

# Minimum Food Safety Requirements for Product Sales

## Farm Markets and Community Farmers' Markets

For the purposes of this document the definition of:

**Farm Market:** A retail outlet normally owned or operated by a producer or farm unit, located on-farm or off-farm selling mainly products produced by the farm, directly to the consumer.

**Community Farmers' Market:** An established area where several farmers/growers gather on a regular, recurring basis to sell a variety of fresh fruits and vegetables as well as other farm products directly to the consumer.

Management in charge of the market may be asked by the health officials to demonstrate knowledge of these requirements as outlined below:

Sale Items	Special Conditions	Licensure Requirements	Comments
<b>Baked Goods</b>	Food prepared in a private home shall not be used or offered for human consumption in a retail food establishment. A private farm can have a separate approved commercial kitchen located on the property separate from the private home kitchen.	➤ Commercial kitchen licensed and inspected.	➤ Items can be processed in a kitchen that is licensed and has passed sanitation inspection. Ingredients shall be stored at a preparation facility. ➤ Search out local community organizations for possibilities of kitchen use. ➤ Product label shall contain: name and address of seller or processor; name of product; ingredient list in descending order; and the net weight of the product.
<b>Whole, uncut fresh fruit and vegetable</b>	Shall be stored under clean sanitary conditions.	➤ None	➤ Fresh fruit and vegetables should be stored above ground level and should not have direct contact with the ground.
<b>Jarred non-potentially hazardous foods (Jams, Jellies)</b>	Food prepared in a private home shall not be used or offered for human consumption in a retail food establishment.	➤ Commercial kitchen licensed and inspected.	➤ Containers shall be unbroken, clean, and free from dents, defects. ➤ Container shall be stored in approved sanitary area. ➤ Product label shall contain: name and address of seller or processor; name of product; ingredient list in descending order; and the net weight of the product.
<b>Canned / jarred Low Acid or Acidified Foods for Room Temp. Storage</b>	These canned or jarred items shall come from a federally (USDA or FDA) registered and inspected processing facility.	➤ May not be prepared in a local facility. ➤ Shall be prepared in a certified retort canning facility. -	➤ Containers shall be free of dents, defects, unbroken, and clean. ➤ Container shall be stored in approved sanitary area. ➤ Product label shall contain: name and address of seller or processor; name of product; ingredient list in descending order; and the net weight of the product.
<b>Canned/ jarred High Acid or Acidified Foods Refrigerated Storage (ie. Pickled Peppers, Salsa)</b>	Shall come from approved facility that has been inspected by either a federal (USDA or FDA), state or local health authority. Recipe, formula and processing procedures need to be evaluated by an approved food laboratory. Acidifying records maintained for each batch.	➤ Commercial kitchen licensed and inspected.	➤ Containers shall be unbroken, clean, and free of dents, defects. ➤ Container shall be stored in approved refrigerated storage area 41°F or below. ➤ Product shall be labeled "Keep Refrigerated". ➤ Product label shall contain: name and address of seller or processor; name of product; ingredient list in descending order; and the net weight of the product.
<b>Cheese</b>	Farmstead and commercial processing plants that produce pasteurized milk cheeses or raw milk hard cheeses shall operate in accordance to FDA's Title 21 CFR 133 which can be located at: <a href="http://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfcfr/cfrsearch.cfm">http://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfcfr/cfrsearch.cfm</a>	➤ License required for all types of cheese processing plants. ➤ Plants are licensed as retail or wholesale facilities. ➤ Processing facility shall be in conformance with local and/or state sanitation regulations for dairy processing.	➤ Shall be processed at an approved facility. ➤ Shall be stored at an approved, inspected and licensed location. ➤ Shall be cut and wrapped at an approved, inspected and licensed location, product shall be labeled. * ➤ Shall not be displayed in direct sunlight. ➤ Shall remain at a temperature of 41°F or held at an approved aging temperature. ➤ Shall not be stored or displayed in direct contact with ice/water.
<b>Eggs</b>	"Restricted egg" sale by producer only at site of production, door-to door route or an established place of business away from farm. + Exempted from USDA, AMS egg grading program if annual flock does not exceed 3,000 birds. Sale of "restricted eggs" are limited not to exceed 30 dozen per customer. Regulated by NJDA.	➤ Flock exempted according to USDA, AMS egg grading program Title 7 CFR part 57.100; should register with NJDA. ➤ Standards of quality, grade, sanitation, refrigeration and records shall be maintained.	➤ Container in which eggs are sold shall contain: Name and address of the producer/packer; the word "eggs"; grade of the eggs; size-weight class of the eggs; numerical count of the contents, nutritional label *. ➤ Eggs shall be packed in a clean container; if container is reused it shall be cleaned and relabeled by producer/packer. ➤ Temperature shall be maintained at or below 45°F. ➤ Eggs shall not be cooled directly on ice or water.
<b>Poultry (Fresh/Frozen)</b>	Licensed producers/growers can process and sell up to 20,000 of their own birds annually for distribution directly to household consumers, restaurants, hotels, boarding houses; poultry to be utilized for direct meal consumption only.	➤ Producer/grower shall possess an FSIS slaughter exemption. ➤ Producer/grower shall have local sanitation inspection of processing facility. ➤ Producer shall have cold storage or freezer units licensed and inspected.	➤ Shall have the name of the product listed on the package. ➤ Package shall state fresh or frozen, including nutritional label. * ➤ Statement of quantity of contents in terms of weight and measures. ➤ Shall be labeled with producer/growers name and address; date of packing, handling statement; and nutritional label. ➤ Safe Handling instructions that comply with Title 9 CRF 381.125(b)(2)(ii). ➤ Shall be stored and/or displayed in approved sanitary conditions. ➤ Fresh poultry shall be maintained at a temperature below 41°F. ➤ Shall not be displayed in direct sunlight. ➤ Shall not be stored in direct contact with ice or water. ➤ Frozen poultry shall remain frozen at all times.
<b>Meats (fresh/frozen)</b>	Red meat animals raised or finished by a producer and sold as individual units shall be slaughtered, processed, packaged and/or frozen at a USDA federally inspected facility.  Red meat animals processed at Custom Exempted facilities shall be sold prior to slaughter, processed in a sanitary manner and shall be stamped "Not for Resale". This type of product cannot be sold at a farm market or community farmer's market	➤ Producer shall have cold storage or freezer units licensed and inspected by local health agency. ➤ Producer can not sell wholesale. ➤ Producer can sell to HRI and restaurants not to exceed 25% of their annual sale and not to exceed \$41,000 in total sales in one year.	➤ Shall have the name of the product listed on the package. ➤ Package shall state fresh or frozen. ➤ Statement of quantity of contents in terms of weight and measures. ➤ Shall be labeled with producer/growers name and address. ➤ Package labeled with location that processed and packed the product; date of packing, safe handling statement, and nutritional label.* ➤ Shall be stored and/or displayed in approved sanitary conditions. ➤ Fresh red meat shall be maintained at a temperature below 41°F. ➤ Frozen red meat shall remain frozen at all times. ➤ Shall not be stored in direct contact with ice or water.
<b>Honey &amp; Maple Syrup</b>	Processing and storage facility maintained in good sanitary condition.	➤ None	➤ Product label shall contain: name and address of seller or processor; name of product; ingredient list in descending order; and the net weight of the product.
<b>Cider</b>	All cider not appropriately treated is required to comply with the FDA warning statement regulation.	➤ Producer/processor shall be licensed and inspected by the NJ Dept of Health & Senior Services or local health department.	➤ Label shall contain: name and address of seller; packaged at address; size and weight of container; name of product; ingredient list; date of packing; and nutritional label. * ➤ Questions regarding the FDA regulation for cider are answered at <a href="http://vm.cfsan.fda.gov/~comm/juiceqa.html">http://vm.cfsan.fda.gov/~comm/juiceqa.html</a> : <a href="http://www.cfsan.fda.gov/~comm/juiceqa2.html">http://www.cfsan.fda.gov/~comm/juiceqa2.html</a> : and <a href="http://www.cfsan.fda.gov/~dms/juicguid.html">http://www.cfsan.fda.gov/~dms/juicguid.html</a>
	+ means requirements apply to Community Farmers' Market only		* Packaged foods shall be registered under FDA Food and Cosmetic Act for nutritional labeling or obtain small business exemption <a href="http://www.cfsan.fda.gov/~dms/sbnle.html">http://www.cfsan.fda.gov/~dms/sbnle.html</a>



This document outlines the general requirements to process, bake, and manufacture agricultural raised products intended to be sold as value-added products at a farm market or community farmers' market. Other state and federal requirements exist which relate to sale of processed, baked, and manufactured agricultural products that could be sold through farm markets, community farmer's markets as well as other market channels. It is advised that anyone selling any type of value-added agricultural product obtain additional guidance prior to processing or selling such products to consumers. For further information please contact New Jersey Department of Agriculture at 609-292-5575 or e-mail [farmmarketguidelines@ag.state.nj.us](mailto:farmmarketguidelines@ag.state.nj.us) or <http://www.nj.gov/agriculture/divisions/md/pdf/farmmarketguidelines.pdf> or the New Jersey Department of Health and Senior Services' Food and Drug Safety Program at 609-588-3123.

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