Selling at Farmers Markets: Regulations and Food Safety Best Practices

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Outline

• Updated publication (Jan 2015)
• Regulations for selling at Farmers Markets
• Food Safety Best Practices
Why food safety?

- Provide products as safe as possible
- Assure customers that product quality and safety, and their health, is important to them
- Protect markets
Why are there regulations?

• Food borne illness outbreaks have been associated with farmers markets, local ag
  – No one wants to make their customers sick
• Farmers/vendors should reduce their liability and protect their reputation as much as possible
  – Liability/ reputation of entire market also
• Create a level playing field
KSRE/KDA regulations publication

www.ksre.ksu.edu/bookstore/Item.aspx?catId=201&pubId=17219

1- Overview: allowed foods, label requirements

5- General food safety practices, selling fresh produce, samples, demos

10- Selling prepared foods and baked goods

11- Selling meat, eggs and dairy products

14- Key contacts
Which regulations where?

- KS Dept of Ag regulates food products sales in KS
- Publication covers all food sold direct to consumers
  - This generally includes products sold online also
  - Includes fairs, fundraisers, etc. also
- In KS, regulations are the same statewide
  - MO: regulations may vary by county, city
  - Sales in other states- check their regs, follow FDA/USDA regs
- Individual farmers markets may have stricter requirements
NOT allowed (WITHOUT proper licensing)

• Home canned pickles, meats, vegetables, sauerkraut
• Home baked cream or meringue pies, custards, cheesecakes, cream-filled cupcakes, cream cheese frostings, etc. (need temp. control for safety)
• Home-made dairy products (cheese, yogurt, etc.)
• Uninspected meat or poultry
Foods allowed WITHOUT licensing

- Home baked goods (cookies, breads, cakes, etc)
- Dry baking mixes
- Fresh uncut fruits and vegetables
- Intact salad greens
- Nuts (shelled or in-shell)
- Honey
- Eggs (*food safety practices recommended, even if having <50 hens*)
Foods allowed WITHOUT licensing- 2

- Home canned fruit jams and jellies
  - Includes jams and jellies flavored with pepper-flavor vinegar or pepper powder
- Canned, shelf stable naturally high acid foods (canned fruits)
- Pasteurized juice, cider
  - If not pasteurized, need warning statement, license
- Home made hard candies
Foods allowed WITHOUT licensing - 3

- *Cultivated whole* mushrooms (fresh or dried)
- Fish and seafood - sold whole on ice
- Ready to eat foods and beverages sold ≤6X/year  
  – Must still follow sanitation and hygiene requirements
- Ready to eat foods and drinks sold by community groups for fundraising purposes  
  – Must still follow sanitation and hygiene requirements
Foods allowed WITH proper licensing

• Dairy products; milk- license needed for plant and point of sale

• Potentially hazardous baked products (cheesecakes, cream-filled, etc)

• Raw meat and poultry
  – All meat must be slaughtered under inspection
  – Direct to consumer: does not need to be processed under inspection (required for wholesale)
  – Can be sold refrigerated or frozen
Foods allowed **WITH proper licensing-2**

- Ready to eat meat- KDA or USDA inspected
- Fish and seafood- cleaned
- Sprouts- license at prod. facility and point of sale
- Cut leafy greens (cut beyond normal harvesting)
- Cut produce (includes refrigerated salsa, pesto)
- Wild mushrooms – for more info, see
- Naturally fermented canned foods (sauerkraut)
Foods allowed WITH proper licensing- 3

• Acidified shelf-stable canned foods (pickles, hot sauce); low acid canned foods (canned vegetables, meats)
  – License, recipe approval, Better Process Control School

• For-profit entities selling >6 X/year: Ready to eat foods (pizza, grilled hamburgers)

• Alcoholic beverages (>0.5% alcohol- beer, wine, many kombucha drinks)- KDA and Dept of Revenue
Foods that require testing first

- Pepper jams and jellies - water activity
- Low-sugar fruit jams and jellies (shelf-stable) - pH, water activity, product formulation
- Canned, shelf-stable salsa, BBQ sauce - pH
- Chocolate candies - water activity

- Products can be sent to Fadi Aramouni’s lab or other accredited lab

[Website link] www.ksre.ksu.edu/kvafl
How to get the license needed?

• Visit the KDA website
  
  
  – email fsl@kda.ks.gov
  – call 785-296-5600
What are labeling requirements?

1. Common name of product
2. Entity responsible for product (name, address)
3. Product ingredients (if >1 ingredient)
4. Quantity (weight, volume, count)

Note: meat products have additional requirements
What else is needed?

- Sales tax certificate- KS Dept of Revenue
- Scale testing- products sold by weight must have scale tested by licensed service company once annually (KDA Weights and Measures)
- Redeeming Senior Farmers Market Nutrition Program or SNAP benefits- KDHE, KDCF
Who enforces all this?

- KDA local inspectors conduct random inspections
- Extension can provide information, education
- Farmers market managers should enforce any requirements specific to their market
General food safety practices
section of publication

• Regulatory requirements listed in **bold & italics**
• Other items listed **recommended** for food safety

• General food safety best practices
• Chef demonstrations
• Selling fresh produce
  – Includes method of retail sale for produce
  – Harvest calendar
General food safety practices section-2

• Selling live plants
  – If selling >$10,000/year live plants, license needed

• Selling unique agricultural products (live birds, worms, manure, compost, etc.)
  – Currently no state regs; check local regs

• Offering product samples
  – No license, but need handwash and sanitizing station (later slides), pre-cut samples

• Calibrating a thermometer
Selling prepared foods & baked goods section

- Selling prepared foods
  - License requirements and best practices
  - Selling at a farmers market or a CSA
- Selling baked goods
- Selling jams, jellies, canned foods
- Selling refrigerated/frozen processed foods
Selling meat, eggs, dairy products section

• Selling meat and poultry products
• Selling eggs
• Selling dairy products
Other sections

• References and other resources

• Key contacts
  – Questions on?
  – Who to contact
  – Website
  – Email
  – Phone
Food safety best practices

- Transport, store foods at proper temps to prevent rapid bacterial growth
  - Hot prepared foods: $\geq 135^\circ F$ (140$^\circ F$ better)
  - Foods sold at room temp (whole produce, canned goods, most baked goods): $< 80^\circ F$
  - Cold perishable foods (potato salad, most dairy products): $\leq 41^\circ F$
  - Frozen foods (frozen meats) $< 15^\circ F$
  - Coolers and ice packs or ice
Bacteria like it warm!!

- 40-140°F: danger zone
- 60-110°F: very fast growth
- Reduce time in danger zone
  - Stop bacterial growth
- Note cooking temperatures
Best practices-2

• Reduce possible cross-contamination: can transfer bacteria from one food to another
  – Ensure that raw meat does not contact ready-to-eat food or fresh produce.
  – If re-using bags, ensure they are clean
  – Wash, rinse, sanitize food contact surfaces, equipment, utensils between uses
Best practices-3

• Practice **good personal hygiene** (clean clothes, clean hands) to prevent transferring bacteria to your food
  – Shaking hands, touching money, animals, soiled vegetables, utensils
  – Wash hands often
  – Bare hand contact?
  – No eating in booth
Handwashing station

- 5 Gallon Thermal Container
  - Warm Water 100°F–120°F
  - Continuous Flow Spigot
- Soap
- Paper Towels
- Trash receptacle
- 5 Gallon Discard Bucket
## Hand wash station estimated costs

<table>
<thead>
<tr>
<th>Item</th>
<th>Options</th>
<th>Where to buy</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water dispenser</td>
<td>1: Insulated 10 gallon water dispenser <em>(hands free spout)</em></td>
<td>Discount store</td>
<td>$46</td>
</tr>
<tr>
<td></td>
<td>2: Insulated 5 gallon water dispenser</td>
<td>Discount store</td>
<td>$22</td>
</tr>
<tr>
<td>Bucket to catch water</td>
<td>5 gallon- can be used</td>
<td>Second hand store</td>
<td>$5</td>
</tr>
<tr>
<td>Paper towel holder</td>
<td></td>
<td>Discount store</td>
<td>$2.50</td>
</tr>
<tr>
<td>Paper towels</td>
<td></td>
<td>Any grocery/store</td>
<td>$1</td>
</tr>
<tr>
<td>Liquid hand soap</td>
<td></td>
<td>Any grocery/store</td>
<td>$1</td>
</tr>
<tr>
<td>Bin to collect trash</td>
<td>Any trash container</td>
<td>Discount store</td>
<td>$5</td>
</tr>
</tbody>
</table>
Washing and sanitizing station

- Use potable hot water (>110 F)
- Check sanitizer concentration with test kit (~50 ppm)
- Allow to air dry on clean paper towels or racks
## Washing and sanitizing station

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<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dishpans-3</td>
<td>Buckets also OK</td>
<td>Discount or other</td>
<td>$2 each</td>
</tr>
<tr>
<td>Dish soap</td>
<td>Any</td>
<td>Any store</td>
<td>$2</td>
</tr>
<tr>
<td>Dishrags</td>
<td>Must be clean</td>
<td>Any store</td>
<td>$1</td>
</tr>
<tr>
<td>bleach</td>
<td>Any brand</td>
<td>Any store</td>
<td>$1</td>
</tr>
<tr>
<td>*Chlorine wipes</td>
<td></td>
<td>Any store</td>
<td>$5/75 ct.</td>
</tr>
<tr>
<td>Chlorine test strips</td>
<td></td>
<td>Ag, pool, or restaurant supply</td>
<td>$11/200</td>
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<tr>
<td>Food handling</td>
<td>Disposable gloves</td>
<td>Discount or other</td>
<td>$4</td>
</tr>
<tr>
<td></td>
<td>Tongs</td>
<td>Discount or other</td>
<td>$2</td>
</tr>
</tbody>
</table>
Contact Details

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http://www.ksre.ksu.edu/foodsafety/