

FOOD LICENSING GUIDANCE FOR FARMER MARKETS AND COMMUNITY EVENTS

Farmers' Market License Exemption Categories

1. A Farmer's Market means an association of three or more persons, who sell products of the farm or garden, in a location open to the public.
2. Only persons selling the products of the farm or garden occupied and cultivated by them, known as 'growers', do not require a license. Items in this category include fresh fruit, vegetables and herbs that have been picked or harvested. If an individual buys to resell similar items, a license would be required.
3. Persons who prepare and sell food that is not potentially hazardous do not require licensing if annual gross sales are less than \$5K. Items in this category would include jams, jelly, cake, cookies, bread, & maple syrup. Signage required: "THESE PRODUCTS ARE HOMEMADE AND NOT SUBJECT TO STATE INSPECTION."
4. Persons who prepare home-processed & home-canned products produced in the state do not require licensing if annual gross sales are less than \$5K. Items in this category would include pickles, sauerkraut, tomatoes, salsa, or fruit that have an equilibrium pH of 4.6 or lower. Signage required: "THESE CANNED GOODS ARE HOMEMADE AND NOT SUBJECT TO STATE INSPECTION." All canned items must be properly labeled. The label must include the name and address of who processed and canned the goods, and date it was done.

Farmers' Market "Food Sampling" Guidance

'Growers' who offer samples to the public, provided samples are free and no more than 3 oz. in size, do not require a food license. However, food processors and food handlers that offer samples to the public are subject to licensure. In general, once a food processing step has been involved, a license is required. Food sampling promotions are not to be set up as a "self service" displays for consumers to help themselves. Dispensing of products must be done in a safe and sanitary manner under the controls of the vendor.

All license-exempted food handlers (including 'growers') offering food samples to the general public at the event must meet the following minimum requirements.

Food Source: The grower must be able to identify the source and type of food used in samples and state whether or not the food was produced at that person's farm or garden.

Water Supply: Water must come from an approved source. Water may not come from a residential well.

Waste Water: All waste water must be disposed of in an approved sanitary sewer system. Disposing of the water on the ground or into a storm drain is prohibited.

Handwashing: A handwashing station must be set up at the food stand. Hand washing must be done before preparing foods. "Waterless" hand sanitizing products are not an approved substitute.

Cleaning Equipment and Facilities: Food utensils and food contact surfaces must be cleaned and sanitized prior to and during the event. Clean items must be covered when stored or not in use. A garbage bag to store and cover food and food related items is prohibited.

Equipment and Utensil Washing: Food related equipment and utensils must be cleaned and sanitized. A dishwashing station must be available and equipped to wash, rinse, and sanitize food service related items.

Dispensing and Food Protection: Only single service, disposable eating and drinking utensils may be used. Containers with covers must be used to protect products during periods of storage.

Food Vendor Licensing

The City of St. Cloud requires food vendors that resell food or prepared food at community events to be properly licensed by the Health & Inspection Department. When in doubt, call 320-255-7214. A food vendor needing a food permit should apply at least 14 days prior to the event. Food vendor applications are located at <http://ci.stcloud.mn.us/index.aspx?nid=989> electronically.

Examples of three situations in which a special event food permit issued by the City of St. Cloud would not be required:

- 1) A participant is a food grower, food producer, food processor, food canner, or baker and operates under a license exemption status as a Farmers' Market Vendor.
- 2) A license was issued by the City of St. Cloud to operate a mobile food unit, seasonal stand or a food cart and the products have been approved during the plan review process.
- 3) A participant is licensed as a "retail food handler" by MDA and operates within the parameters for which the license was issued.