

# Farmers' Markets

While farmers or gardeners may sell unprocessed fruits, vegetables, berries, or any other farm produce without licensing or permits from the Health District, individuals or groups selling or serving food at Farmers' Markets may need a Health District Temporary Food Establishment Permit. Health District permits are good for the Farmers' Market season, including the summer and winter markets. Below, we have outlined the permitting and handling requirements for foods commonly sold at farmers markets.

## **Fresh Juices & Apple Cider**

Fresh squeezed pasteurized and unpasteurized juices and beverages containing juices from fruits/vegetables/fresh herbs/grass or fruit/vegetable juices may be made and served at Farmers' Markets. A Temporary Food Establishment Permit is required for juice made on site.

All unpasteurized juices prepared need a Consumer Advisory. Refer to our *Consumer Advisory* handout for specific requirements. Beverages that contain sliced or blended fruit and /or vegetables as an ingredient in a mixture (e.g., fruit smoothies, milkshakes, and lemon water) do not need a Consumer Advisory.

Packaged juices brought to the market, from a source that is licensed by the FDA or the Washington State Department of Agriculture (WSDA\*) do not require a Permit. Sampling of the product does require a Health District Temporary Food Establishment Permit.

## **Baked Goods**

Baked goods sold or served at Farmers' Markets must be made in an approved kitchen; this includes WSDA Cottage Food Operations. An approved kitchen does not need to be licensed by the Health District; it's a kitchen that is a public kitchen (e.g., grange kitchens, church kitchens). The Health District does not have a list of approved kitchens that may be used for preparing baked goods.

Some baked goods may be exempt from permitting. Refer to our *Requirements for Selling Baked Goods at Temporary Events* handout for a listing of foods that may qualify for exemption and how to obtain approval for exempt status.

## **Coffee & Coffee Beans**

Hot coffee served directly into a disposable cup may be served without a permit. Powdered/UHT creamer and sugar may be offered to the customer for the coffee. Serving milk or cream is not allowed without a Health District Temporary Food Establishment Permit. Coffee beans may be offered for sale without a Health District Temporary Food Establishment Permit. You will need a WSDA & Food Processors license to roast coffee beans.



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## **Espresso**

Espresso, lattes, and Italian sodas, etc. require a Permit.

## **Eggs**

Farmers selling eggs must be licensed by the Washington State Department of Licensing (WSDOL)\* as an Egg Handler/Dealer. The Health District requires no further permitting. Eggs for direct to retail sales require Egg Seals from the Washington State Department of Agriculture (WSDA). Eggs must be cooled in a refrigeration unit to 45° F or less and held at 45° F or less while at the market.

## **Fish**

Frozen fish or fresh fish sold “in the round”, refrigerated or stored on ice, may be sold at the Farmers’ Market with a Wholesale Fish Dealer’s License from the Department of Fish and Wildlife (360 902-2200). Exceptions to this requirement are:

- WDFW licensed commercial fishers with a direct WDFW Retail Endorsement selling salmon, crab and sturgeon are not required to obtain a Health District permit as long as the fish are not processed, but are subject to inspection from the Health District;
- Filleting of fish requires a Health District permit;
- If fish are further processed (e.g., smoked or cooked), a WSDA\* Food Processor License is required;
- A retail seller who has purchased fish from a licensed wholesale dealer and is selling strictly at retail. No Health District permit is required as long as the fish are not processed. Filleting of fish requires a Health District permit.

## **Fresh Fruits & Vegetables**

Farmers selling fresh salad mixes in which the greens are cut or chopped and/or when sold as “ready to eat” are required to have a WSDA\* Food Processing License.

Any farmer or gardener may sell unprocessed fruits, vegetables, berries, or any other farm produce without licensing or permits from the Health District. Farmers that offer individual samples of sliced fruits and vegetables must meet the following requirements:

- You must properly wash individual samples of non-potentially hazardous\* sliced fruits and vegetables (excludes melons and sprouts) in an approved facility, or wash them on-site with commercially packaged bottled water;
- You must provide hand washing facilities that have soap, paper towels, running potable water between 100° F and 120° F and a five-gallon bucket to collect wastewater. An insulated container (with a capacity of at least five gallons and a spigot) filled with warm water meets the minimum requirement for “running water.” Food workers must wash their hands often and cannot make bare hand contact with the food.

## **Guest Chefs**

A Temporary Food Establishment Permit is required when chefs cook with the ingredients available at the Farmers’ Market and give samples for the public to eat. If the food item is used for recipe demonstrations only and is not served to or tasted by the public a permit is not required.

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## **Herbs**

Fresh cut herbs--see Fresh Fruits & Vegetables above. Dried herbs or herbs dried for tea require a WSDA Food Processor license.

## **Honey**

A Health District permit is not required. Beekeepers that extract their own honey and sell it in the raw form do not need a WSDA\* Food Processor's License. If honey is heated, pasteurized, or ingredients or flavors are added, then a WSDA Food Processor's License is required. Persons selling honey directly to the consumer must label the honey container with the following information: Identification of the product, name and address of the producer, and net weight and grade of the honey.

## **Jams and Jellies**

Jams and jellies are a processed food and require a WSDA\* Food Processors License or a WSDA Cottage Food Operation permit; a Health District permit is not required to sell them at the market. Contact WSDA to obtain a Food Processors License packet or the Cottage Food Operation packet. A Temporary Food Establishment Permit is required for sampling.

## **Meat**

Farmers can sell fresh or frozen USDA-inspected meat with mechanical or non-mechanical refrigeration. You must submit a Temporary Food Establishment permit application so we can approve your exemption. If you plan to cut the meat for customers at the market, you must have a Health District Temporary Food Establishment Permit.

## **Milk and Dairy Products**

Farmers selling milk, cheese, butter, and/or other dairy products directly to consumers must obtain a milk producer license and milk processing plant license from the WSDA\*. We require that you must submit a Temporary Food Establishment permit application so we can approve your exemption. Sampling dairy items requires a Temporary Food Establishment permit. Raw milk may not be sampled; refer to our *Cheese, Butter, Shell Eggs, and Raw Milk* handout for raw milk requirements.

## **Mushrooms**

Wild or cultivated mushrooms may be sold at Farmers' Markets. A Health District Temporary Food Establishment Permit is required. The food establishment that sells or serves mushroom species picked in the wild must have a written buyer specification that requires identification of:

- 1) The Latin binomial name, the author of the name, and the common name of the mushroom species;
- 2) That the mushroom was identified while in the fresh state;
- 3) The name of the person who identified the mushroom;
- 4) A statement as to the qualifications and training of the identifier, specifically related to mushroom identification.
- 5) Shall keep written documentation supplied by the mushroom identifier for any wild harvested mushrooms offered for sale or service on file for ninety days after receipt.

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## **Nuts**

For roasted nuts or candy-coated nuts you must submit a Temporary Food Establishment permit application so we can approve your exemption.

## **Poultry**

A poultry farm or processing business that slaughters from one to 19,999 small birds (e.g., chicken, pigeon, and duck) or one to 4,999 turkeys annually must have a WSDA\* Food Processors License to sell their small birds and turkeys at the Farmers' Markets. If 20,000 or more small birds, or 5,000 or more turkeys per year, are slaughtered, then a USDA inspection is required. Farms selling less than 1,000 slaughtered birds of any species in a calendar year may operate with a WSDA Special Poultry Permit; birds must be sold within 48 hours.

## **Prepared Foods and Food Service**

Individuals or groups that offer food and beverages prepared and served for consumption on site vs. purchasing and consuming the product elsewhere, must obtain a Health District Temporary Event Permit or have a Health District catering or mobile unit permit.

## **Processed Foods**

Jams, jellies, pickled products, salsa, chutneys, sauces, dried herbs, teas, etc. to be sold or distributed to the public at Farmers' Markets must be commercially prepared or from a licensed WSDA\* Food Processor. Or Jam, jellies, fruit butter, vinegar, and dried mixes may be from a WSDA Cottage Food Operation. A Temporary Food Establishment Permit may be required for sampling.

## **Shellfish**

Shellfish farmers that harvest or sell molluscan shellfish (clams, oysters, mussels, and/or scallops) for human consumption are required to obtain a license from the Washington State Department of Health (WSDOH\*). If shellfish are processed (e.g., shucked, smoked, cooked, cut, frozen), a WSDA Food Processor License is also required. A Temporary Food Establishment Permit is required by the Health District.

## **Soft Drinks**

If you process or manufacture soft drink type beverages, then a Food Processor License from WSDA\* is required.

## **Tea**

Hot tea served directly into a disposable cup may be served without a Health District permit. Powdered/UHT creamer/non-dairy creamer and sugar may be offered to the customer for the tea. Serving milk or cream requires a Health District Temporary Food Establishment Permit. Tea leaves or herbs for tea may be offered for sale without a Health District Temporary Food Establishment Permit. Herbs dried for tea require a WSDA\* Food Processor License.

## **Wine, Beer, Hard Cider**

The Washington State Liquor Control Board (WSLCB\*) must license alcohol-containing beverages. A fee is charged for the health district exempt permit application review.

\* Contact Information: