

Summary of Farmer's Market Requirements

Food	Requirement				
	Health Department Permit	Health Department Registration	WVDA Registration	Approved Source	Specific Packaging and/or Labeling Requirements
Fruits, Vegetables, and Nuts ¹					
Dehydrated Fruits and Vegetables		X			X
Dry Goods/Spice Mixes ²		X			X ⁵
Vitamins & Herbal Supplements		X			X ⁵
Mushrooms				X	X
Fresh Pasta & Noodles	X			X	X
Dry (dehydrated) Pasta & Noodles		X	X		X
Sprouts ³	X				X
Baked Goods (PHF)	X			X	X
Baked Goods (non-PHF)		X			X
Apple Butter, Sorghum, Molasses		X			X
Fruit Jams & Jellies		X			X
Hot Pepper Jams & Jellies		X		X	X
Honey & Maple Syrup ⁴			X		X
Vinegar					X
Other Packaged or Bottled Products (PHF)	X			X	X
Other Packaged or Bottled Products (non-PHF)		X		X	X
Dairy Products	X			X	X
Eggs	X		X		X
Raw Meats (beef, pork, etc.)	X			X	X
Processed Meats (Unpackaged or PHF)	X			X	X
Processed Meats (Packaged and non-PHF)		X		X	X
Poultry	X			X	X
Fish	X			X	X

PHF – Potentially Hazardous Food: A food that needs temperature control for safety.

Approved Source – Prepared/package in a facility permitted and inspected by the Local Health Dept., WVDA, WVDHHR, USDA, or FDA.

1 – Applies to whole fruits, vegetables and nuts. A permit is required if you are selling cut fruits, vegetables or nuts.

2 – Includes dehydrated garlic and other “Culinary Herbs”.

3 – A variance from WVDHHR and HACCP plan is required for the sale of sprouts.

4 – Raw and undiluted honey or maple syrup. Diluted products or products with artificial sweeteners are prohibited.

5 – Labeling for these foods must be approved by WVDA prior to sale. Label must not make any medical claims.

Additional Requirements:

All Potentially Hazardous Foods must be held at 41°F or below or 135°F or above. You will not be allowed to sell any PHF's that are not at the proper temperature. (Eggs may be transported at 45°F but must be held at 41°F or below at the farmer's market. Use ice packs or refrigeration – loose ice is not allowed). All containers used to hold PHF's should have a thermometer inside the container.

Any food preparation at the farmer's market requires a Permit from the Health Department. Preparation includes (but is not limited to) slicing of fruits and vegetables, mixing of ingredients, cooking, and chef demonstrations.

If you are selling any foods that are required to be from an Approved Source, have labeling approval from WVDA, or Registration with WVDA, the inspector may require documentation of this. If you can not provide documentation, you may not be allowed to sell that food. It is recommended that you keep all necessary documentation with you at the farmer's market.

Make sure all foods are properly labeled. If a food is not properly labeled, you may not be allowed to sell that food.

Meat, poultry, and fish must be prepared at an approved facility prior to the farmer's market. Preparation of these foods (including gutting of fish) at the farmer's market is prohibited.

If you are planning to have a "Bake Sale" or you are a "Non-Profit Organization" [501(C)3] you must register with the Health Department prior to the Farmers market. If you are not sure if you meet the requirements for a "Bake Sale" or "Non-Profit Organization", contact the Health Department.

Samples:

If the food samples being offered are Potentially Hazardous foods, a Permit from the Health Department is required.

If the food samples being offered are not Potentially Hazardous foods, a Permit is not required*. However, a hand washing station and sufficient utensils and/or disposable gloves for dispensing the samples will be required.

*All samples must be in ready to serve form. Any preparation of samples at the farmer's market, such as slicing or mixing (for example cutting a block of fudge into small pieces, mixing water and a powder, or spreading a food on a cracker) will require a Permit from the Health Department.

Links:

Farmer's Market Vendor Guide:

<http://www.wvdhhr.org/phs/food/Farmers%20Market%20Vendors%20Guide%20FINAL%20with%20cover.pdf>

or

<http://smallfarmcenter.ext.wvu.edu/r/download/36641>

WVDHHR Food Sanitation page:

<http://www.wvdhhr.org/phs/food/index.asp>

Contacts:

County Health Department

WVDHHR		
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WVDA		
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