



CLAY COUNTY

# PUBLIC HEALTH CENTER



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## FARMERS' MARKETS REQUIREMENTS

### DEFINITIONS

#### Approved Source-

Means acceptable to Clay County Public Health Center based on a determination of conformity with principles, practices, and generally recognized standards that protect public health. *CCPHC requires all food sold or served by a food establishment to come from a licensed and inspected facility.*

#### DHSS-

Missouri Department of Health & Senior Services.

#### FDA-

United States Food and Drug Administration.

#### Food Code-

Clay County Food Code, adopted by the Board of Trustees on November 12, 2015.

#### Food Establishment-

An operation that:

- 1) Stores, prepares, packages, serves, vends food directly to the consumer, or otherwise provides food for human consumption such as a restaurant; satellite or catered feeding location; catering operation if the operation provides food directly to a consumer or to a conveyance used to transport people; market; vending location; conveyance used to transport people; institution; or food bank; *and*
- 2) Relinquishes possession of food to a consumer directly, or indirectly through a delivery service such as home delivery of grocery orders or restaurant takeout orders, or delivery service that is provided by common carriers.

"Food establishment" does NOT include:

- 1) An establishment that offers only pre-packaged foods that are not TCS foods;
- 2) A produce stand that only offers whole, uncut fresh fruits and vegetables;
- 3) A food processing plant, including those that are located on the premises of a food establishment;
- 4) A kitchen in a private home, if only food that is not time/temperature control for safety food, is prepared for sale or service at a function such as a religious or charitable organization's bake sale if allowed by law and if the consumer is informed by a clearly visible placard at the sales or service location that the food is prepared in a kitchen that is not subject to regulation and inspection by the regulatory authority;

The mission of the Clay County Public Health Center is to deliver the essential public health services of prevention, promotion and protection to the communities of Clay County.

- 5) An area where food that is prepared as specified in the bullet point above is sold or offered for human consumption.

**Food Employee-**

Means an individual working with unpackaged food, food equipment or utensils, or food-contact surfaces.

**Labeling-**

Information specified in the Clay County Food Code §3-602.11 which includes:

- 1) Common name of the food;
- 2) A list of ingredients in descending order of predominance by weight, including a declaration of artificial color or flavor and chemical preservatives, if contained in the food;
- 3) The name and place of business of the manufacturer;
- 4) Major food allergens contained in the food, if not named in the ingredients;
- 5) An accurate declaration of the quantity.

**MDA-**

Missouri Department of Agriculture.

**Permit-**

Means the document issued by Clay County Public Health Center that authorizes a person to operate a food establishment.

**Placard-**

Clearly visible signage informing the consumer at the sale location that the food is prepared in a kitchen that is not subject to regulation and inspection by the Clay County Public Health Center.

**Temporary Food Establishment (TFE) Permit-**

A permit issued by the Clay County Public Health Center for food establishments that operate for a period of no more than 14 consecutive days in conjunction with a single event or celebration.

**Time/Temperature Control for Safety Food (TCS)-**

Means a food that requires time/temperature control for safety (TCS) to limit pathogenic microorganism growth or toxic formation. TCS food includes: an animal food that is raw or heat-treated; a plant food that is heat treated or consists of raw seed sprouts, cut melons, cut leafy greens, cut tomatoes, or garlic-in-oil mixtures.

**USDA-**

United States Department of Agriculture.

**The sale of most TCS foods or the preparation of foods on-site requires a food permit from the Clay County Public Health Center.**

# FOOD SAFETY REQUIREMENTS at FARMERS' MARKETS

*Please refer to the definitions above for specific information on approved source, labeling and placard requirements.*

## Whole Uncut Fresh Fruits and Vegetables

- Unprocessed commodities only
- Stored to prevent contamination, at least 6" off the ground
- No cutting or sampling unless food permit is obtained from CCPHC

## Honey

- State statute RSMo 261.241 exempts inspection if annual sales are less than \$50,000, record retention required
- Honey shall be bottled in the domicile of the person harvesting and selling the honey
- Sold by manufacturer directly to the end consumer
- Labeling

## Jams, Jellies

- Approved source
- Labeling

## Baked Goods

- Approved source (*except from a private home if prepared for sale at a function such as a religious or charitable organization's bake sale –**placard required***)
- Labeling

## Eggs

- Egg license is required from MDA, no food permit required from CCPHC
- "Egg" means shell eggs of a domesticated chicken, turkey, duck, goose or guinea
- Eggs should be clean
- In cartons that contain the name and address of the egg producer
- Temperature must be maintained at 45°F or less

## Meats and Poultry

- USDA or MDA inspected
  - Each package must have a mark of inspection
  - No exempted products allowed
  - Wild game prohibited
- Food permit required
- Frozen only, mechanical freezer required
- Labeling

## Beef Jerky (Dried Meats)

- Approved source
- Labeling

#### Canned (Jars) Salsa, Pickles, Vegetable, & Other Foods

- Compliance with applicable state and federal regulations (DHSS, FDA)
- Manufacturer must have process reviewed by a process authority
- Manufacturer must attend a Better Process Control School
- Approved source
- Labeling

#### Dried Fruits & Vegetables

- Approved source
- Labeling

#### Dried Mixes (Soup, Pancake, Cookies, Brownie, etc...)

- Approved source
- Labeling

#### Pre-packaged Foods (Candy, Snacks, Beverages):

- Food permit required if TCS food
- Approved source
- Labeling

#### Shaved Ice/Snow Cones & Ice Cream

- TFE permit
- Approved source

#### Popcorn, Kettle Corn, Candied or Roasted Nuts

- TFE permit if prepared onsite
- Pre-packaged and labeled if prepared offsite in licensed facility

#### Raw (Unpasteurized) Milk & Milk Products

- May be sold at dairy farm only
- Sales at Farmers' Market prohibited

#### Cottage Foods

- RSMo 196.298.1 Cottage Food Law exemption applies to a food production operation from an individual operation out of the individual's home who: Produces a baked good, a canned jam or jelly, or a dried herb or herb mix for sale at the individual's home; and Sells the food produced only directly to consumers.
- Must meet labeling requirements
- If Cottage Foods are wholesaled, they are no longer a cottage food product and will need to follow DHSS Manufactured Food requirements
- Contact CCPHC to review food items not listed above

[home-based-kitchen-food-prod-guidance.pdf \(mo.gov\)](#)

## FOOD SERVICE & SAMPLING

*In addition to obtaining a permit, these are the minimum requirements for Farmers' Market vendors who are sampling or preparing foods onsite. Please contact CCPHC in advance of serving/selling food to discuss all applicable requirements related to your food service activities.*

- Adequate equipment for providing temperature control
  - Cold foods must be held at or below 41°F
  - Hot foods must be held at or above 135°F
  - Frozen foods must be maintained frozen at all times
- Safe and adequate water supply
- Facilities for washing & sanitizing food equipment and utensils
- Hand washing facilities supplied with clean water, soap, paper towels and waste receptacle
- Bare-hand contact with ready-to-eat food is prohibited
  - Gloves
  - Utensils, tongs, scoops
  - Deli tissue
- Food protected from environmental contamination and pests
  - Overhead protection
  - Screened enclosure
  - Food containers covered
  - Food, food equipment, and single-service items stored 6" off ground
- Employee health and hygiene requirements strictly followed
  - Food employees with any of the following symptoms should not work while ill:
    - nausea
    - vomiting
    - diarrhea
    - jaundice
    - sore throat with fever
  - Properly wash hands as needed during food handling and service
  - Clean clothing, hair restraints