So, You Want to be a Farmers' Market Vendor?

But have questions about Health Department requirements

Demystifying the Process

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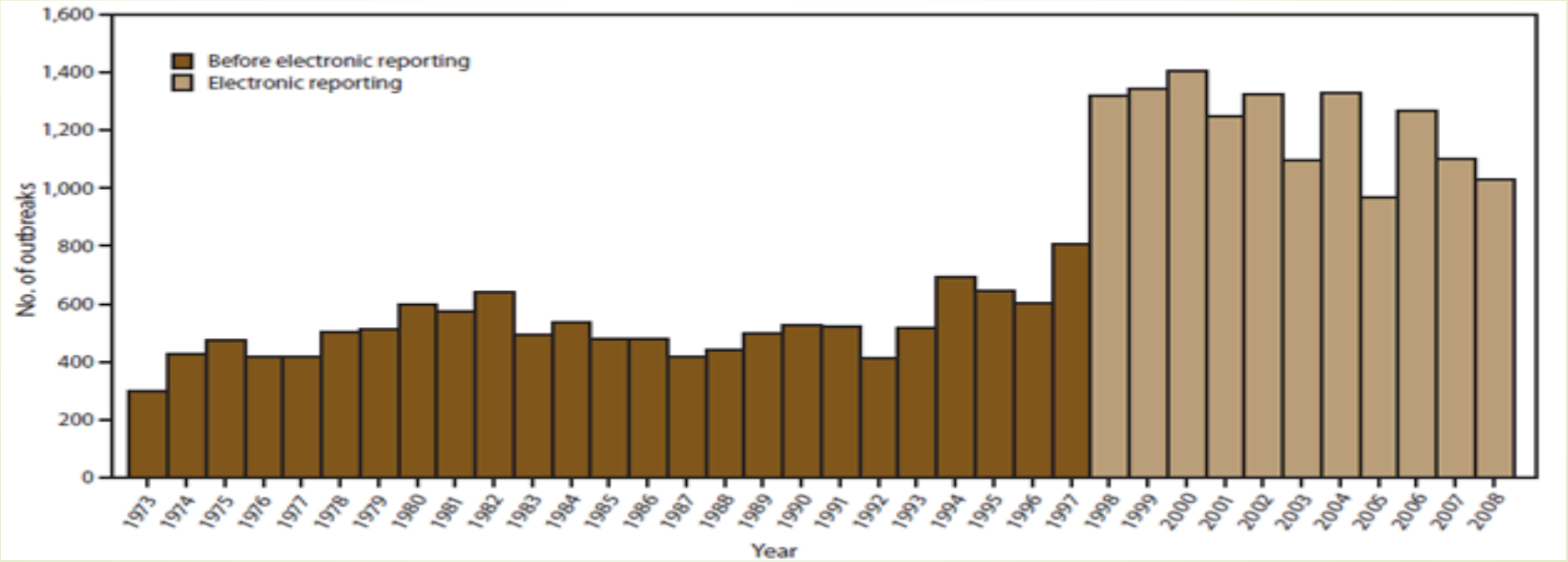
Public Health
Prevent. Promote. Protect.

Jo Daviess County Health Department
Division of Environmental Health

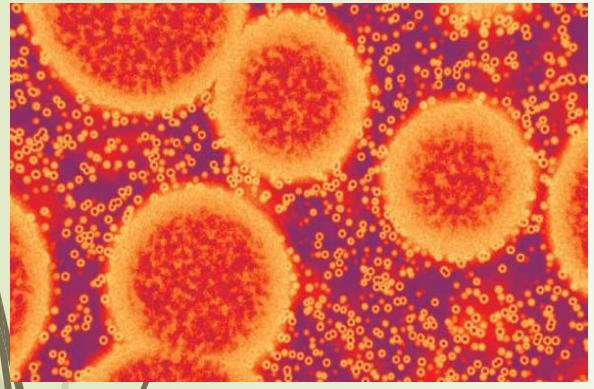
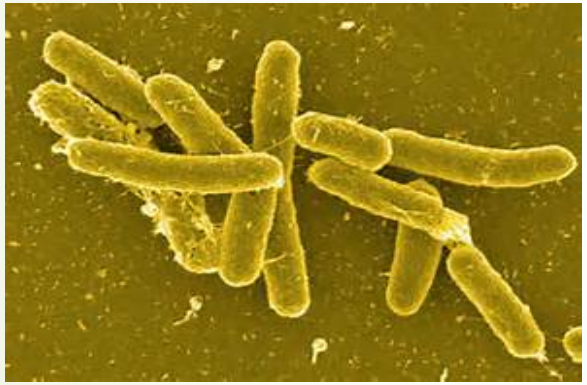
Farmers' Market History

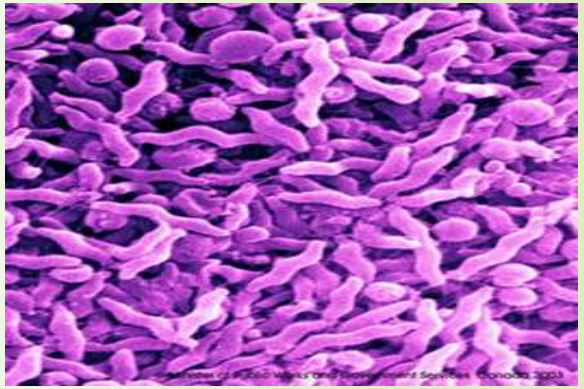
- Historically has been a market featuring foods sold directly by farmers to consumers such as fresh, uncut, unprocessed fruits & vegetables
- Today's farmers' markets feature meat, eggs, baked goods, prepared foods, ice cream, cheese, spice mixes, nuts, honey, processed foods such as jams & salsas etc.
- People enjoy farmers' markets because they offer fresher, healthier food choices in a relaxed environment

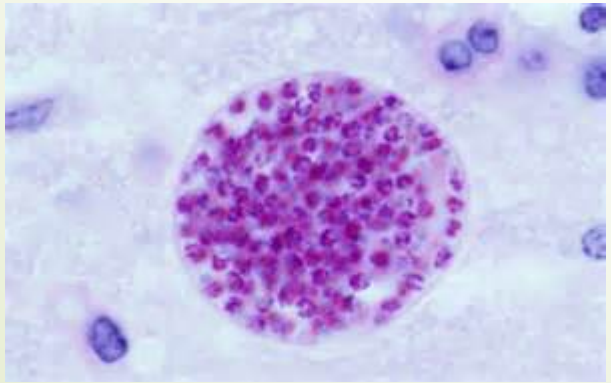
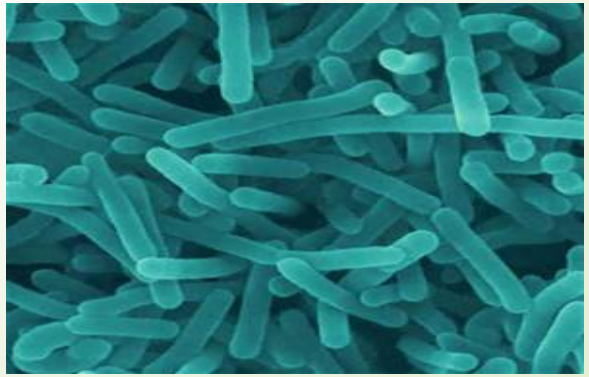
- Illinois Department of Public Health issued Technical Information Bulletin #30 on April 30, 1999 dealing with Sanitation Guidelines for Farmers' Markets & Other Outdoor Food Sales Events
- 2 reasons for developing guidelines for farmers' markets
  - Increase in foodborne outbreaks nationwide
  - Increase in the number of farmers markets in Illinois



- 2011 CDC report indicated that most foodborne related illnesses (91%), hospitalizations (88%) & deaths (88%)are caused by 8 pathogens including Norovirus, *Salmonella, Clostridium perfringens, Campylobactor, Staphylococcus aureus, Toxoplasma gondii, Listeria monocytogenes & STEC (Shiga toxin-producing E. coli)*



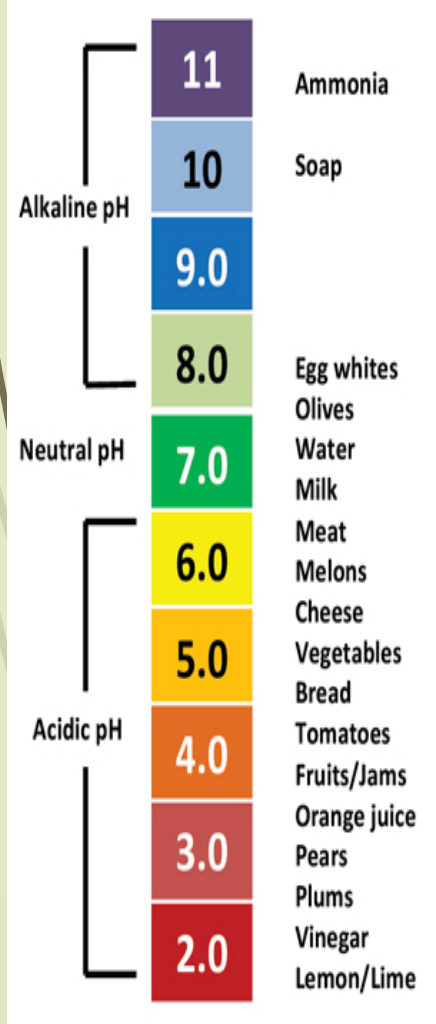



- The CDC estimates that 1 in 6 (48 million) people in the US get sick each year from contaminated food
- 128,000 people in the US are hospitalized annually from foodborne illnesses
- 3,000 people in the US die annually from foodborne related diseases
- *Salmonella* infections account for $365 million in direct medical costs per year

- Norovirus is found in fresh produce, shellfish, salads, sandwiches, ice, cookies & fruit touched by **infected food workers**, or any other foods contaminated with vomit or feces from an infected person
- *Salmonella* is found in eggs, chicken, beef, fish, seeded vegetables, nuts, seeds & sprouts
- *Clostridium* is found in beef, chicken & home-canned foods
- *Campylobactor* is found in chicken, unpasteurized milk & contaminated water
- *Staphylococcus* is found in foods made with **hand contact** & require no additional cooking such as:
  - Salads, such as ham, egg, tuna, chicken, potato, and macaroni
  - Bakery products, such as cream-filled pastries, cream pies, and chocolate éclairs
  - Sandwiches
  - Other sources include milk and dairy products, as well as meat, poultry, eggs, and related products

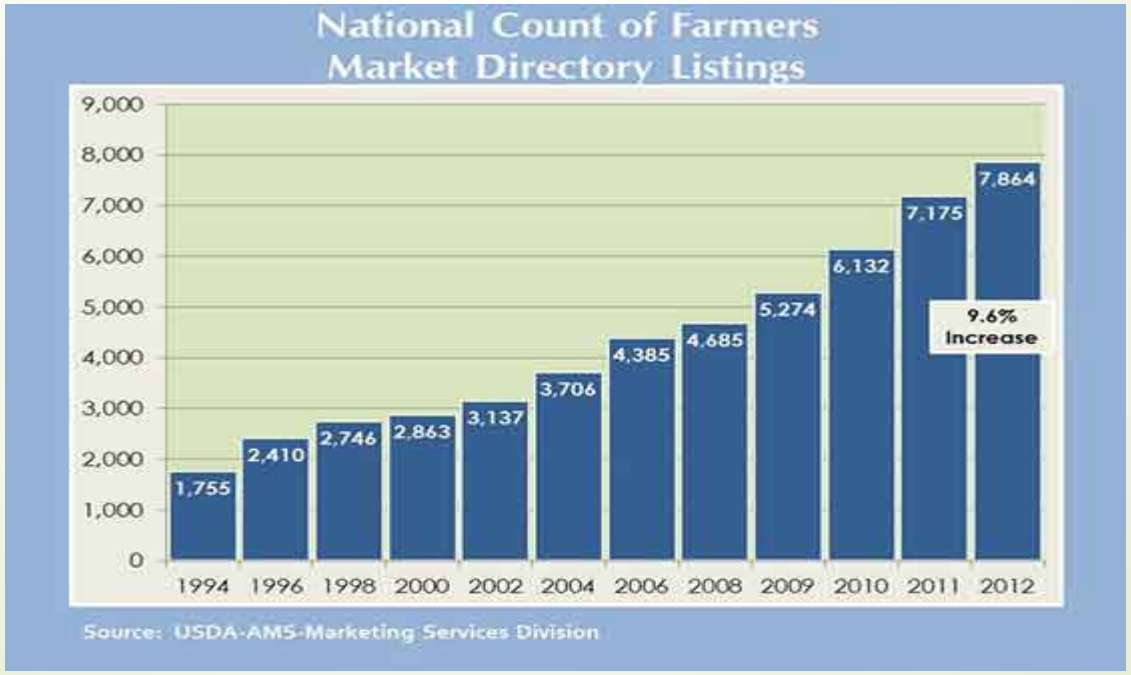
- *Toxoplasma* is found in contaminated meat, utensils or cutting boards after they've had contact with raw meat & contaminated water
- *Listeria* is found in dairy products, fruit & sprouts
- STEC is found in leafy greens, beef, dairy products, sprouts & fish

Favorable Conditions Required For The Growth of Foodborne Pathogens



- **F**ood
  - Pathogens need the energy from foods to grow, such as proteins or carbohydrates
- **A**cidity
  - Foods with little or no acidity are foods that pathogens grow best
- **T**emperature
  - Pathogens grow very well in the temperature danger zone (41ºF – 135ºF)
- **T**ime
  - If food is in the temperature danger zone for 4 or more hours illness can occur
- **O**xygen
  - Pathogens can grow with or without oxygen
- **M**oisture
  - Pathogens must have moisture to grow

- Farmers' Markets from 2000-2010 grew 3-fold in Illinois
  - According to the Illinois Department of Agriculture, the state has the 3rd most farmers market in the nation
  - Over 8,000 farmers' markets nationwide
  - 9 in Jo Daviess County



Demystifying the Process – Explaining It All

- What Food Can I Sell At A Farmers' Market Without A Permit or Inspection
- What Food Can I Sell At A Farmers' Market With A Annual Cottage Food Registration
- What Food Can I Sell At A Farmers' Market With Annual Permit & Inspection
- What Food Cannot Be Sold At A Farmers' Market
- What Non-Food Items Can I Sell At A Farmers' Market, But Need Consideration

What Food Can I Sell At A Farmers' Market Without A Permit or Inspection

- Fresh, whole, uncut, unprocessed produce
  - **505 ILCS 70 Illinois Farm Products Marketing Act states**, "Every farmer, fruit & wine grower, and gardener, shall have an undisputed right to sell the produce of his farm, orchard, vineyard & garden in any place or market where such articles are usually sold, and in any quantity he may think proper…"

What Can I Sell At A Farmers' Market With A Cottage Food Registration

- On January 1, 2012 410 ILCS **625/4 Illinois Food Handling Regulation Enforcement Act** was amended to include Cottage Food Operations
- Cottage Food Operation means a person who produces or packages a **non-potentially hazardous food** in the kitchen of that person's **primary domestic residence**, for direct sale by the owner or an immediate family member to the consumer **at a farmers' market only**

Seems simple enough. I'm ready to go…WHAT, there's more!!!

Cottage Food Operations – Allowable Foods

- Baked goods – cookies, breads, cakes & pies
- Jellies, jams & preserves
  - Apple, apricot, grape, peach, plum, quince, orange, nectarine, tangerine, blackberry, raspberry, blueberry, boysenberry, cherry, cranberry, strawberry, red currents or a combination of the above fruits
  - Same fruits are OK for pies as well
- Fruit Butters
  - Apple, apricot, grape, peach, plum, quince or prune
- **Dry** herbs, **dry** herb blend or **dry** tea blends
- Any food that is not listed as allowed in the above mentioned foods shall be tested & documented by a commercial laboratory, at the expense of the cottage food operation, as not being potentially hazardous, containing a pH of 4.6 or less

Cottage Food Operations – Foods Not Allowed

- Jellies, jams or preserves
  - Rhubarb, tomato, pepper & watermelon
- Fruit Butters
  - Pumpkin, banana & pear
- Pies & pastries
  - Pumpkin, sweet potato, cheesecake, custard crème, pastries with potentially hazardous fillings or toppings
- Other canned foods besides approved jams jellies or preserves
- **Reason – Low-acid fruit products, cheesecakes & crème-based goods are potentially hazardous because their finished product pH is greater than 4.6 & water activity is greater than 0.85. These items require temperature control because their final form is capable of supporting the rapid growth of harmful microorganisms.**

Cottage Food Operations - Requirements

- The cottage food operation must:
  - Register with the local health department where the operation resides annually
  - Have a food placard that is prominently displayed that states, “This product was produced in a home kitchen not subject to public health inspection that may also process common food allergens.”
  - Have a family member present during sale
  - Have a valid Food Service Sanitation Manager Certification available
  - Have food pre-packaged in the home kitchen
  - Have a label on all food products
    - Name & address of cottage food operation
    - Common or usual name of the food product
    - Ingredients of the food product, including any colors, artificial flavors & preservatives added – listed in descending order of pre-dominance by weight
    - Home kitchen statement mentioned above
    - Date the product was processed
    - Allergen labeling if applicable
- **No** inspection of the home kitchen is required **unless** there is a consumer complaint or foodborne illness outbreak
- Cottage food operation can **only** occur where the home kitchen is physically located in Illinois, regardless of food prepared

Cottage Food Operations - Labeling

THIS PRODUCT WAS PRODUCED IN A HOME KITCHEN NOT SUBJECT TO PUBLIC HEALTH INSPECTION THAT MAY ALSO PROCESS COMMON FOOD ALLERGENS

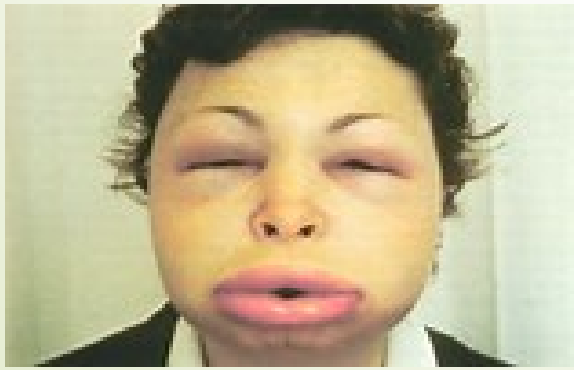
Chocolate Chip Cookie
Net Wt. 3 oz (85.05 g)

Ingredients: Enriched flour (Wheat flour, niacin, reduced iron, thiamine, mononitrate, riboflavin and folic acid), butter (milk, salt), chocolate chips (sugar, chocolate liquor, cocoa butter, butterfat (milk), Soy lecithin as an emulsifier), walnuts, sugar, eggs, salt, artificial vanilla extract, baking soda
Contains: wheat, eggs, milk, soy, walnuts

Artie Pinkster
123 Foodstuff Lane
Casserole City, IL 60000
Production Date: 10/19/2011

Why Is Allergen Labeling So Important

- According to the CDC, eight foods account for 90% of all food-allergy reactions: cow's milk, eggs, peanuts, tree nuts, fish, shellfish, soybeans & wheat.
- The FDA estimates each year in the US there are 30,000 emergency room visits, 2,000 hospitalizations & 150 deaths due to anaphylaxis due to food allergies.
- Proper labeling of allergens is the first step towards the prevention of anaphylaxis
- Acceptable label for Nut Bread would be:
  - Ingredients: **wheat** flour, water, **almonds**, salt, yeast
- Unacceptable label for Nut Bread would be:
  - Ingredients: flour, water, nuts, salt, yeast



What Can I Sell At A Farmers' Market

- According to the **Illinois Food Service Sanitation Code 77 Illinois Administrative Code 750**, "All food service establishments are subject to inspection at all times."
- A food service establishment means, "Any place where food is prepared & intended for, though not limited to, individual portion service, & includes the site at which individual portions are provided. The term includes any such place regardless of whether consumption is on or off the premises & regardless of whether there is a charge for the food. The term also includes delicatessen-type operations that prepare foods intended for individual portion service and **retail food stores** where food and food products are offered to the consumer and intended for, though not limited to, off-premises consumption."
  - **Farmers' markets are considered a retail food operation**
  - **Food must be made at licensed & inspected facility**
  - **All perishable foods, including baked goods, shall be transported & held at or below 41ºF at all times**
  - **All cooked foods must be held at or above 135ºF at all times**

What Can I Sell At A Farmers' Market With A Permit, Inspection & No Restrictions

- Honey in the comb – as harvested & not further processed
- Whole, unprocessed, unpackaged & unsprouted popcorn, grains, seeds, beans & nuts

Honey

- **410 ILCS 620/27 Illinois Food, Drug & Cosmetics Act** states that honey in the comb or that is removed from the comb and in an unadulterated condition is exempt from inspection if the producer packs or sells less than 500 gallons per year
- Honey from a producer selling more than 500 gallons per year must be bottled in a state-inspected facility
- If sweetener is added, the product may not be called honey. If flavoring is added, the honey is considered processed & is subject to state inspection as a processor
- Regardless if the honey is in the comb, removed from the comb, or has sweetener added all federal labeling laws must be followed
- **510 ILCS 20 Illinois Bees & Apiaries Act** requires every person keeping one or more colonies of bees to register annually with the Illinois Department of Agriculture

What Can I Sell At A Farmers' Market That Requires a Annual Permit & Inspection

- Baked goods
  - Any baked goods not approved under the Cottage Food Operation
- Jellies, jams & preserves
  - Any jellies, jams & preserves not approved under the Cottage Food Operation
- Honey
  - Only if sweetener is added
- Cut fruits & vegetables
- Milk & cheese products
- Ice cream
- Fresh Herbs
- Maple & flavored syrups
- Wild-type & cultivated mushrooms

What Can I Sell At A Farmers' Market That Requires a Annual Permit & Inspection

- Apple cider & other fruit and/or vegetable juices
- Herb vinegars
- Garlic-in-oil
- Flavored Oils
- Pickles, Relishes, Salsas, or Other Similar Canned Items
- Shell Eggs
- Meat & Poultry
- Fish
- Commercially Produced Pre-Packaged Foods

Cut Fruits & Vegetables

- Cut fruits & vegetables are considered potentially hazardous foods
- Once cut, have to be held below 41ºF
- **Reason – A potentially hazardous food is defined by whether or not it requires time or temperature control for safety to limit pathogen growth or toxin formation. When pH is not sufficient to control pathogen or toxin growth in the food, refrigeration is the viable alternative. The pH & available nutrients of fresh-cut tomatoes & cut melons support the growth of *Salmonella,* therefore they are considered potentially hazardous foods once sliced. Also, the use of a utensil can introduce pathogens into the edible parts of a fruit or vegetable from the inedible parts (rinds, skins etc.)**

What Makes Cut Fruits & Vegetables Potentially Hazardous

- Potential Hazard
  - Food = Yes
  - Acidity = 2.8 – 7.8
  - Oxygen = present
  - Moisture = 0.95
- Corrective Action
  - **Temperature = hold at 41ºF or lower**
  - **Time = less than 4 hours in temperature danger zone**

Milk & Cheese Products

- Milk & Cheese must be processed, pasteurized & packaged in a state-licensed & inspected dairy plant
  - Copy showing proof of inspection is required
- All perishable dairy products must be stored at 41ºF or below
- All dairy must be properly labeled
- Cutting portions of cheese from larger blocks for individual customer sales is allowed if:
  - Cheese maintains a temperature of 41ºF at all times
  - Cheese portions are covered between cuttings by plastic wrap, or by glass or plastic lids
  - Clean gloves must be worn during the cutting process
  - Any cheese that has been compromised by heat, contaminants etc. is to be thrown out

What Makes Milk & Cheese Products Potentially Hazardous

- Potential Hazard
  - Food = Yes
  - Acidity = 4.1 – 7.4
  - Oxygen = present
  - Moisture = 0.87 - 0.95
- Corrective Action
  - **Temperature = hold at 41ºF or lower**
  - **Time = less than 4 hours in temperature danger zone**

Ice Cream

- Ice Cream may be sold if it is manufactured in a state-licensed & inspected dairy plant or in a licensed & inspected retail food establishment from commercially pasteurized ice cream mix.
  - Copy showing proof of inspection is required
- All perishable dairy products intended to be sold in a frozen state, such as ice cream, must be stored at or near 0ºF
- All dairy must be properly labeled

What Makes Ice Cream Potentially Hazardous

- Potential Hazard
  - Food = Yes
  - Acidity = 5.5 – 6.5
  - Oxygen = present
  - Moisture = 0.85 - 0.95
- Corrective Action
  - **Temperature = hold at 0ºF or lower**
  - **Time = less than 4 hours in temperature danger zone**

Fresh Herbs

- Chopped, blended, packaged, or otherwise processed herbs must be prepared in an inspected facility
  - basil, chives, cilantro, dill, lemon verbena, marjoram, mint, oregano, parsley, rosemary, sage, savory, sorrel, tarragon, and thyme
- **Reason – Fresh herbs have occasionally been associated with human pathogens & illness**
  - **High moisture content**
  - **pH over 4.6**
  - **Contamination with foreign matter (dirt, dust, fecal material)**
  - **Harvesting process usually consists of washing & sun drying**
  - **Processing of herbs is restricted to low temperature drying, cleaning & grinding**
  - **No heat treatment to kill pathogens because loss in flavor**

What Makes Fresh Herbs Potentially Hazardous

- Potential Hazard
  - Food = Yes
  - Acidity = 5.2 – 6.3
  - Oxygen = present
  - Moisture = 0.95
- Corrective Action
  - **Temperature = hold at 41ºF or lower**
  - **Time = less than 4 hours in temperature danger zone**
  - **Moisture = Dry to moisture level of less than 0.85**

Maple & Flavored Syrups

- Syrups must be bottled in an inspected facility
- All syrup must be properly labeled
- **Reason – Generally not related to foodborne illness, but…**
  - **Natural product with a high moisture content (before boiling)**
  - **Must be heated rapidly to remove sediment**
  - **Must be heat packed to prevent yeast & mold growth**
  - **Must be filled into sanitized bottles in a sanitized environment to prevent cross-contamination**

What Makes Syrups Potentially Hazardous

- Potential Hazard
  - Food = Yes
  - Acidity = 4.5 – 5.15
  - Oxygen = present
  - Moisture = 0.76 – 0.82
- Corrective Action
  - **Temperature = heated to 180ºF during processing**
  - **Time = less than 4 hours in temperature danger zone (after opened)**

Wild-Type & Cultivated Mushrooms

- Cultivated mushrooms, or commercially raised mushrooms such as Common Button Mushroom, Portabella, Shiitake, or Enoki must have documentation detailing their source. No other species of mushroom can be sold
  - Copy showing proof of identification by a mushroom expert (mycologist) is required
- Mushrooms can **only** be sold if:
  - They show no signs of spoilage such as:
    - Sliminess
    - Mold
    - Soft Spots
    - Rancidity
- **Reason – Due to the difficult & complex nature of mushroom identification, the challenge is best left to mushroom experts. For instance, while mushrooms in the genus Amanita are responsible for the most mushroom-related deaths in Illinois per year, some edible species within this genus are revered as the most delectable (Grisette, Coccoli, Blusher, American Caesar's Mushroom & False Death Cap) . Due to the ease in misidentification, the sale of wild mushrooms is not allowed at farmers markets**

What Makes Mushrooms Potentially Hazardous

- Potential Hazard
  - Food = Yes **(MISIDENTIFICATION)**
  - Acidity = 6.0 – 6.7
  - Oxygen = present
  - Moisture = 0.95
- Corrective Action
  - **Temperature = hold at 41ºF or lower**
  - **Time = less than 4 hours in temperature danger zone**

Apple Cider & Other Fruit And/Or Vegetable Juices

- Fruit & vegetable juices must be made in a licensed & inspected facility
- Fruit & vegetable juice must be made in a state-licensed & inspected facility if sold wholesale
- Unpasteurized cider must show a warning statement on label stating:
  - "WARNING: This product has not been pasteurized and, therefore, may contain harmful bacteria that can cause serious illness in children, the elderly and persons with compromised immune systems."
- **Reason – Unpasteurized apple cider & other fruit & vegetable juices have often times been associated with human pathogens & illness**
  - **High moisture content**
  - **Contamination with foreign matter (dirt, dust, fecal material)**
  - **No heat treatment to kill pathogens**
  - **Must be filled into sanitized bottles in a sanitized environment to prevent cross-contamination**

What Makes Apple Cider & Other Juices Potentially Hazardous

- Potential Hazard
  - Food = Yes
  - Time = less than 4 hours in temperature danger zone
  - Oxygen = present
  - Moisture = 0.95
- Corrective Action
  - **Acidity = 2.3 – 4.3**
  - **Temperature = heated to over 200ºF (pasteurized cider) & hold at 41ºF or lower**
  - **Time = less than 4 hours in temperature danger zone**

Herb Vinegars

- Herbs vinegars must be prepared in an inspected facility
- All vinegars must be properly labeled
- Generally not related to foodborne illness, because of a high acid content
- **Reason – Unclean herbal ingredients increases the chance of contamination**
  - **Mold & yeast can grow in vinegar**
  - **If signs of bubbling, cloudiness or sliminess occur discard product**
  - **Increased risk of introducing foreign matter through the use of fresh herbs**
  - **Must be filled into sanitized containers in a sanitized environment to prevent cross-contamination**

What Makes Herb Vinegars Potentially Hazardous

- <u>Potential Hazard</u>
  - Food = Yes
  - Oxygen = present
  - Moisture = 0.95
  - Acidity = 5.2 – 6.3
- <u>Corrective Action</u>
  - **Acidity = 2.4 – 3.4**

- Time = N/A
- Temperature N/A

Garlic-in-Oil & Other Flavored Oils

- Garlic-in-oil must only be sold if processed in an inspected, **commercial** processing plant where it has been acidified to certain specifications - proof of inspection is required
  - Potentially hazardous food
  - Required immediate refrigeration
  - Perfect environment for bacterial growth
  - No warning signs of contamination
- Other flavored oils must be prepared in an inspected facility
  - Non-potentially hazardous food
- All oils must be properly labeled
- **Reason – Garlic-in-oil is subject to contamination with *Clostridium botulinum* spores & has been implicated in several foodborne outbreaks. Oils infused with garlic or herbs must be refrigerated to avoid the risk of foodborne botulism unless properly acidified & tested**

What Makes Garlic-in-Oil Potentially Hazardous

- Potential Hazard
  - Food = Yes
  - Acidity = 5.8
  - Oxygen = present
  - Moisture = 0.87 - 0.95
- Corrective Action
  - **Temperature = hold at 41ºF or lower**
  - **Time = less than 4 hours in temperature danger zone**
  - **Acidity = less than 4.6**

Pickles, Relishes, Salsas, or Other Similar Canned Items

- All canning & preserving shall be done at a licensed & state-inspected facility
  - Proof of inspection is required
- Canning process must be inspected & approved by the Illinois Department of Public Health and/or FDA
- **Reason – Low acid canned foods in hermetically sealed containers have a risk of containing surviving *Clostridium botulinum* & subsequent formation of toxin**

What Makes Canned Items Potentially Hazardous

- Potential Hazard
  - Food = Yes
  - Acidity = 5.1 – 5.4
  - Oxygen = present
  - Moisture = 0.95
- Corrective Action
  - **Hermetically sealed containers exclude oxygen into food**
  - **Temperature = hold at 41ºF or lower (after opened)**
  - **Time = less than 4 hours in temperature danger zone (after opened)**

Shell Eggs

- Egg license issued by the Illinois Department of Agriculture is required to sell eggs at a farmers' market
  - Copy of egg license is required
  - Egg license not required if selling eggs produced on your farm, from your farm
- According to the **Illinois Egg & Egg Products Act 410 ILCS 615** eggs sold at farmers' markets must be candled, graded & held at 45ºF or below during storage & transportation
- Eggs must be clean & labeled
- Used consumer containers are prohibited
- According to the **Illinois Food Service Sanitation Code 77 Illinois Administrative Code 750**, once eggs are at market they must be held at 41ºF or below
- **Reason – *Salmonella enteritidis* is the pathogen of concern with shell eggs. Keeping eggs well refrigerated prevents any *Salmonella* that is present in eggs from growing to higher numbers. For this reason, eggs should be refrigerated until they are used**

What Makes Shell Eggs Potentially Hazardous

- Potential Hazard
  - Food = Yes
  - Acidity = 6.1 – 7.96
  - Oxygen = present
  - Moisture = 0.95
- Corrective Action
  - **Temperature = hold at 41ºF or lower, cook to proper temperature of 160ºF**
  - **Time = less than 4 hours in temperature danger zone**

Meat & Poultry

- Meat & poultry must be slaughtered at a facility that is under Illinois Department of Agriculture or US Department of Agriculture inspection
- Illinois Department of Agriculture meat & poultry broker's license is not required if selling meat/poultry products at a farmers' market to end consumer
  - Used to be a requirement for everyone to have a brokers license, but now is only required if selling meat/poultry wholesale
- Meat & poultry offered for sale must bear IDOA or USDA inspection marking & other required labeling (product description, ingredients) on every container or package
- Meat & poultry must be held at 41°F or below at all times

Exotic Meat

- According to **9 CFR 352.1(k)** an exotic animal means reindeer, elk, deer, antelope, water buffalo or bison
- In addition the **Illinois Meat & Poultry Inspection Act 22 ILCS 650** include American bison, cattalo, domestic deer, domestic elk, domestic antelope, domestic reindeer, domesticated rabbits & domesticated birds
- Ante-mortem (before death) & post-mortem (after death) must be completed before processing
- Must be slaughtered at a facility that is under Illinois Department of Agriculture or US Department of Agriculture inspection
- Must bear IDOA or USDA inspection marking & other required labeling (product description, ingredients) on every container or package

Fish

- Must be processed in an inspected in an facility
  - Proof of inspection is required
- Hazard Analysis Critical Control Point (HACCP) plan is required for processing
- Commercial fishing license is required
- Must be held at 41ºF or lower at all times
- **Reason – At room temperature, bacteria in food like meat & poultry can double every 20 minutes. The more bacteria there are, the greater the chance you could become sick. Keeping meat, poultry & fish at 41ºF or lower helps keep most harmful bacteria from multiplying**

What Makes Meats Potentially Hazardous

- Potential Hazard
  - Food = Yes
  - Acidity = 5.6 – 6.2
  - Oxygen = present
  - Moisture = 0.95
- Corrective Action
  - **Temperature = hold at 41ºF or lower, cook to proper temperature 145ºF – 180ºF**
  - **Time = less than 4 hours in temperature danger zone**

Commercially Produced Pre-Packaged Foods

- Allowed if properly labeled

What Foods Are Not Allowed To Be Sold at A Farmers' Market

- Raw Milk or any Dairy Products made with Raw Milk
- Home-Butchered Meat, Poultry, or Wild Game Animals
- Home-Canned Foods
- Home Vacuum-Packaged Products
- Sandwiches & Other Foods Prepared at Home
- Home-made Ice Cream
- Wild Mushrooms Harvested From the Wild

Raw Milk or any Dairy Products made with Raw Milk

- According to **410 ILCS 635 Illinois Grade A Pasteurized Milk & Milk Products Act**, "no person shall sell or distribute, offer to sell of distribute any milk or milk product for human consumption unless such milk has been pasteurized…"
- **Reason – Raw dairy ingredients can be contaminated by *Campylobactor jejuni, Listeria monocytogenes, Salmonella* and/or other pathogens**

Home-Butchered Meat, Poultry, or Wild Game Animals

- Home-butchered meat & poultry is for the owner's household use & may not be transported to or sold at a farmers' market

Home-Canned Foods

- Low acid canned foods in hermetically sealed containers have a risk of containing surviving *Clostridium botulinum* & subsequent formation of toxin
- Without process controls & product analysis, it is difficult to distinguish between safe & unsafe products
- The only protection against botulism food poisoning in low acid home canned foods is the heat applied during canning. Using traditional methods that were handed down over generations or using boiling water instead of a pressure cooker can be deadly.
- Canning low acid vegetables (like green beans and corn), meats, fish and poultry requires the use of a pressure canner. *Clostridium botulinum* can form spores that are very, very heat resistant. Even hours in the boiling water canner will not kill it. Left alive after canning, the germ will grow and produce a deadly toxin.
- *Clostridium botulinum* grows well and can produce toxin inside closed jars of low-acid foods at room temperature, and you can't always tell by looking. Jars of improperly canned vegetables and meats can contain the deadly botulism toxin without showing signs of spoilage. You can't taste it or smell it, so you don't even know it's there, and it can kill you. The bacteria must be killed during the canning process for safe storage.

Home Vacuum-Packaged Products

- The risk of *Clostridium botulinum* & other anaerobic (absence of oxygen) pathogens occurs without strict controls.
- The removal of oxygen from a food package does not eliminate the possibility for all bacterial growth. Although it is likely to eliminate spoilage bacteria that cause deterioration in the quality of food in ways that would let you know the food was going bad (odor, color, sliminess, etc.), some pathogenic (disease-causing) bacteria prefer low-oxygen environments and reproduce well in vacuum-packaged foods.

  For example, *C. botulinum* bacteria that cause the deadly botulism poisoning grow at room temperature in low-acid, moist foods in a low-oxygen environment. Oxygen in the environment offers some protection against *C. botulinum* growth in foods that are not vacuum packaged. If spoilage bacteria are not present, *C. botulinum* bacteria can reproduce even easier, making the food unsafe without obvious symptoms of the food being spoiled to warn the consumer.

Sandwiches & Other Foods Prepared at Home

- According to the **Illinois Food Service Sanitation Code 77 Illinois Administrative Code 750.100**, “Use of **home prepared** or hermetically sealed food which has been processed in a place other than a wholesale food processing establishment is **prohibited**.”
- All potentially hazardous food must be prepared in an inspected facility
- Sandwiches made at home may not be sold to the public

Home-made Ice Cream

- Cannot be sold at a farmers' market
- **Reason – Many pathogens can be present in dairy ingredients if not handled properly. *Listeria monocytogenes* in particular is unusual because it can grow at refrigerated temperatures where most other foodborne bacteria do not. When eaten, it may cause listeriosis, an illness to which pregnant women and their unborn children are very susceptible.**

Wild Mushrooms Harvested From the Wild

- Cannot be sold at a farmers' market
- There are an estimated 5,000 mushroom species in the U.S., many of which are not poisonous, but with some, eating even a few bites can cause fatal liver damage. The most deadly are the genus Amanitas
- Toxic mushrooms are commonly mistaken for edible mushrooms. Only experts can tell poisonous mushrooms from safe ones. It's best to stay away from any wild mushrooms.
- When it comes to mushrooms, it's important to remember these tips:
  - Mushrooms are difficult to identify. Most poisonous mushrooms look like edible mushrooms at some phase of their growth
  - A good rule of thumb – only eat mushrooms that you can buy in the grocery store
  - Cooking does not inactivate the toxins

Jo Daviess County Health Department
9483 U.S. Rt 20 W. P.O. Box 318 Galena, IL. 61036 Phone 777-0283
Farmers Market Inspection Report

_____ **New Facility Inspection** _____ **Annual Inspection** _____ **Follow-up Inspection**

Market Name _____ **Owner/Operator** _____

Address _____ **City** _____ **Zip Code** _____

Phone: _____ **Email:** _____

County permit obtained, other licenses available (if applicable) **Y/N**
- Dept. of Agriculture licensing etc., Fresh produce without processing, cutting etc. is exempt from permit

Transportation & delivery protected from contamination from insects, dirt etc. **Y/N**
- Food products must be kept clean during transportation & delivery & protected from dust & chemicals

Sales area is in a neat and clean sanitary condition, covered waste containers **Y/N**
- Adequate number of covered waste containers provided. No pets allowed in storage/display area

Food protected from public handling, dirt and other contamination **Y/N**
- Foods stored off of the ground. Prepared, processed, baked or cut foods packaged or wrapped.Utensils, counters, display cases, shelves, tables & refrigeration clean & sanitary

Hand washing facilities provided **Y/N**
- At minimum a pan with warm water with spigot & catch pan, soap & individual paper towels

Ice from an approved commercial source (if applicable) **Y/N**
- Ice used for display is properly drained

Potentially hazardous foods held at a temperature **Y/N**
- Cold foods 41°F or lower _____ Hot foods 140°F or higher _____

Food products properly labeled **Y/N**
- 1) Name of product, 2) Name, address & zip code of the packer, processor, manufacturer etc. 3) net contents, 4) ingredients in descending order of predominance by weight, 5) artificial color, flavor or preservatives used. No nutrition label unless health claim is made or a nutritional claim is made

FOODS ALLOWED AT A FARMERS MARKET WITH NO RESTRICTION

Fresh Fruits; Vegetables; Nuts; Seeds; Melons; Popcorn; Other Seeds; Organic Foods; Fresh or Dried Herbs

FOODS ALLOWED AT A FARMERS MARKET WITH CERTAIN RESTRICTIONS

Shell Eggs; Cut melons; Mushrooms; Honey; Apple Cider; Baked Goods; Herb Vinegars; Flavored oils; Candies; Caramel Apples; Ice Cream

FOODS PROHIBITED AT A FARMERS MARKET OR FROM OUTDOOR SALES

Home Made Ice Cream; Raw Milk, Cheese, Yogurt or Other Dairy Products; All Home Canned Foods, Home Vacuum Packaged Products; Home Butchered Meat, Poultry or Wild Game Animals; Home prepared sandwiches; Garlic-in-oil; Pickles, Relishes, Salsa

Remarks and Recommendations For Corrections

_____

_____

_____

Report and Instructions Received By (Owner/Operator) _____

Inspector _____ ***Date*** _____ ***Time*** _____ ***A.M./P.M.***

What Non-Food Items Can I Sell At A Farmers' Market, But Need Consideration

- Live Animals
- Lotions/Creams/Cosmetics
- Pet Food & Treats

Live Animals

- Can be sold if segregated from the general food sales area
- Certain species of live animals require a sales record
- State regulation provided for identification and/or testing
- For information regarding testing & identification requirements call the Illinois Department of Agriculture, Bureau of Animal Health & Welfare at 217-782-4944

Lotions/Creams/Cosmetics

- Can be sold at a farmers' market
- Contact the Food & Drug Administration Chicago District Office at 312-353-5863 for specific regulations

Pet Food & Treats

- Can be sold at a farmers' market if in compliance the **Illinois Commercial Feed Act**
- Licensing of manufacturers or distributors of pet food & registration of their product must be done through the Illinois Department of Agriculture Bureau of Agricultural Products Inspection (217-782-3817) before distribution
- Food product must be labeled

Further Requirements

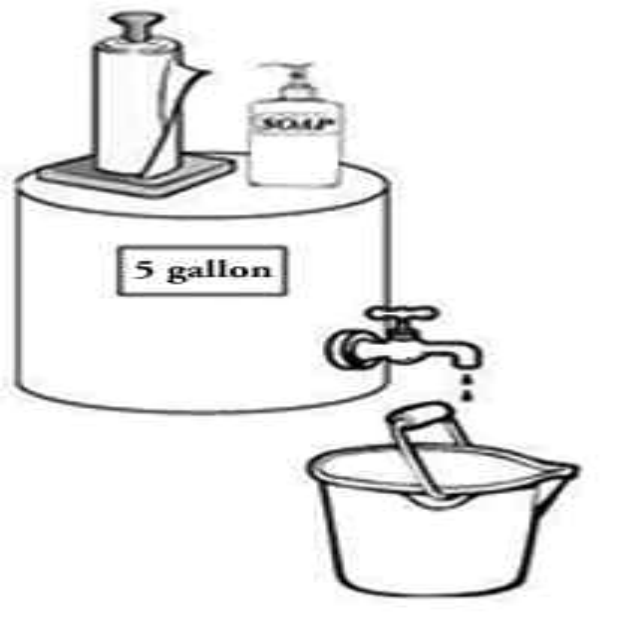
- Handwashing
- Food Handlers
- Premises
- Packaging & Labeling
- Scales
- Refrigeration
- Vehicles
- Food Sampling

Handwashing

- Handwashing is required when:
  - Cutting, slicing or dicing fresh fruits or vegetables
  - Preparing food on-site
  - Serving potentially hazardous foods
  - After using the restroom, eating, smoking or handling money
- It is highly recommended that if warm water under pressure is not available, a handwashing station is utilized
  - Water used for handwashing must be from a potable source
- Hand sanitizer in place of handwashing is not allowed

Handwashing Station

- Provide a container with a spigot that allows hands-free flowing water, a waste water bucket, a pump-type soap dispenser and single use/disposable paper towels.
- Reason - According to the CDC, using alcohol gel in place of handwashing does not adequately reduce important foodborne pathogens, as alcohols have very poor activity against bacterial spores and certain viruses. Proper handwashing can significantly reduce the threat of the spread of contaminants from workers hands to the food.



Food Handlers

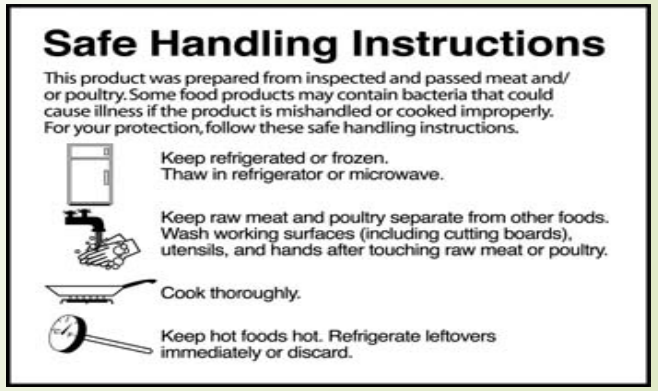
- Vendors who handle food should not attend a farmers' market if they are experiencing symptoms of nausea, vomiting, diarrhea, fever, sore throat, or jaundice
- According to the **Illinois Food Handling Regulation Enforcement Act 410 ILCS 625** people that handle unpackaged food, food equipment, food utensils or food contact surfaces shall have an ANSI approved Food Handlers Certification
- **Reason – About 50% of all food-related illness is caused by norovirus. In many cases, sick food handlers are involved in spreading the virus. It only takes a very small amount of virus particles to make someone sick, so infected people who have any stool or vomit on their hands can easily infect the food they touch or the surfaces with which they come into contact. Sick food handlers should be excluded from food areas.**

Premises

- Maintain a neat, clean & sanitary stand
- Have an adequate number of waste containers for garbage
- Store garbage containers in a way that will not allow contamination to food or food contact surfaces
- Clean area around stand at the end of the day, so rodents & insects are not attracted to sales area

Packaging & Labeling

- Any prepared processed, baked or cut food must be packaged or wrapped for protection with required labeling. Food on display in open-air markets must be adequately protected from incidental handling, dirt & other contamination. Food must be stored off of the ground or off of the floor. Any wrapping or container for processing, prepared, processed, baked, or cut food must be constructed of safe, non-toxic & food-grade material
- All food pre-packaged in advance of retail sale that does not fall under the Cottage Food Act must bear the following label, sign or placard, or recipe as available to the consumer. The information must include:
  - Common name of product
  - Net contents (weight or volume) or package
  - All ingredients of food product, including any colors, artificial flavors & preservatives, listed in descending order by predominance of weight shown with common or usual names
  - Safe handling instructions for meat & poultry products
  - Allergen labeling as specified by FDA
    - Food Allergen Labeling & Consumer Act of 2004



Scales

- The Illinois Department of Agriculture's Bureau of Weights & Measures regulated the retail sales of fruits, vegetables & other items at a farmers' market. Commodities not in liquid form must be sold by weight, measure or count
- All scales used in commerce must have a National Type Evaluation Program (NTEP) Certificate of Conformance issued by the National Conference on Weights & Measures. Commercial scales also are subject to annual inspections by the Illinois Department of Agriculture

Refrigeration

- Meat, poultry, fish, dairy, baked goods & all other food products containing perishable items shall be **transported & held at or below 41ºF**
- There are no restrictions on the type of refrigeration used, so long as the temperature requirements are met

Vehicles

- During transportation & delivery, food & food equipment must be protected from insects, flies, animals, dust & dirt, unnecessary handling, & other contamination
- Delivery vehicles or equipment used for transportation must be easily cleanable

Food Sampling

IDPH
ILLINOIS DEPARTMENT OF PUBLIC HEALTH

525-535 West Jefferson Street • Springfield, Illinois 62761-0001 • www.dph.illinois.gov

TO: Local Health Department Administrators
Local Health Department Environmental Health Directors

FROM: Molly Jo Lamb, Chief
Division of Food, Drugs and Dairies

DATE: February 2, 2016

RE: Farmers Market Food Product Sampling Handler Certificate

Effective July 20, 2015, the Food Handling Regulation Enforcement Act was amended to include Food Product Sampling at Farmers Markets and the Illinois Food Service Sanitation Code now includes Subpart N, 750.4300 Food Product Sampling Handler Certificate for Farmers Markets.

The Farmers Market Food Product Sampling Handler Certificate training is now available on I-TRAIN. The training course is free and can be accessed here: https://i.train.org Course number 1061218 (*Note:* effective upon implementation of the Division's new technology, this process will change due to incorporation of the training completion, documentation submission and certificate issuance in the new system).

Any vendor at a farmers market that would like to sample their product (fruits, vegetables, baked goods, meat, etc.) can do so without a separate permit from the local health department, as long as they have a valid Illinois Farmers Market Food Product Sampling Handler Certificate. This certificate can be used throughout the state and is valid for three (3) years from date of issuance.

The certificate looks like this and shall be prominently displayed by the vendor at the point of sale:

The Farmers Market Food Product Sampling Handler Certificate is only issued by the Department once the required documentation has been received:

1. If the sampler possesses a valid Illinois Food Service Sanitation Manager Certification (FSSMC) they must:

PROTECTING HEALTH, IMPROVING LIVES
Nationally Accredited by PHAB

Food Sampling

- Any farmers' market vendor that would like to sample this product can do so, as long as they have a valid Illinois Farmers' Market Food Product Sampling Handler Certificate.
  - Issued by the Illinois Department of Public Health
  - Good for 3 years
  - On-line training course
  - If vendor has FSSMC
    - application
    - copy of valid certificate to IDPH
    - $10
  - If vendor does not have FSSMC
    - application
    - copy of completion of ANSI accredited food handler training course
    - copy of completion of IDPH Farmers' Market Food Product Sampling Handling training course
    - $40

What Do I Need?

- I want to sell cherry pie, chocolate chip cookies & dry herbs
  - What am I?
    - Cottage Food
  - What do I need?
    - Cottage Food Registration
    - FSSMC
    - Pre-packaged food
    - Labeled food product
    - Home kitchen statement

What Do I Need?

- I want to sell pickles, salsa, uncooked sausage & uncooked bacon
  - What am I?
    - Farmers' Market
  - What do I need?
    - Farmers' Market permit
    - FSSMC or ANSI approved food handler training
    - Pre-packaged food
    - Labeled food product
    - IDOA or USDA marking on sausage & bacon
    - Proof that salsa & pickles were made at licensed processing facility

What Do I Need?

- I want to sell cut fruit & vegetables, shelled walnuts for sampling
  - What am I?
    - Farmers' Market
  - What do I need?
    - Farmers' Market permit
    - FSSMC or ANSI approved food handler training
    - Pre-packaged food
    - IDPH Farmers' Market Food Product Sampling Handler Certificate

What Do I Need?

- I want to sell uncut & unprocessed corn, lettuce, radishes & green beans from my garden
  - What am I?
    - No permit is required
  - What do I need?
    - Nothing

What Do I Need?

- I want to sell pumpkin pies, rhubarb & watermelon jelly
  - What am I?
  - Farmers' Market
    - Unless your food has been tested at a commercial lab & proves that a pH of 4.6 or less is present in this food product
  - What do I need?
    - Farmers' Market permit
    - FSSMC or ANSI approved food handler training
    - Pre-packaged food
    - Labeled food product
    - Proof that jelly & pies were made at licensed facility (if made out of county)

What Do I Need?

- I want to sell bread, strawberry jelly & eggs
  - What am I?
    - Cottage Food & Farmers Market
  - What do I need?
    - Cottage Food registration
    - Farmers' Market permit
    - FSSMC
    - Pre-packaged food
    - Labeled food product
    - Home kitchen statement
    - IDOA egg license

What Do I Need?

- I want to sell morels, home-made sandwiches & home-canned vegetables
  - What am I?
  - Nothing
    - Cannot sell wild mushrooms, home-made sandwiches & home-canned foods at a farmers' market