



## FOOD SERVICE VENDORS

Those who prepare food on site at a Farmer's Market

Food Service Vendors, except those offering for sale primarily packaged food products or samples of such products not subject to Virginia Department of Health (VDH) inspection, must obtain a VDH food establishment permit. The local health department issues these permits and inspects food service vendors. Vendors who do not hold a food establishment or mobile food establishment permit need to apply to the local health department for a temporary food establishment permit and submit the applicable fee at least 10 days prior to operation.

### Food Service Vendors must have:

- 1) An on-site warewashing set up that includes three basins: one each for washing, rinsing, and sanitizing. The appropriate strength of sanitizing solution should be used and confirmed with the appropriate sanitizer test strips. Wares should be cleaned and sanitized after use with raw animal foods and before use with ready-to-eat foods, including raw fruits and vegetables, or if they have been contaminated.
- 2) An on-site handwashing station is also required. Hands must be washed frequently including before beginning food preparation or putting on gloves; and after eating, drinking, smoking, using the restroom, handling raw animal foods, or whenever the hands may have been contaminated. Avoid bare-hand contact with ready-to-eat foods by using gloves, tongs, deli paper, etc. Don't work if you are sick.
- 3) Overhead protection for vendor operation is required (tent, canopy, awning, table umbrella, permanent structure, etc.). Food 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.

TCS foods \*\* must be kept hot, at 135°F or higher, or cold, at 41°F or lower. Use a calibrated metal stem thermometer to ensure you are meeting the required temperatures. Ice should be drained frequently at an approved dump site.

\*\*Time and Temperature Controlled for Safety (TCS) Foods: Please see important note in bottom right of previous page.

## VDH, VDACS & VCE CONTACTS FOR MORE INFORMATION

Your local agency contact	Name	Address	Phone number	e-mail
Virginia Cooperative Extension				
Virginia Department of Health Inspector				
Virginia Department of Agriculture and Consumer Services inspector				

Virginia Tech Food Innovations Program\*:  
Food Product Testing Services

Farmers' Market Resources:  
Virginia Grown:  
[www.vdacs.virginia.gov/vagrown/frmsmkt-farmvend.shtml](http://www.vdacs.virginia.gov/vagrown/frmsmkt-farmvend.shtml)

Website:  
<http://ext.vt.edu/food-health/food-innovations.html>

Virginia Farmers' Market Association:  
<http://www.vafma.org/>

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# Virginia Cooperative Extension

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## GOING TO MARKET



## A Guide to Selling Raw, Processed and Prepared Food Products from Your Home, at Farmers' Markets, Stores & Roadside Stands

### Do I need to get inspected? By whom?

On the following pages Farm Market & Food Service Vendors will find the answers to these questions, which vary depending on the type of food product and preparation process used. The contact information for permitting and/or inspection requirements is on the back page.

By Renee Boyer, Associate Professor, Extension Specialist & Joell Eifert, Director of Food Innovations Center, Food Science & Technology Department, Virginia Tech

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# FARM MARKET VENDORS : Inspected by VDACS unless vendor prepared food and samples at the market (see food service vendor)

VDACS INSPECTION REQUIRED		VDACS INSPECTION REQUIRED: UNLESS EXEMPTION CONDITIONS BELOW ARE MET					VDACS LICENSE REQUIRED
MEAT	DAIRY	ACIDIFIED CANNED FOODS *	BAKED GOODS, JAMS AND ... *	HONEY	EGGS	PRODUCE	PET TREATS
							
<p>All meat that is to be sold must be slaughtered at a USDA/state-inspected facility.</p> <p>The VDACS Office of Meat and Poultry Services (OMPS) provides free inspections for amenable species (cattle, hogs, sheep, goats, chickens, turkeys, ducks, geese, guineas, ratites and squabs).</p>	<p>All dairy products to be sold must be inspected. Sale of raw milk is prohibited.</p> <p>Sale of cheese made from raw milk must be aged at least sixty days above 35 degrees. Contact the VDACS Office of Dairy &amp; Foods.</p>	<p>Acidified low-acid foods (pickled products, salsa, pumpkin/sweet potato butter, barbeque sauces, chow-chow, relishes, hot pepper jelly, hot sauces, garlic in oil, etc.) must achieve a pH of 4.6 or lower (verified by an electronic pH meter you purchase). Low-acid canned foods are not permitted to be made in the home.</p> <p>Completion of 'Better Process Control School' course and process approval by a processing authority strongly advised (Virginia Tech Food Innovations Program: Food Testing Services).</p> <p>Must not exceed \$3,000 in total annual gross sales for all acidified products produced.</p>	<p>Includes 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, trail mixes and granola and baked goods that don't require time or temperature control.</p>	<p>Those who process &amp; prepare honey in their private residence from hives they own, who sell less than 250 gallons of honey a year, &amp; who do not process or sell other food products (except as noted here) are exempt from inspection.</p> <p>Infused honey products are not exempted.</p>	<p>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.</p>	<p>If you grow and sell fresh produce, <u>and</u> make &lt; \$25,000 in annual sales (3 yr. avg), you are not covered under the Produce Safety Rule and do not need to be inspected. Growers that make &gt;\$25,000 may fall under the PSR and may need to be inspected. <u>Sprouts, hydroponic operations and farm raised mushrooms</u> are considered produce regulated by the PSR. (not covered if &lt;\$25K). <u>Wild mushrooms</u> require VDACS food safety applications harvesting and retail sales.</p>	<p>Home/facility inspection by VDACS not required, but it is suggested to contact your local health department for any local inspection requirements.</p> <p>You must obtain licensing and permitting through VDACS. Product registration may also be required.</p>
<b>EXEMPTIONS</b>	<b>LABELING</b>	<b>LABELING</b>	<b>LABELING</b>	<b>LABELING</b>	<b>LABELING</b>	<b>LABELING</b>	<b>LABELING</b>
<ul style="list-style-type: none"> <li>•1,000 Bird Exemption</li> <li>•20,000 Bird Exemption</li> <li>•Custom Exemption: with permit from OMPS, allows businesses to slaughter animals, only for their owners consumption, without an inspector present.</li> </ul>	<ul style="list-style-type: none"> <li>• Product Name</li> <li>• Net Weight</li> <li>• Ingredient Statement</li> <li>• Name &amp; Address of Manufacturer/Distributor</li> <li>• Sell-by date</li> </ul>	<p>The standard label must contain:</p> <ul style="list-style-type: none"> <li>• Product name</li> <li>• Net weight</li> <li>• Ingredient statement</li> <li>• Name &amp; address of manufacturer/distributor/packer</li> <li>• Nutritional labeling (exemptions apply)</li> <li>• List of allergens</li> <li>• NOT FOR RESALE – PROCESSED AND PREPARED WITHOUT STATE INSPECTION</li> </ul>	<p>The standard label must contain:</p> <ul style="list-style-type: none"> <li>• Product name</li> <li>• Net weight</li> <li>• Ingredient statement</li> <li>• Name &amp; address of manufacturer/distributor/packer</li> <li>• Nutritional labeling (exemptions apply)</li> <li>• List of allergens</li> <li>• NOT FOR RESALE – PROCESSED AND PREPARED WITHOUT STATE INSPECTION</li> </ul>	<p>The standard label must contain:</p> <ul style="list-style-type: none"> <li>• Product name</li> <li>• Net weight</li> <li>• Ingredient statement</li> <li>• Name &amp; address of manufacturer/distributor/packer</li> <li>• Nutritional labeling (exemptions apply)</li> <li>• PROCESSED AND PREPARED WITHOUT STATE INSPECTION. WARNING: Do Not Feed Honey to Infants Under One Year Old</li> </ul>	<ul style="list-style-type: none"> <li>• Product Name (term "fresh eggs" can only be used if product meets requirement for Grade A or higher)</li> <li>• Safe Handling Instructions</li> <li>• Name &amp; Address of Packer</li> <li>• Grade (AA, A, B) or "Ungraded" if not inspected</li> </ul>	<p>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 note below), they must be held at 41F or lower. This applies to samples as well.</p>	<p>1. Product Name 2. Intended Species 3. Quantity Statement 4. Guaranteed Analysis 5. Ingredient Statement</p>
<b>LABELING</b>	<b>AT MARKET</b>	<b>LABELING</b>	<b>LABELING</b>	<b>LABELING</b>	<b>AT MARKET</b>	<b>AT MARKET</b>	<b>AT MARKET</b>
<ul style="list-style-type: none"> <li>• Product Name</li> <li>• Net Weight</li> <li>• List of Ingredients</li> <li>• Name/address of Responsible Party</li> <li>• Inspection Legend (plant number that did the work)</li> <li>• Safe Handling Statement</li> </ul> <p>For Custom Exemption: "NOT FOR SALE"; 20,000 Bird Poultry Exemption Label, if applicable.</p>	<p>Keep frozen products frozen and other products at 41°F or lower. If storing products on ice, drain often.</p> <p>Products offered as samples should be prepped on-site or in your VDACS approved facility.</p> <p>Un-refrigerated samples may be left out for tasting no more than 4 hours (any leftovers then cannot be re-cooled or used again, they must be thrown away).</p>	<p>The standard label must contain:</p> <ul style="list-style-type: none"> <li>• Product name</li> <li>• Net weight</li> <li>• Ingredient statement</li> <li>• Name &amp; address of manufacturer/distributor/packer</li> <li>• Nutritional labeling (exemptions apply)</li> <li>• List of allergens</li> <li>• NOT FOR RESALE – PROCESSED AND PREPARED WITHOUT STATE INSPECTION</li> </ul> <p>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.</p>	<p>The standard label must contain:</p> <ul style="list-style-type: none"> <li>• Product name</li> <li>• Net weight</li> <li>• Ingredient statement</li> <li>• Name &amp; address of manufacturer/distributor/packer</li> <li>• Nutritional labeling (exemptions apply)</li> <li>• NOT FOR RESALE – PROCESSED AND PREPARED WITHOUT STATE INSPECTION</li> </ul> <p>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.</p>	<p>The standard label must contain:</p> <ul style="list-style-type: none"> <li>• Product name</li> <li>• Net weight</li> <li>• Ingredient statement</li> <li>• Name &amp; address of manufacturer/distributor/packer</li> <li>• Nutritional labeling (exemptions apply)</li> <li>• PROCESSED AND PREPARED WITHOUT STATE INSPECTION. WARNING: Do Not Feed Honey to Infants Under One Year Old</li> </ul>	<p>Eggs must be clean and held at 45°F or lower at all times.</p> <p>Note: Reusing egg cartons runs the risk of contamination; consider asking patrons to bring their own</p>	<p>Name and Address of Manufacturer/Distributor</p>	<p>Can be sold either pre-packaged or in a bulk, self-serve style.</p>
<b>AT MARKET</b>	<b>AT MARKET</b>	<b>AT MARKET</b>	<b>AT MARKET</b>	<b>AT MARKET</b>	<b>AT MARKET</b>	<b>AT MARKET</b>	<b>AT MARKET</b>
<p>Keep products at 41°F or lower</p>	<p>Keep products at 41°F or lower</p>	<p>Keep products at 41°F or lower</p>	<p>Keep products at 41°F or lower</p>	<p>Keep products at 41°F or lower</p>	<p>Keep products at 41°F or lower</p>	<p>Keep products at 41°F or lower</p>	<p>Keep products at 41°F or lower</p>
<p>Please keep your most recent VDACS inspection reports on hand with you at the market.</p>							

**\* Exemptions: Apply to ACIDIFIED CANNED FOODS and BAKED GOODS, JAMS AND ...? :** Must be produced in a private home. Must be sold at farmers markets, from the private home where product is manufactured or to an individual for their own consumption. These products cannot be sold to other businesses (ie. grocery stores), for resale, on the internet or across state lines.

You do not have to pay the \$40 annual fee to VDACS, although you are still required to comply with all applicable laws and regulations (outlined here).

**\*\*Time and Temperature Controlled for Safety (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.