

FARMERS' MARKET GUIDE



Virginia Department of Agriculture
and Consumer Services

Welcome to the Department of Agriculture and Consumer Services, Office of Dairy and Foods, Food Safety Program. Our program ensures a safe, wholesome, and properly labeled food supply for the citizens of the Commonwealth by conducting inspections of food establishments, the investigation of consumer complaints, and the collection of food samples.

The following information is provided in order to help you gain a better understanding of how to properly and safely conduct your operation.

In addition, we stand ready to help you in the proper set-up of your operation and will further assist you in the clarification of any questions or concerns you may have.

PLEASE NOTE: Establishments that intend to sell foods that are processed in the home are required to be under inspection before offering their food products for sale. For more information on home operations, please refer to page 6 of this guide

CONSUMER SAMPLES AT FARMERS' MARKETS

All retail food handlers/growers offering food samples to the general public at farmers' markets must meet the following **minimum** requirements:

Water supply: Water must come from an approved water source.

Handwashing: Always wash your hands thoroughly with soap and warm water before preparing food. "Waterless" hand sanitizing products are *not* an approved substitute.

Cleaning Equipment & Facilities: Food utensils and food contact surfaces must be properly cleaned and sanitized immediately prior to and during food preparation activities. Clean utensils must be covered when in storage, not in use, or when being transported. Utensils must be stored and covered with materials intended for use with food. Use of garbage bags for storing or covering food and food related items is prohibited.

Manual Equipment & Utensil Washing: Three food-grade containers that are large enough to allow the proper cleaning and sanitizing of the food equipment in use must be provided and labeled as follows:

Container #1: **WASH**

(Completely clean all utensils in soapy water.)

Container #2: **RINSE**

(Rinse off all soap residue from utensils with clear, clean water.)

Container #3: **SANITIZE**

(Dip rinsed utensils into sanitizing solution so that it is completely covered; then remove and air-dry in a clean surface. Follow instructions on level of sanitizer for proper concentration.)

Dispensing: Only single service, disposable eating and drinking utensils may be used. Some examples of these are: single use food papers, napkins, toothpicks, and spoons.

Containers with covers must be used to protect food products during storage and display. These containers must be constructed from food grade materials and must be smooth and easily cleanable.

HANDWASHING, TONGS, AND GLOVES

Please remember that it is vitally important to wash your hands regularly and thoroughly throughout the day—particularly after using the restroom. Proper hand washing is extremely important to prevent the spread of pathogenic organisms such as Salmonella and Hepatitis.

The use of tongs and/or plastic gloves, where appropriate, is suggested. Please remember that use of these items is not a substitute for proper hand washing.

PERSONAL HYGIENE

Wear clean clothing. No smoking or eating is allowed in the retail sales or food preparation areas. Personal items (purses or coats) are not to be stored with food or food service articles.

Persons who are ill are not to work in the food stands, especially with symptoms of vomiting or diarrhea, or with infected cuts or burns on the hands.

SAMPLES AND SAMPLE PREPARATION

Non-cream filled bakery products (other than cheesecakes) generally present little hazard, and vendors need to do little else than protect them from gross contamination. It will not be necessary to provide plumbing facilities for these operations. Provisions should be made to ensure that utensils, as well as, fruit used in the sampling process are kept clean.

Melons can provide the essential nutrient to keep pathogenic bacteria alive. Melons intended for slicing should be thoroughly washed. If this cannot be accomplished at the vendor's booth, then the melons intended for slicing should be washed at home and brought to the market in suitable containers. If slicing is to occur at the vendor's booth, the vendor should furnish some means of washing his utensils. As a practical matter, since melons do not have a high fat content, a supply of hot water is not essential to do a good job. A vendor who desires to slice their melons at their booth need only provide three containers for washing, rinsing, and sanitizing their utensils. Water can be brought from home in a suitable container. When utilizing the three containers, one would contain water and a detergent, the second would contain rinse water and should be changed fairly frequently, and the third would contain a sanitizer. The sanitizer should be checked at appropriate intervals. Sliced melons on display for sampling should be protected from gross contamination and should be refrigerated. If refrigeration is not possible, then the melons should not sit out at ambient temperatures any longer than two hours before they are discarded and replaced with fresh samples. Proper refrigeration can take the form of no more than a drained tray of ice upon which a plate or tray

containing the melons sits. Vendors also have the option of preparing their samples at home and bringing them with them. This may be the simplest method for some of the vendors.

Fruits, other than melons, pose little hazard, and vendors need to do little else than protect them from gross contamination. It will not be necessary to provide plumbing facilities for these operations.

Typically, **potentially hazardous foods** present a much different problem than the melons. Because of high fat content and protein usually associated with these types of products, **hot water is essential** for effective cleaning of utensils. Those vendors who process samples of potentially hazardous products, such as slices of meat, bits of sandwiches, slices of cream pies, etc., should have proper cleaning facilities available. This would include a convenient hand sink with hot and cold water under pressure and a two or three compartment equipment sink with hot and cold water under pressure. If proper cleaning facilities are not available, the vendor can optionally prepare the sample at home and transport them to the booth in suitable containers. Proper refrigeration is also essential since these products actually enhance the growth of microorganisms rather than just allow their survival, as is the case with melons. **Products must be kept at 45°F or below during transport, storage, and display.**

POINT OF SALE DISPENSING & PACKAGING OF BAKED GOODS

Product labeling is not necessary when the product is packaged at the time of sale.

Only non-potentially hazardous baked goods may be dispensed in this manner (i.e. no custard or cream pies, etc.)

Take steps to ensure that the product is protected from airborne and other types of contamination (i.e. keep product covered as much as possible).

POTENTIALLY VS NON-POTENTIALLY HAZARDOUS FOODS

Potentially Hazardous Foods: Those foods which would support the rapid growth of bacteria, such as foods needing refrigeration, including dairy products, egg products, and foods that are heat processed and/or acidified for preservation. Examples include: meat, seafood, custard and cream filled pies, cheesecakes, melons, and eggs.

Non-potentially Hazardous Foods: Examples include: most baked foods, raw vegetables, fruits (other than melons), jams, and jellies.

HOME OPERATIONS

Establishments that intend to sell foods that are processed in the home are required to be under inspection before offering their products for sale. Please contact the Food Safety Program at 804/786-3520 to request an information packet addressing further guidelines and requirements for food processors.

You can greatly facilitate the approval process by providing the inspector with the following:

- A complete diagram of your processing area, including the location of your stoves, sinks, refrigerators, storage areas, etc. This can be a hand drawn sketch.
- A process flow sheet. This should be a detailed description of the steps in your process in sequential order from raw material to finished product.
- Recipes and labels of your product.
- A bacteriological sample analysis of your water indicating potability if you are on a private supply, such as a well.
- If you are involved in making pickles (acidified foods), smoking fish, or making products containing garlic in oil, you need to have your process reviewed and approved by a competent processing authority for safety.
- An explanation of your product-coding plan, if you use one.

ACIDIFIED FOODS

In-home processing of pickles, salsa, sauce, etc. (acidified foods) is acceptable providing certain criteria are adhered to. Your process must be reviewed and approved by a competent processing authority for safety. Information on how to do this, in addition to other guidelines, can be provided upon request by contacting the Food Safety Program at 804/786-3520 and asking for an Acidified Foods Packet.

LOW ACID FOODS

The regulations concerning the canning of low acid foods (ex: green beans) in hermetically sealed containers are complex and require extensive record keeping and a large investment in specialized equipment. It would be very difficult for a person to do this operation in their home. Please contact your food safety specialist or the Food Safety Program for a further evaluation.

MEAT AND POULTRY PRODUCTS

All cattle, hogs, horses, sheep, goats, poultry, and ratites must be slaughtered at a USDA/State inspected facility if offered for sale (note: products from these animals that are processed at a “custom exempt” facility are not allowed to be sold). If USDA inspected products are intended for sale at retail, such as at a farmers’ market, the additional processing and sale of these products falls under the jurisdiction of VDACS’ Food Safety Program. If the products are intended for wholesale distribution, they will fall under the jurisdiction of VDACS’ Office of Meat and Poultry Services (OMPS). Meat products from any animal slaughtered under USDA/State inspection may be sold but must be properly labeled. This label should include the following: product name, ingredients (if any), net weight, the name/address of the responsible party, plant legend (i.e. number of the plant that did the work for you), and a safe handling statement on raw/partially cooked products (i.e. keep refrigerated/frozen). These products must be held at 45°F or below while being stored or offered for retail sale.

The USDA/VDACS does not require that other animals (including buffaloes, antelopes, rabbits, quail, etc.) be

inspected in order to be sold as meat. However, you may elect voluntary inspection and pay USDA/VDACS to have these species inspected at slaughter; if you choose not to pay for this service, these products will fall under the inspection of the Food Safety Program. These products must also be held at 45°F or below while being stored or offered for retail sale. These products must also be labeled with the name of the product, list of ingredients (if any), net weight, and name and address of the responsible party.

Special Exemption for Poultry---Anyone who slaughters and processes less than 1,000 poultry in a calendar year is exempt from the Poultry Products Inspection Act. These poultry must have been raised on his/her own farm and sold within the Commonwealth of Virginia. Up to 20,000 birds may be slaughtered/processed annually with periodic inspection. {9CFR 381.10 (b) and (c)}

All of these laws and regulations are available through the Office of Meat and Poultry Services. Please contact 804/786-4569 if you would like to request copies or if you have questions.

EGGS

The marketing of eggs in this state falls under the Virginia Egg Law. Producers selling a total of 150 dozen eggs or less per week produced by their own hens or eggs purchased from other producers not to exceed 60 dozen per week are exempt from this law provided all of the eggs are of edible quality. However, shell eggs being offered for sale at the farmers’

market must be clean, held at 45°F or less at all times, and labeled with the following:

- **Safe Handling Instructions:** To prevent illness from bacteria: keep eggs refrigerated, cook eggs until yolks are firm, and cook foods containing eggs thoroughly.
- **Name & Address of Packer**
- **Grade:** Eggs should be labeled with a suitable consumer grade (AA, A, or B) or “Ungraded”. Eggs labeled with a consumer grade should meet the corresponding standards for that grade.
- **Name of Product:** The term “fresh eggs” may only be used if the eggs meet the requirements of Grade A quality or better.

The Virginia Egg Law is available through the Office of Dairy and Foods, Food Safety Program. Please contact the Food Safety Program at 804/786-3520 if you would like to request copies or if you have questions.

DAIRY PRODUCTS

All dairy products should be kept refrigerated or kept on ice. In addition, dairy products should be properly labeled with the following:

- Name of the product
- Net weight
- Ingredients statement

- Name & address of the manufacturer.

Grade A milk and dairy products (fluid milk, yogurt, cottage cheese) produced from cow’s, goat’s, or sheep’s milk are regulated under the following regulations:

1. Regulations Governing Grade A Milk, 2 VAC 5-490-10 through 2 VAC 5-490-140; and
2. Rules and Regulations Governing the Cooling, Storing, Sampling, and Transporting of Milk or Milk Samples from the Farm to the Processing Plant or Laboratory, 2 VAC 5-500-10 through 2 VAC 5-500-80.

Ice cream, frozen desserts, and similar products are regulated under Rules and Regulations Governing the Production, Processing, and Sale of Ice Cream, Frozen Desserts, and Similar Products, 2 VAC 5-510-10 through 2 VAC 5-510-660.

Manufactured dairy products (cheese, butter, condensed milk) produced from cow’s milk are regulated under rules and Regulations Governing the Production, Handling, and Processing of Milk for Manufacturing Purposes and Establishing Minimum Standards for Certain Dairy Products to be used for Human Food, 2 VAC 5-530-10 through 2 VAC 5-530-140.

Manufactured dairy products from goats, sheep, water buffaloes, or other milking animals are not covered by these dairy regulations; however, the following laws and regulations do apply to these products:

1. Virginia Food Laws, Title 3.1, Chapter 20, Code of Virginia;
2. Regulations Pertaining to Food for Human Consumption, 2 VAC 5-600-10 through 2 VAC 5-600-80 (this regulation identifies the parts of Title 21 of the Code of Federal Regulations (21 CFR) that have been adopted by VDACS. The following parts apply to manufactured dairy products:
 - a) 21 CFR Part 110 Current Good Manufacturing Practice in Manufacturing, Packing, or Holding Human Food;
 - b) 21 CFR Part 101 Food Labeling;
 - c) 21 CFR Part 133 Cheeses and Related Cheese Products.

All of these laws and regulations are available through the Office of Dairy and Foods. Please contact 804/786-3520 if you would like to request copies or have questions. Additionally, each of these laws and regulations can be accessed on the Commonwealth of Virginia Legislative Services website at <http://leg1.state.va.us>.

OTHER FOOD PRODUCTS

The manufacture, storage, and sale of most other food products are regulated under the requirements of the Virginia Food Laws (shellfish shucking and crab picking plants are covered by the Virginia Department of Health).

LABELING

If you are selling prepackaged foods you will need to have them properly labeled. Your products will generally be properly labeled if the product package contains the following information:

- The name of the product
- A list of product ingredients (in descending order of predominance by weight)
- An accurate statement of the quantity of contents in terms of weight, measure, or count as appropriate (Please contact the Office of Weights & Measures at 804/786-2476 on how to properly determine the net weight of your product.)
- The name and address of the manufacturer, distributor, or packer.

If you make specific claims regarding the composition of your product, you may have to include additional nutritional information regarding your product.

QUESTIONS, PLEASE CONTACT:

Virginia Department of Agriculture and Consumer Services
Office of Dairy and Foods
Food Safety Program

- P.O. Box 1163, Richmond, VA 23218
804/786-3520, Fax 804-371-7792
- 1444 Diamond Springs Rd, Virginia Beach, VA 23455
757/363-3909, Fax 757-363-3861
- 2943-E Peters Creek Road, Roanoke, VA 24019
540/562-3649, Fax 540-562-3649

Dairy Services Program
P.O. Box 1163, Richmond, VA 23218
804/786-1452, Fax 804-371-7792

Office of Meat & Poultry Services
P.O. Box 1163, Richmond, VA 23218
804/786-4569, Fax 804-786-1003

Office of Weights & Measures
P.O. Box 1163, Richmond, VA 23218
804/786-2476, Fax 804-786-1571