, etc.) Preparation must occur on smooth cleanable surfaces such as tables. Slicing must be done on cutting boards. Use wrapping or other effective barriers to protect from customer handling. Stored food should be in a clean, dry location, at least 6 inches off the ground.

Overhead protection for vendor is required (tent, canopy, awning, table umbrella, permanent structure, etc.) Preparation must occur on smooth cleanable surfaces such as tables. Slicing must be done on cutting boards. Use wrapping or other effective barriers to protect from customer handling. Stored food should be in a clean, dry location, at least 6 inches off the ground.

Food Sampling and Chef Demonstrations Guidelines

Proper handling of food at the farmers market is a critical part of ensuring the safety of consumers. Consuming contaminated foods or beverages causes foodborne illness. All food items must be properly protected against contamination at all times.

- Prepared/ready-to-eat foods may not be displayed for sale without being properly wrapped, covered or protected by an appropriately designed sneeze guard. All food items must be kept covered and kept at a proper temperature prior to selling.
- Vendors must store all food items at least 6 inches off the floor/ground.
- Vendors cannot handle exposed, ready-to-eat foods directly with their bare hands. Utensils such as deli paper, tongs, or disposable gloves may be used to prevent bare hand contact with exposed, ready-to-eat foods.
- Disposable gloves that handle money should not come in direct contact with ready-to-eat-foods. Gloves must be discarded when they become damaged or soiled or when vendor is switching tasks.
- Food samples must be presented in a safe and sanitary manner and in accordance with the local health department of the county, which the products originated. Vendors must provide toothpicks for consumer use if providing samples of their products. Signs are to be clearly displayed stating "Please use toothpicks when sampling" and "toothpicks are for single use only."
- Ice used for consumption must be kept in clean containers and dispensed by appropriate scoops/utensils.
- Adequate equipment must be used to maintain foods that require time and temperature control for safety

(potentially hazardous foods) at the appropriate temperature to prevent risk of illness. Foods that require cold holding refrigeration must be kept at 41 degrees F or below. Foods that require hot holding heat must be kept at 135 degrees F or above.

- Vendors will have access to on-site hand washing station and rest rooms.
- All vehicles and other equipment used for transporting and displaying products must be kept clean at all times.