



FOOD SAFETY REQUIREMENTS FOR FARMERS' MARKETS AND LOCAL PRODUCERS/PROCESSORS IN WYOMING

Farmers' Markets are growing in popularity and demand due to the steadily increasing interest in local foods. This provides an opportunity for growers and producers to sell their products not only at the market, but to set up a clientele to sell to throughout the year. The farm to table concept is fully supported by the Wyoming Department of Agriculture (WDA). Since 2007, the WDA has given out over \$500,000 of grants for producers, growers, vendors, chef demonstrations, and food safety training in support of small crops and farmers' markets. It is important for the market vendors to sell a safe food product. There have been foodborne illnesses linked to farmers' markets in the past. Selling safe wholesome food is critical to keeping customers coming back. This publication is to inform producers, processors, vendors and some buyers such as stores and restaurants of the requirements for selling or using products from local producers and foods purchased from farmers' markets.

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Raw Agricultural Producers: The raw agricultural producer is one who produces raw fruits, vegetables or grains that are in their natural state. These producers are exempt from an annual food license whether they are from Wyoming or out of state but still need to meet sanitation standards. Vendors selling produce that is not grown by them must purchase a food distributor license and if they offer free samples of cut produce, they must also purchase a Temporary Sampling License.

Processed foods: Processed foods are foods that have been altered from their natural state, such as slicing, dicing, cutting, chopping, mixing, grinding, drying, smoking, cooking, pickling, packaging or canning. There are two categories of processed foods in Wyoming - commercial, and home processed foods.

- **Commercial processors** must meet all the requirements of the Wyoming Food Safety Rule and be licensed. If vendors are from another state, they must get a Wyoming food distributor license. This license will be issued upon verification that the product comes from an approved facility in their state. These vendors may sell: jams, jellies, honey, baked goods, fermented foods (i.e. sauerkraut), sauces, dressings, salsa and relishes (shelf stable and not shelf stable), pasta, potentially and not-potentially hazardous foods. These products must meet all food labeling requirements. Commercially made food products **are allowed** to be used and sold in all licensed food establishments in Wyoming, such as restaurants, bed and breakfasts, institutions, and retail stores, as they are considered an approved source. As a buyer of these products to use in your establishment, make sure to verify the vendor has a food license from the Wyoming Department of Agriculture.
- **Home processed foods (cottage food businesses):** Foods that are not potentially hazardous (see list below) are allowed to be made in home kitchens and can be sold from the private home, farmers' markets, roadside stands, and at functions. These foods must be sold directly from the producer to the final consumer. No vendor can sell foods produced by another person in a home kitchen. Cottage food businesses are exempt from licensing and inspections. **Also, these products are not considered an approved source and cannot be used or sold in a licensed establishment.**

Acceptable Home Processed Food Products:

- ❖ Nuts and nut mixtures
- ❖ Candies
- ❖ Popcorn and popcorn balls
- ❖ Vinegar and flavored vinegar
- ❖ Cereals, trail mixes and granola
- ❖ Honey and flavored honey (whipped or creamed is not allowed)
- ❖ Dried Fruits
- ❖ Dry herbs and seasoning mixes
- ❖ Baked goods that:
 - Are not potentially hazardous
 - Do not contain frostings with cream, uncooked eggs, custard, meringue or cream cheese or garnishes, fillings or frostings with low sugar content
 - Do not require time or temperature controls for food safety.
- ❖ Jams, jellies syrups and preserves in bottles that are hermetically sealed and:
 - Do not contain low acid food products or low acid ingredients such as peppers, tomatoes, melons, dates, figs, prunes, bananas, persimmons, papayas, mangos, pears and yellow plums (list not all inclusive).
 - Are NOT "low sugar" or made with artificial sweeteners.

- **Meat and Poultry products:** All meat offered for sale must come from a Wyoming state or federally inspected meat plant. All meat and packaged meat products (including jerky, burritos and tamales) sold in Wyoming or used in establishments must have been processed under inspection and be properly labeled. Beef, pork and lamb products may be sold directly from the producer to the final consumer IF the meat was slaughtered and processed under inspection.

In order to sell meat across state lines, animals must be slaughtered and processed in a federally inspected meat plant and the packages of meat must bear the federal inspection stamp. All states adjacent to Wyoming have federally inspected meat plants that will accept animals from Wyoming.

Poultry producers that qualify for the less than 1000 bird exemption shall meet the requirements of the USDA Poultry exemption regulations. An approved facility and inspection is required by WDA. Poultry products must be properly labeled and maintained at the proper temperature during storage and sales. Exempt poultry sales are restricted to the final consumer as well as licensed establishments within Wyoming. Poultry processed under this exemption cannot be shipped across state boundaries.

- **Dairy products:** Dairy products can only be sold from an approved source. The Wyoming Food Safety Rule states that it is illegal to sell raw milk or products made from unpasteurized milk except certain aged cheeses. Raw milk cheese must come from an approved and inspected source. Dairy products from another state must come from a licensed and approved source. The vendor must also have a Wyoming food distributor license.
 - Individuals may receive raw milk and products made from raw milk provided they own a share in the milk animal. The dairy products of animal shares cannot be distributed through licensed establishments or at farmers' markets.
- **Ungraded eggs:** Ungraded eggs are allowed if they meet the following criteria: Label the carton "Ungraded eggs", include name and address of exempt producer, include the packing date, and the statement "Keep Refrigerated" if not already on the carton. Cartons may be reused only if they are clean and in good condition. Cartons with the USDA Grade shield shall **NOT** be used. All wording and dates on reused cartons shall be completely marked out. Eggs must be held at 45°F or colder at all times. These eggs can only be sold to the final consumer and they cannot be used in a licensed establishment.

Food distributor license: Vendors who have made wholesale purchases of food and are reselling food at the retail level must have a Wyoming food distributor license. Out of state manufacturers, vendors and food processors must also purchase a distributor license. All licenses must be applied for prior to the event(s).

License fees:

- Food distributor/processor license - initial fee \$100.00, annual renewal \$50.00
- Temporary Food Establishment – 14 consecutive days, \$25.00 for that location
- Temporary Sampling Establishment – 14 individual days within 3 consecutive months, \$25.00 for that location

For questions contact Consumer Health Services at 307-777-7211, or local health department. For information regarding weights and measures, seed dealer, pet treats, and nursery stock, contact Technical Services at 307-777-7324. Our website is: <http://agriculture.wy.gov/divisions/chs/food-safety>

Food sampling sanitation requirements: Whole, uncut produce offered for free samples do not require a sampling license. All other food and beverage samples offered to the public require a Temporary Establishment Sampling License unless distributed by the producer. Home processors giving out samples cannot make the product into a potentially hazardous food (example: seasonings mixed in sour cream).

Use the following food safety practices to prevent any contamination to food.

- Produce used for samples must be washed with cool potable water
- If the produce is thick-skinned, scrub with a clean vegetable brush. This removes nearly all insects, dirt, bacteria and some pesticide residues that can contaminate the interior of the produce when it is cut.
- If washed produce is not cut for samples, immediately store it in a clean, covered container to prevent re-soiling of the exterior surface prior to cutting.
- Cut samples must be covered or otherwise protected from environmental contamination.
- Minimize your bare hand contact with the food by using single service items and clean utensils.
- If single service gloves are used, change the gloves often to prevent soiled gloves from cross-contaminating samples and remember to wash hands between changing gloves.
- Use single service items to distribute samples to customers. Examples are paper plates, cups, napkins, plastic utensils or toothpicks. The customer can then dispose of the single service items once the product is consumed. Provide a waste receptacle.
- Use food-grade storage containers and packing materials. Garbage bags are not food-grade as they are treated with mold-inhibiting chemicals and they may also contain perfumes and dyes.
- Do not use old bread sacks or grocery bags as these may have been contaminated by food already stored in them.
- Cut produce must be kept at 41°F or below during storage and display. Ice cannot directly touch food that is not packaged.
- A hand wash station must be provided. See temporary establishment requirements for hand wash station set up.

For further guidance, refer to the Wyoming Farmer's Marketing Food Safety Training 2009 booklet on the WDA website.

Temporary Establishment Requirements

Foods prepared on site: Vendors who are preparing food in a temporary food stand must have a “Temporary Food License” for all food service activities including food preparation demonstrations and chili roasters. This license is issued by the WDA or local health department and must be applied for prior to the event. It is good for up to fourteen (14) consecutive days at one event or location. Inspections may be performed on the day of the event by the regulatory authority. Vendors must comply with the following requirements for food safety:

1. All food and water used in the stand must come from an approved source - no home canned food or wild game is allowed and water shall come from a source that has been tested for bacteria. All foods must be prepared on the premises or in a licensed kitchen.
2. All meats and other potentially hazardous foods shall be kept at an internal temperature of 41°F or colder for cold holding, or 135°F or hotter for hot holding during display and service. Foods requiring reheating shall be heated to 165°F for 15 seconds, prior to serving or holding.

Minimum cooking temperatures:

Poultry and Stuffed meat products: 165°F

Ground Beef and Pork: 155°F

Pork, Fish and Lamb: 145°F

Eggs: 145°F - 155°F

Foods reheated or cooked in a microwave oven: 165°F

Under no circumstances will potentially hazardous foods be allowed to sit at room air temperature.

3. A thermometer capable of testing the temperatures of hot and/or cold potentially hazardous foods must be available if it applies to your stand.
4. Wrapped or unpackaged food shall not be stored in direct contact with ice. Canned and bottled beverages may be cooled in ice water to which sanitizer (50 ppm chlorine) has been added, providing the container is drained and cleaned daily when in use.
5. Condiments shall not be served from an unprotected open type container. Individual packets, squeeze bottles or an approved dispenser shall be used.
6. Ice shall be from an approved source and stored in a clean, covered food grade container and dispensed with a scoop that has a handle. The handle of the ice scoop shall be kept out of the ice at all times.
7. Milk shall be served in original containers of one pint or less or from an approved dispenser. Raw milk is prohibited.
8. Only food-grade containers shall be used for food or ice storage. Garbage cans or trash bags are not made from food-grade material. Enamelware food contact surfaces are prohibited.
9. All food contact equipment, surfaces and utensils used in the preparation of food shall be kept clean until used. If facilities are not available to wash, rinse and sanitize utensils, extra utensils must be provided in case contamination occurs.

10. Only single service items shall be used by the consumer at the temporary food stand. All single service items shall be protected until used, properly dispensed and stored off the floor or ground by at least 6 inches.

11. Wiping cloths shall be available and stored in a clean bleach/water solution at a strength of 200 ppm. Chlorine test strips should be available to test the sanitizing solution strength.

12. A convenient handwashing facility shall be available for employee handwashing. If hot and cold running water and a sink are not available in the stand, then a container with clean water for washing hands with soap shall be available in the stand. Disposable towels shall be used for drying hands. Hand sanitizer shall not be used in place of handwashing.

13. Employees shall be free from contagious or communicable diseases, sores or infected wounds and wear clean clothing while on duty. Hair restraints such as caps, scarves or hairnets shall be worn. Long hair shall be tied back to prevent it from coming in contact with the food. There shall be no smoking in the food stand.

14. The food stand and food storage areas shall be maintained clean and sanitary. All food shall be protected from dust and dirt by using the proper covering. Bare hand contact of ready-to-eat foods must be minimized by the use of utensils, disposable gloves, etc. No food shall be stored on the floor or ground.

15. The immediate area around the food stand shall be kept clean. Garbage from the operation of the stand shall be kept in closed trash bags or covered containers and disposed of in the receptacles provided. Waste water shall be disposed of in an approved manner. **UNDER NO CIRCUMSTANCES SHALL LIQUID OR SOLID WASTE BE DISPOSED OF ON THE GROUND.**

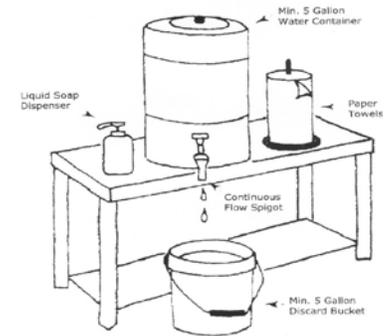
16. Spray bottles shall be labeled as to contents. All cleaners, detergents, sanitizers and other toxic items shall be stored separately from food and food contact surfaces and equipment.

17. Pest control shall be implemented in all temporary food stands when pests are a problem. Sticky strips may be used in the stand provided the strip is not hung over any food or food contact surfaces. Stands with screened openings shall be kept closed and in good repair. If fans are used in the stand, they can be directed toward openings to help keep insects out.

ANY PERISHABLE FOODS FOUND TO BE CONTAMINATED, ADULTERATED, OR NOT MAINTAINED AT THE PROPER TEMPERATURE SHALL BE DESTROYED. VIOLATIONS OF ANY OF THE ABOVE PROVISIONS WILL BE GROUNDS FOR THE TEMPORARY FOOD PERMIT SUSPENSION OR REVOCATION AND CLOSURE OF THE ESTABLISHMENT.

Contact Consumer Health Services for further information at 307-777-7211. 3/14

Temporary Handwashing Station



****Required in Each Food Booth**