



JEFFERSON COUNTY HEALTH DEPARTMENT
ENVIRONMENTAL SERVICES

FARMERS' MARKET MASTER TRAINING MANUAL

CREATED 3/2020



Jefferson County Health Department will champion positive health outcomes and behaviors through innovative programs and community engagement.

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INTRODUCTION

The Jefferson County Health Department recognizes that the direct marketing of agricultural products through Farmers' Markets is desirable. When properly operated, Farmers' Markets provide a communal and economic benefit to both the agricultural community and Jefferson County citizens by providing fresh and wholesome local produce, nuts, honey, jams, jellies, non-potentially hazardous foods such as baked goods, inspected meats, and pet treats in a socially significant setting. Farmers' Markets help keep small farms alive. We further recognize that Farmers' Markets allow local vendors to market their goods directly to the public, near their source of origin. This creates benefits to vendors, the environment, and the local community.

While it is preferable from the public health standpoint that Farmers' Markets be operated from an established location, we recognize the feasibility of having such markets set up from time to time in locations temporarily procured for such a purpose. When Farmers' Markets are set up at an itinerant location, it is necessary to notify the Jefferson County Health Department of that location and provide information 60 days prior to the event.

In order to promote the use of Farmers' Markets, while still protecting the health, safety, and food security of our community, we provide the following stipulations regarding the establishment and promotion of Farmers' Markets in Jefferson County.



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FARMERS' MARKET STIPULATIONS

1. The intent of the Jefferson County Health Department is to explore and promote methods by which Farmers' Markets, in agreement with these stipulations, can remain autonomous, maintain an exempt classification, and be unburdened by fees, permitting, and routine inspection.
2. However, Jefferson County Health Department does recognize its obligation to educate and provide support for these efforts. When necessary, Jefferson County Health Department will embargo or exclude adulterated, misbranded, mislabeled, or improperly documented products in the best interest of public health.
3. In the interest of public order and safety, an individual designated as the "Market Master" will be onsite during all hours of operation including setup and close. The Market Master shall have responsibility for the operation of the market and have the authority to exclude any group or individual who jeopardizes the markets' exempt status by failing to abide by these stipulations.
4. Market Masters must sustain their status by attending training provided at no charge by the Jefferson County Health Department. Upon completion of training, certificates and photo Id's will be issued and are valid for three years. The Jefferson County Health Department will keep trained Market Masters up to date on changes and new information via email and/or phone calls; however, it is highly recommended that all Market Masters attend the yearly training given for new Market Masters.
5. Food sold at Farmers' Markets will be transported, stored, and sold in such a way to prevent contamination by or adulterations from chemicals, pesticides, toxics, or any other harmful substances.
6. Farmers' Markets will require vendors to provide overhead protection for any booths selling food items. All food must be stored at least 6 inches above the ground or floor.
7. Farmers' Markets will provide convenient, accessible restrooms and hand washing facilities in such number to adequately serve their patrons and vendors.
8. Farmers' Markets, when providing water, will provide it from an approved water source, using an adequate number of potable water points or spigots to serve the needs of their vendors. When water hoses are used for food sales, these hoses must be food grade.
9. Market Masters and vendors will be responsible for vendors' compliance with Missouri Department of Agriculture Revised Statutes Chapter 261.241 regarding selling jams, jellies, and honey, proper labeling of the product, documentation, and display of placards.



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10. Market Masters and vendors will be responsible for vendors' compliance with the Jefferson County Food Code regarding Farmers' Markets and their preconditions.
11. Market Masters will be responsible to ensure that when present, livestock, pet stock, poultry, or personal pets are treated in a humane manner and separated from food by a distance of at least 50 feet. It would be beneficial to encourage vendors to setup portable hand washing stations in the above circumstances.
12. All food products sold at Farmers' Markets must be products produced by the seller and sold directly to the end user, except for fresh, uncut, uncooked produce. Produce may be sold to the end user or to a food service establishment.
13. At the discretion of the Market Master, Temporary Food Service Establishments may be allowed to serve food at a Farmers' Market under the conditions specified by the Jefferson County Food Ordinance. Such Temporary Food Stands will be required to obtain a temporary food permit, pay associated fees, meet the requirements of the Jefferson County Food Ordinance and have written permission from the Market Master to operate at the Farmers' Market.
14. Raw milk may not be legally sold at the Jefferson County Farmers' Markets. Milk or milk products may not be sold as an unregulated, uninspected foods.

The Jefferson County Health Department will work with Farmers' Markets and Market Masters to determine what products may or may not be sold without a permit.



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2013 JEFFERSON COUNTY FOOD CODE DEFINITIONS

"Farmers Market" means an organized designated area, operated by a MARKET MASTER under specific guidelines where vendors provide to the end user locally grown or produced FOOD such as but not limited to produce, lagomorphs, poultry, poultry eggs, and products that are produced under the stipulation of 1-201.10 (B)FOOD ESTABLISHMENT(3)(e). Such venues are not required to have a PERMIT unless vendors are providing foods that are not exempted and require a TEMPORARY FOOD ESTABLISHMENT permit.

"Market Master" means an individual who has successfully completed a training course relating to food safety in the operation of a FARMER'S MARKET. An approved MARKET MASTER must be at the designated location at all times during the FARMER'S MARKET operation.

"Food Establishment"

(1) "Food establishment" means an operation that:

(a) 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

(b) 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.

(2) "Food establishment" includes:

(a) An element of the operation such as a transportation vehicle or a central preparation facility that supplies a vending location or satellite feeding location unless the vending or feeding location is permitted by the REGULATORY AUTHORITY; and

(b) An operation that is conducted in a mobile, stationary, temporary, or permanent facility or location; where consumption is on or off the PREMISES; and regardless of whether there is a charge for the FOOD.

(3) "Food establishment" does not include:

(a) An establishment that offers only PREPACKAGED FOODS that are not TIME/TEMPERATURE CONTROL FOR SAFETY FOODS

(b) A produce stand that only offers whole, uncut fresh fruits and vegetables;



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- (c) A FOOD PROCESSING PLANT; including those that are located on the PREMISES of a FOOD ESTABLISHMENT
- (d) 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;
- (e) An area where FOOD that is prepared as specified in Subparagraph (3)(d) of this definition is sold or offered for human consumption;
- (f) A kitchen in a private home, such as a small family day-care provider which does not meet the Missouri Department of Health and Senior Services' definition of a licensed childcare facility; or a bed-and-breakfast operation that prepares and offers FOOD to guests if the home is owner occupied, the number of available guest bedrooms does not exceed 4, breakfast is the only meal offered;
- (g) A private home that receives catered or home-delivered FOOD;
- (h) Individual EXEMPTED STANDS or approved FARMERS MARKETS in which only foods meeting the following conditions are provided:
 - (i) Is a (non)POTENTIALLY HAZARDOUS FOOD, except low acid canned and acidified foods as specified in 21 CFR 113 and 114 respectively, including, but not limited to breads, cookies, fruit pies, jams, jellies, preserves, fruit butters, honey, sorghum, cracked nuts, packaged spices and spice mixes, dry cookie, cake, bread, and soup mixes;
 - (ii) The person providing the food is the individual actually producing the food or an immediate family member residing in the producer's household with extensive knowledge about the food;
 - (iii) The person only sells or provides the samples directly to the end consumer and both parties are in the physical presence of one another during the transaction;
 - (iv) All processed packaged foods bear a label stating the name and address of the manufacturer/processor preparing the food, common name of the food, name of all the ingredients in the food in order of predominance, the net weight of the food in English or metric units, and a statement that the product is prepared in a kitchen that is not subject to inspection by the REGULATORY AUTHORITY. It is recommended that honey manufacturers/processors include this additional statement to their product label: "Honey is not recommended for infants less than twelve (12) months of age" and



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(v) 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 inspection by the Health Department if the foods specified in Part 3.H.(l) of this definition are sold, sampled in unpackaged, individual portions. The REGULATORY AUTHORITY shall have the final authority in determining whether a food is NON-POTENTIALLY HAZARDOUS and may enjoin individuals who violate the provisions of this subparagraph from providing these foods.

(vi) Except at approved FARMER'S MARKETS, FARM-BASED FOOD ESTABLISHMENTS, and EVENTS, foods produced under this section shall not be provided at any FOOD ESTABLISHMENT holding a PERMIT

(4) Except as defined in (3)(g), the Regulatory Authority may inspect any facility that stores, prepares, packages, serves, vends food directly to the consumer, or otherwise provides FOOD for human consumption even if the facility is not considered a FOOD ESTABLISHMENT due to a complaint; a suspected foodborne illness; an emergency occurrence such as a fire or sewer failure; or other activity which may involve the FOOD. Furthermore, all authority granted under the Section B., Compliance Procedure for Food Establishments, Parts 15 and 16 regarding the condemnation and embargo authority do extend to all facilities whether considered a FOOD ESTABLISHMENT or not.

"Farm-based Food Establishment" means a type of FOOD ESTABLISHMENT on a farm that stores FOOD derived from livestock, poultry, or produce raised, held or grown on same farm owned or leased in Jefferson County, Missouri by the PERSON marketing FOOD directly to the public. A FARM-BASED FOOD ESTABLISHMENT shall:

1. Not be charged for a JCHD Food & Beverage Permit.
2. Submit a completed set of floor plans indicating equipment type, types of food to be sold, floor, walls and ceiling covering, well and septic types and other items required by the REGULATORY AUTHORITY to conduct a plan review.
3. Indicate the FOOD ESTABLISHMENT is farm-based in Jefferson County, Missouri.
4. Indicate that all meat products are from animals raised or held on a farm owned or leased by the PERSON marketing the meat to the public.
5. Indicate the meat products were processed and packaged by an USDA or Missouri Department of Agriculture inspected facility and each package bears the appropriate information.
6. Receive a pre-opening inspection from the REGULATORY AUTHORITY.
7. Complete an application for a PERMANENT FOOD & BEVERAGE PERMIT.
8. Comply with all requirements of the Food Code and will be subject to an inspection by the REGULATORY AUTHORITY.
9. Not be required to have FOOD SAFETY TRAINING unless otherwise required by the REGULATORY AUTHORITY.

Operations only marketing FOODS allowed under 1-102.10 FOOD ESTABLISHMENT (3)(g) are exempt from this requirement.



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LABEL REQUIREMENTS

INFORMATIONAL LABEL REQUIREMENTS (INCLUDING BUT NOT LIMITED TO) JAMS, JELLIES, HONEY, SORGUM, SYRUPS, FRUITS BUTTERS, NON-TCS BAKED GOODS, FRUIT PIES, AND PACKAGED SPICES

Name (Person(s) making food):

Address:

Common Name of Food:

List of all ingredients in food (in order of predominance):

Statement of inspection status:

Net weight if required by Missouri Department of Agriculture:

EXAMPLE #1

Jane Doe
1424 Goody Lane
Hillsboro, MO 63050
GRAPE JELLY
Grapes, Sugar, Pectin

This Food Product was prepared in a kitchen that is not subject to inspection by the Jefferson County Health Department.

EXAMPLE #2

Eugenia Phillips
1212 South Main
Desoto, MO 63020
CHOCOLATE CHIP COOKIES
Flour, vegetable shortening, sugar, eggs, chocolate chips, pecans, vanilla

This Food Product was prepared in a kitchen that is not subject to inspection by the Jefferson County Health Department.



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SELLING EGGS

The Weights, Measures and Consumer Protection Division of the Missouri Department of Agriculture licenses egg producers, dealers, and retailers and inspects eggs sold in Missouri. Under the Missouri Revised Statutes, Chapter 196, Section 196.311, "eggs" are defined as the shell eggs of the domesticated chicken, turkey duck, goose, or guinea that are intended for human consumption. Anyone selling eggs, other than those eggs produced and ***sold on*** their farm or established place of business, must obtain a Missouri Egg License.

Missouri Egg License Application

<http://mda.mo.gov/weights/device/pdf/egglicapp.pdf>

The four types of licenses are below:

1. Retailer's License

A retailer is any person who sells eggs to a consumer.
Annual Fee is \$5.

2. Limited Retailer's License

A limited retailer license is required for individuals selling their own eggs at farmers' markets.
Annual Fee is \$5.

3. Dealer's License

A dealer's license is required for any individual who buys eggs from producers or other dealers to sell eggs to another dealer, processor, or retailer. Fees are determined by the number of cases of eggs sold weekly.

4. Processor's License

A processor is any person engaged in breaking eggs or processing liquid, whole egg meats, yolks, whites, or any mixture of yolks and whites with or without adding other ingredients. Fees are based on cases of eggs, or their equivalents, processed in any one day.

License Year

The license year shall be for 12 months or any fraction thereof, for each separate place of business from the director, beginning July 1 and ending June 30. Licenses are not transferable.



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Identification of Graded Eggs in Cartons

Eggs packaged in cartons must be identified, on each carton, with the name and address or license number under whose authority the eggs were packaged and the day, month, and year when those eggs were graded. Only eggs of the quality standard designated Grade AA, Grade A, or Grade B can be sold to any consumer by any person. **All eggs must be candled and graded before being sold to a consumer.** Previously used cartons can be used to package eggs. Cartons must be clean and in good condition. All markings on the carton that do not pertain to the eggs currently in the carton must be removed.

Eggs

No person shall sell eggs from any other species of fowl as chicken eggs or sell mixed eggs from more than one species of fowl, eggs from ducks, turkeys, geese, or any other species of fowl other than chickens without marking the containers of such eggs or otherwise indicating by sign or placard the species of fowl from which such eggs were produced.

Temperature

Shell eggs shall be held at a maximum temperature of no greater than 45 degrees Fahrenheit.

The statues governing the egg licensing and inspection program can be found in Chapter 196 of the Revised Missouri Statues, 196.311 through 196.361. Rules and regulations are located in the Code of State Regulations - 2 CSR 90-36.010 and 2 CSR 90-36.020. To obtain a complete copy of Missouri Egg Laws and Regulations, contact the Missouri Department of Agriculture, Division of Weights, Measures, & Consumer Protection at (573) 751-5639 or view their website at <http://agriculture.mo.gov/weights/rules.php>.



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JAMS AND JELLIES

Generally, jams and jellies are considered to be low risk food products because they have both low pH and low water activity levels which inhibit the growth of microorganisms. In 2014, 196.298 RSMo became state law. This law allows manufacturers of jams and jellies that make less than \$50,000 per year to process these products in their home kitchens. The person selling the jams and jellies must be the individual producing them, or an immediate family member residing in the producer's household with extensive knowledge about the food. The product must be sold by the producer, directly to the end consumer. The product must comply with the following labeling requirements:

1. Name and address of person manufacturing the food.
2. Common name of the food.
3. Name of all ingredients in the food.
4. Statement that the product is prepared in a kitchen that is not subject to inspection by JCHD.

There should be a placard visible at the point of sale that says "These products have not been inspected by JCHD. The Inspectors and Market Masters are responsible for determining that the vendor has posted the placard and the products are labeled appropriately.

"Sugar free" (using sugar substitutes) and "no sugar added" jams and jellies are not allowed.

Traditional jams and jellies include, but are not limited to, apple, grape, peach, plum, orange, blackberry, raspberry, blueberry, cherry, strawberry, and cranberry. Jams and jellies, such as pepper jelly and banana jam, are not allowed **unless** the producer's jam or jelly has been tested and documented by a commercial lab, at the expense of the food operation, as being not potentially hazardous with a pH of less than 4.2



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HONEY

Producers of honey, selling less than \$50,000 per year are exempt from constructing and maintaining a separate facility for the bottling of honey. The honey may be produced in their place of residence as long as all other safety, labeling, and certification requirements are met.

Missouri Revised Statutes Chapter 261

Honey Exemption/Section 261.241

August 28, 2015

1. Sellers of honey whose annual sales of honey are fifty thousand dollars or less per domicile shall not be required to construct or maintain separate facilities for the bottling of honey. Such sellers shall be exempt from all remaining health standards and regulations for the bottling of honey pursuant to sections 196.190 to 196.271 if they meet the following requirements:
 - (1) Honey shall be bottled in the domicile of the person harvesting and selling the honey;
 - (2) Honey shall be labeled with the following information in legible English as set forth in subsection 2 of this section;
 - (3) Annual gross sales shall not exceed fifty thousand dollars. The person harvesting such honey shall maintain a record of sales of honey bottled and sold. The record shall be available to the regulatory authority when requested.
2. The honey shall be labeled with the following information:
 - (1) Name and address of the persons preparing the food;
 - (2) Common name of the food; and
 - (3) The name of all ingredients in the food.
3. Sellers of honey who violate the provisions of this section may be enjoined from selling honey by the department of health and senior services.



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ACIDIFIED AND LOW ACID FOODS

An acidified food is defined as a food with a relatively neutral pH to which an acid is added to the lower the pH below 4.6. Low acid food has a pH value above 4.6. The purpose of acidification is to preserve food. The public health benefit is to prevent the outgrowth of *Clostridium botulinum* spores. If not properly prepared, *C. botulinum* can grow and produce botulism toxin. When consumed, this can result in illness or death. For this reason, there are federal regulations for the manufacturing of acidified and low acid foods. In Missouri, it is a violation of Federal, State, and Local laws to produce for wholesale or retail sales any acidified or low acid food without first completing the following requirements:

1. Consult with a "Process Authority" to determine if the canning process you propose is adequate and approvable.
2. Attend and successfully complete a Better Process Control School.
3. Operate in a facility that meets the requirements of all applicable regulations.
4. Register with the Food & Drug Administration by:
 - a. Submitting a Food Canning Establishment Registration using Form FDA 2541 and by
 - b. Submitting process filings using FDA 2541d, FDA 2541e, FDA 2541f, or FDA 2541g.
5. Contact the Missouri Department of Health and Senior Services Manufactured Foods Program at (573) 751-6095 for more information on inspections.

A "Process Authority" is an individual that the Food & Drug Administration recognizes as capable of reviewing your process and advising you on the suitability and safety of that process. A "Process Authority" can be a professor associated with a University or a privately employed food scientist from some other organization. These people charge a fee for their expertise.

Instructions for filing the required forms, as well as the forms themselves, is available from the FDA through their website: www.cfsan.fda.gov/comm/lacf-toc.html.



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The following list will act a quick reference to some items you **cannot** legally produce or sell as a canned product without completing the requirements previously mentioned:

- Pickles
- Pickle relish
- Salsa
- Vegetables
- Meat
- Spices in oil
- Fruit, other than those in jams, jellies, or fruit butters
- Soups, other than dry mixes
- Any fungus (mushrooms)
- Sugar free jams and jellies



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WEIGHTS AND MEASURES

REQUIREMENTS FOR SALES AT FARMERS' MARKETS

Retail sales of fruits, vegetables, and other items are regulated by the Missouri Department of Agriculture's Weights, Measures and Consumer Protection Division. The division works in conjunction with the National Institute of Standards and Technology and is a member of the National Conference on Weights and Measures, ASTM International, and the National Fire Protection Association. The Missouri Weights and Measures Division's laws and regulations apply to all sales and were set to achieve equity between buyers and sellers. When selling by weight, scales determining the billable price must be inspected and certified by an inspector with the Missouri Department of Agriculture at least once each calendar year. If you have any questions and/or need to get a scale certified, call the Missouri Department of Agriculture, Division of Weights and Measures at **573-751-5639**. To be certified, the scale must be an approvable, legal for trade type device.

METHOD OF SALE

Units of sale for fruits and vegetables are found on the following pages. Produce may be sold by weight, measure, or count depending on the commodity. Selling by count is self-explanatory; but, selling by weight or measure involves legally defined weights and measures.

DIRECT SALES

Direct sales are those where the weight of the product is determined at the time of the sale. Direct sales by weight or measure are also called bulk sales. For example, when a customer tells the vendor she wants "two pounds of bell peppers"; the vendor places peppers on the scale until it reads two pounds. Scales used in direct sales must be inspected and approved.

NOT ALL SCALES CAN BE CERTIFIED

It does not matter if a scale is analog or digital. Scales labeled by the factory as "Not Legal for Use in Trade" (including baby, bathroom, postal, etc.) will not be approved. It is illegal to sell by weight using an uncertified scale.



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PREPACKAGED SALES

Prepackaged sales occur when you weigh the item before sale and package the product with a quantity statement on the package. Scales used for prepackaging product do not have to meet the Weights and Measures rules and regulations; however, the package must contain at least the weight specified. Fruits and vegetables will lose water weight after being harvested. For example, if you package produce in advance, the weight of the bag of onions packaged on a Wednesday won't be the same by market time on a Saturday.

NET WEIGHT

The weight statement must be net weight; that is, the weight of the product excluding the weight of the wrapping material or container. The only word preceding or following the weight can be net weight or abbreviated net wt.

SELLING BY MEASURES

When selling by measure, a standard dry pint or dry quart container is actually measured by the cubic inches it contains, not the shape. An accurate measure would be when the container is filled and leveled across the top. When purchasing containers be sure they meet the legal definitions of pints, quarts, etc.



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Method of Retail Sale for Fresh Fruits and Vegetables Specific Commodity					
*The following tables are from NIST Handbook 130 (2019)- section 2.3.2 Fresh Fruits and Vegetables					
Commodity	Weight	Count	Head or Bunch	Dry Measure (any size)	Dry Measure (1 dry qt or larger)
Artichokes	X	X			
Asparagus	X		X		
Avocados		X			
Bananas	X	X			
Beans (green, yellow, etc)	X				X
Brussel Sprouts (loose)	X				
Brussel Sprouts (on stalk)			X		
Cherries	X			X	X
Coconuts	X	X			
Corn on the Cob		X			X
Dates	X				
Eggplant	X	X			
Figs	X				
Grapes	X				
Melons (cut in pieces)	X				
Mushrooms (small)	X			X	X
Mushrooms (portobello, large)	X	X			
Okra	X				
Peas	X				X
Peppers (bell and other varieties)	X	X			X
Pineapples	X	X			
Rhubarb	X		X		
Tomatoes (except cherry/grape)	X	X			X
Berries and Cherry/Grape Tomatoes	X			X	
Citrus Fruits (oranges, grapefruits, lemons, etc)	X	X			X
Edible Bulbs (onions [spring or green], garlic, leeks, etc)	X	X	X		X
Edible Tubers (Irish potatoes, sweet potatoes, giner, horseradish, etc.)	X				X
Flower Vegetables (broccoli, cauliflower, Brussel sprouts, etc.)	X		X		
Gourd Vegetables (cucumbers, squash, melons, etc.)	X	X			X
Leaf Vegetables (lettuce, cabbage, celery, etc)	X	X			
Leaf Vegetables (parsley, herbs, loose greens)	X		X	X	
Pitted Fruits (peaches, plums, prunes, etc)	X	X			X
Pome Fruits (apples, pears, mangoes, etc)	X	X			X
Root Vegetables (turnips, carrots, radishes, etc)	X		X		



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FRUITS AND VEGETABLES

If a vendor sells only unprocessed whole fruits and vegetables, in-shell nuts, and other whole agricultural products, they do not meet the definition of a food establishment as specified in the Jefferson County Food Code. These vendors do not need to be under routine inspection. This applies to both the market where the goods are sold and to the farm where they are produced. These vendors should know, understand, and apply "Good Agricultural Practices" (GAP). GAPs are basic environmental and operational methods necessary for the production of safe and wholesome fruits and vegetables. Examples of GAPs include worker hygiene and health, manure use, water quality throughout production and harvesting, and agricultural chemicals. For more information, many excellent resources are available on-line.

Typically, only items that are non-potentially hazardous and that are grown and left whole or produced by an individual living in Missouri are exempted from the Jefferson County Food Code. Due to the close proximity of Jefferson County to Illinois, our Farmer's Markets have asked if individuals growing fruits and vegetables in Illinois could sell their products at our county markets. The FDA, Missouri Department of Agriculture and Missouri Department of Health and Senior Services have been consulted on this issue and feel there is no regulation within their departments which would preclude the sale of out-of-state fruits and vegetables at these venues. Therefore, individuals from other states may sell their produce as long as they are kept whole. They must comply with any regulation which may be imposed by the state where they reside or by any federal regulation. The produce can only be sold to the end consumer by the individual who grew the items or a family member.

PROCESSING

If processing of fruits and vegetables occurs, an inspected and approved facility must be used. Removing the outer husks from an ear of corn, the outer leaves from a head of cabbage, and cutting the top off of a carrot are **not** processing steps. Examples of processing include blanching corn kernels after removing them from the ear, slicing tomatoes, and chopping lettuce. Since the food code allows the production of properly labeled, non-potentially hazardous foods from a home kitchen sold by the processor, or an immediate family member, to the end user, some fruits and vegetables can be "processed" without inspection.



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For example, snapping and bagging peas is allowed if the bag is labeled with a statement saying that the food was prepared in a kitchen not subject to inspection by JCHD. This is allowed because raw peas are a non-potentially hazardous food. Please note tomatoes and lettuce are potentially hazardous foods once they are cut and are not subject to exemption. Tomatoes and lettuce must be cut in an inspected and approved facility.



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MEAT SALES AT FARMER'S MARKETS

It is the intention of this document to layout the conditions under which certain meat or meat products (chicken, beef, pork, lamb) can be sold in the absence of a food permit at the Farmer's Markets in Jefferson County.

This document will apply **ONLY** to raw and frozen meat, either whole muscle or ground. It does not include pin injected or vacuum packaged meats. The facility where the meat is processed must be under inspection by the United States Department of Agriculture or the Missouri Department of Agriculture and such meat must bear the mark of inspection from the USDA or MDA. Before sales can occur, all vendors **MUST** have prior approval from the Jefferson County Health Department. This approval is granted on a yearly basis and the following conditions must be met:

1. All raw meat must be from an animal that has been raised in Missouri by the vendor, the processing paid for by that vendor, and sold to the end user by the vendor or an immediate member of the household.
2. All raw meat must be processed in a USDA or MDA inspected and approved facility. If processed in another state, the facility must be under USDA inspection.
3. All packaging must have proper labeling as required by the USDA or MDA. If packaged out of Missouri it must be labeled with a USDA stamp.
4. All raw meat must be maintained frozen during transport and display by mechanical freezers. Such freezers must contain dial indicating thermometers accurate to + or -2 degrees F. Frozen meat must be maintained at a temperature of no greater than 32 degrees F and preferably at 0 degrees F or lower to retain vitamin content, color, flavor and texture.
5. If any raw meat is kept in storage other than at the processing facility, **PRIOR** JCHD approval must be given to the method and location of the storage.
6. No meat or meat products may be prepared or sampled except under a temporary permit from JCHD.
7. Any meat product sold at a farmers' market, or other venue, may be subject to embargo and testing if adulteration is suspected. Vendors failing to maintain proper sanitation or failing to meet the standards of the USDA or the MDA shall be required to cease all sales and may be subject to embargo.
8. Meat products may contain spices, or other ingredients, which were added **only** at the processing facility. Adding spices or other ingredients must be done at the USDA or MDA processing facility under HACCP (Hazard Analysis and Critical Control Points) procedures.
9. Vendors are required to submit their methods of operation, such as storage and transportation, for the meats they sell to both the respective Market Master(s) and JCHD.
10. Meat labeled "not for sale" may **NOT** be sold at the farmers' markets.



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PET TREATS AND FEED MANUFACTURING SALES

Anyone wanting to produce pet (dog or cat) treats or feed in the state of Missouri must submit a Feed License Application with the Missouri Department of Agriculture before selling their product. The annual license fee is \$35. After obtaining a license, the producer must register all products on a Product Listing Form and/or file Quarterly Tonnage Reports with the state. Additional fees, payable to the state, will apply.

All feed for animals must be labeled in accordance with the Missouri Pet Food Regulations (2CSR 70-31.010-70-31.90) and include the following information:

1. Product name
2. Species of pet intended
3. Quantity statement – net weight in ounces or net count
4. Guaranteed analysis
 - Crude protein.....x % (minimum percentage)
 - Crude fat.....x % (minimum percentage)
 - Crude fiber.....x % (maximum percentage)
 - Moisture.....x % (maximum percentage)
5. Calorie content
6. Ingredients in descending order by weight
7. Feeding directions
8. Name and address of the producer

For questions, contact the Missouri Department of Agriculture at (573)-751-4310.



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WILD MUSHROOM SALES AT FARMER'S MARKETS

This information is intended to serve as a reminder that the Jefferson County Food Code requires wild mushrooms that are sold to the public to be inspected and approved by a mushroom identification expert. Specifically the code states:

3-201.16 Wild Mushrooms

(A) Except as specified in ¶ (B) of this section, mushroom species picked in the wild shall not be offered for sale or service by a FOOD ESTABLISHMENT unless the FOOD ESTABLISHMENT has been APPROVED to do so and each mushroom is individually inspected and found to be safe by an approved WILD MUSHROOM IDENTIFICATION EXPERT. **P**

(B) This section does not apply to:

- (1) Cultivated wild mushroom species that are grown, harvested, and processed in an operation that is regulated by the FOOD regulatory agency that has jurisdiction over the operation; or
- (2) Wild mushroom species if they are in packaged form and are the product of a FOOD PROCESSING PLANT that is regulated by the FOOD regulatory agency that has jurisdiction over the plant.



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FISH

The sale of fish either caught in state waters or raised is allowed based on point of sale and volume. Provided fish sales are small in number and limited to the end consumer, fish may be sold with limited processing and no inspection where processed.

Commercially harvested fish may be offered for sale provided the vendor complies with the following: 1) Missouri Department of Conservation rules, 2) has a commercial fishing license, and 3) the fish is kept at 41 degrees F or below. Removal of the head, tail, and viscera is allowed. If the vendor intends to fillet the fish, they must process the fish in an approved and inspected facility.

With respect to the aquaculture (raising and selling the fish), the sale is allowed as long as the fish is kept at 41 degrees F or below, it is sold to the end consumer, and only the head, tail, and viscera are removed. If the vendor intends to fillet the fish, they must process the fish in an approved and inspected facility.

To maintain fish at the proper cold holding temperature, drained ice should be packed around the fish. If using ice is not an option, freezing the fish is the next best option. There are no labeling requirements if the vendor only packages the fish when the customer places their order; however, if the fish is prepackaged, then the vendor must comply with the labeling requirements in 3-602.11 of the 2013 Jefferson County Food Code:

3-602.11 Food Labels

- (A) FOOD PACKAGED in a FOOD ESTABLISHMENT, shall be labeled as specified in LAW, including 21 CFR 101 – Food labeling, and 9 CFR 317 Labeling, marking devices, and containers. (B) Label information shall include:
- (1) The common name of the FOOD, or absent a common name, an adequately descriptive identity statement,
 - (2) If made from two or more ingredients, a list of ingredients and sub-ingredients in descending order of predominance by weight, including a declaration of artificial colors, artificial flavors and chemical preservatives, if contained in the FOOD,
 - (3) An accurate declaration of the net quantity of contents,
 - (4) The name and place of business of the manufacturer, packer, or distributor; and



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- (5) The name of the FOOD source for each MAJOR FOOD ALLERGEN contained in the FOOD unless the FOOD source is already part of the common or usual name of the respective ingredient.
- (6) Except as exempted in the Federal, Food, Drug, and Cosmetic Act § 403(g)(3) – (5), nutrition labeling as specified in 21 CFR 101 – Food Labeling and 9 CFR 317 Subpart B Nutrition Labeling.



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COTTAGE FOOD SAMPLING

Cottage Foods may be sampled at the markets through the following methods:

Method 1:

Vendors may provide samples to the public if the non-potentially hazardous food is prepared for sampling in a facility located at the Farmers' Market. This facility must have **PRIOR** approval by JCHD for preparing food for the public. A fully stocked hand sink is required. The prepared food must be portioned into individual amounts for sampling while in the approved facility. The food must be presented in a manner that allows the customer to take the product without contaminating other products. The food must be kept covered while being transported to the stand. Once in the vendor stand, no cutting or handling of the food is allowed other than the customer taking the individually dispensed food item.

Method 2:

Vendors may provide samples to the public if the non-potentially hazardous food is prepared in sample form at the home. The individual samples must be prepared, stored, transported, and presented to prevent contamination. Once the samples are in the stand, no handling of the food is allowed other than the customer taking the individually dispensed food item.



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FARM-BASED TEMPORARY PERMITS FOR PREPARING POTENTIALLY HAZARDOUS FOODS

Farmers wanting to prepare potentially hazardous foods at the Jefferson County Farmers' Markets may qualify for a JCHD Food & Beverage Permit at a reduced fee. All of the prepared potentially hazardous foods must be made from products grown or raised on their farm. To qualify, the vendor must complete a form indicating the food items to be prepared, location of their farm, and approval from each Market Master at all Jefferson County Farmers' Markets where they will be operating. This form is called a Temporary Permit and can be found at www.jeffcohealth.org by going to 1) Services, 2) Environmental, 3) Temporary Events, and 4) Temporary Permit Application. The application can be emailed, faxed, or dropped off at the Hillsboro location of JCHD.

There must be at least one person at each food stand with a Basic Food Sanitation Training Certificate. The Basic Food Sanitation Training class can be found at www.responsibletraining.com. The permit charge will be \$50 for the first location and \$10 for each additional location. This fee will cover operation at all approved farmers' markets during the year, including food preparation occurring in the food stand such as slicing and cooking. Permits will be issued separately for each location of operation. Any operations occurring at locations other than an approved farmers' market will require separate permits and fees. A permit is not required for operations only vending foods that are determined to be "cottage foods". Farmers already holding a food permit for the storage of the products at home will not be required to purchase another permit if they are only selling prepackaged, potentially hazardous foods (raw meats). These farmers would be required to purchase a temporary food stand permit if they intend to sample or cook their potentially hazardous foods.



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REQUIREMENTS FOR FOOD FACILITIES LOCATED ON A FARM

Due to the increasing demand for food from local farmers, Jefferson County Health Department has developed a list of minimum requirements to comply with the Food Code. Depending on the type of food marketed by the farmer, these requirements could be less or more stringent.

1. Farmers wanting to market packaged meat products from their farm must follow these minimum requirements and obtain a JCHD Farm-Based Food & Beverage Permit:
 - i. Packaged meat products must be from an animal raised and held at least 60 days on a farm owned or leased by the family marketing the meat to the public.
 - ii. Packaged meat products must be processed by a USDA or MDA inspected facility and bear the mark of inspection from one of these agencies.
2. If the meat product is stored at the farmer's home, the following is required:
 - i. Freezer(s) designated only for the storage of items marketed to the public requiring inspection by JCHD. Freezer(s) must be located separate from the main living area of the home and the storage area for the freezers should have a separate entrance. Units must be equipped with thermometers.
 - ii. The storage room must have a finished floor, walls, and ceiling.
 - iii. Approved well construction and a properly functioning septic system.
 - iv. A restroom is not required in the designated area if located in the main house where there already is a restroom; however, if a restroom is built in the designated area it must have:
 1. Self-closing door
 2. Exhaust fan
 3. Hand sink with hot and cold water
 4. Hand soap and paper towels in dispenser
 5. Covered trash can
 - v. If the restroom is not located in the designated area, a handwashing sink with hot and cold water, hand soap, paper towels, and a covered trash can must be provided.
 - vi. A proper mop sink should be conveniently located in or near the designated area.



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- vii. If a separate building is constructed for storage of the packaged meat products and other food products to be inspected, the items above are required. The facility may be required to have a restroom.
- viii. If food items are stored in an approved walk-in freezer that is constructed outside, a case-by case determination will be made concerning the location of a hand washing sink.
- ix. Facility plan and design must be submitted to JCHD prior to any construction.
- 3. There will be no charge for the JCHD Farm-Based Food & Beverage Permit; however, the permit application must be filled out annually. Your storage facility will be inspected at least once per calendar year.
- 4. No food school training will be required for operators of this type of business, unless there is a consistent lack of food safety knowledge indicated during the inspection.
- 5. These requirements are only for a facility to store and sell prepackaged food. Food preparation, such as slicing, cooking, and repackaging of potentially hazardous foods would not be allowed under these requirements. Farm facilities interested in conducting food preparation of potentially hazardous foods must contact JCHD for details.
- 6. If cottage food items are sold in the same area as the inspected raw meat, there must be a separation between them.



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