



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