



Guidelines for Farmers Markets

*Columbia/Boone County Department
of Public Health and Human Services
Division of Environmental Health*



Public Health
Prevent. Promote. Protect.
Columbia/Boone County
Public Health & Human Services



be maintained at proper temperatures and cannot be adulterated. The vendor should be able to show their commercial fishing license if asked at the time of inspection.

Dairy products

Unpasteurized milk cannot be sold in retail food establishments; therefore, unpasteurized milk cannot be sold at a farmer's market. This applies to fluid milk and cream. All dairy products including milk, cheese, yogurt, cottage cheese, butter, sour cream, etc., must be produced in a State Milk Board regulated facility. The packaging of these items must be intact and the proper temperatures maintained.

Whole, uncut fruits, vegetables, in-shell nuts and other whole agricultural products

Can be sold at a farmer's market without inspection. These foods should be stored and displayed so they are protected from contamination. Store them off of the ground and protected from rain or other environmental contaminants.



Wild mushroom species picked in the wild

Shall be obtained from sources where each mushroom is individually inspected and found to be safe by an approved wild mushroom identification expert. Additionally, the vendor of the mushrooms must be able to provide information on the wild mushroom expert that provided the inspection of the mushrooms.

Honey

Can be processed and bottled in a home kitchen without inspection if gross sales do not exceed \$50,000 annually. The honey must be labeled with the name and address of the persons preparing the food, the common name of the food and the name of all ingredients in the food.



Certain non-potentially hazardous foods

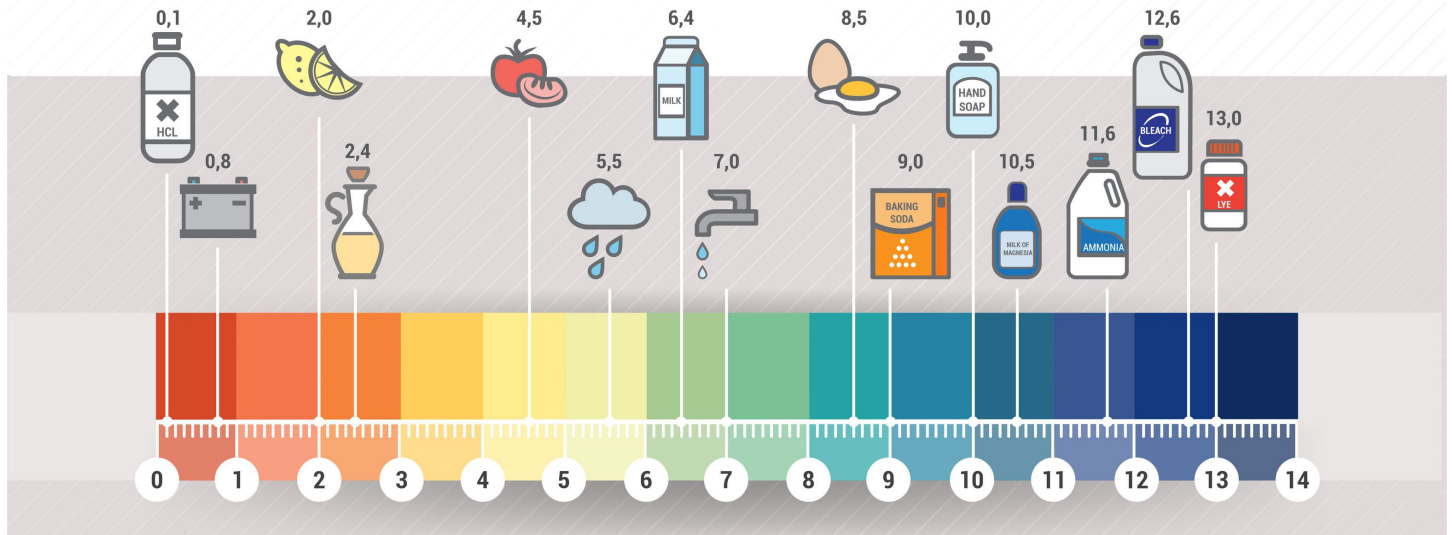
- Can be processed in a home kitchen without inspection if labeled “This product has not been inspected by the Department of Health and Senior Services” and have a placard at the sales location with the same notation.
- Certain non-potentially hazardous processed foods including, but not limited to: breads, cookies, fruit pies, jams, jellies, fruit butters, honey, sorghum, cracked nuts, packaged spices, dehydrated fruits and vegetables, and spice mixes, dry cookie, cake, bread and soup mixes. The following requirements must be met:
 - The seller is the individual actually producing the food.
 - The seller sells only to the end consumer.
 - All food items are labeled with the name and address of the processor, the common name of the food, all ingredients in the food, and a statement that the product is prepared in a kitchen that is not subject to inspection by the Department of Health and Senior Services.
 - If food items are sampled or served in unpackaged, individual portions, the sales booth must have a sign stating that the food is not subject to inspection by the DHSS

The Health Department and has the final authority in determining whether a food item can be sold under these regulations.

Sampling of jams, jellies, salsa and other similar foods may be allowed if limited preparation is required. An example might be a vendor putting a dab of jelly on a cracker, serving it to a customer on a napkin.



Requirements for sugar free or low sugar products



Home production of “sugar free” or no sugar added jams and jellies are an exception to the food code exemptions. Regular jams and jellies rely on the amount of sugar used and the pH of the finished product to prevent harmful bacteria from being a problem. The pH scale is used to measure the acidity of food products. (pH is measured on a scale of 0 to 14, where less than 7 is acidic and greater than 7 is basic.) Less sugar may allow enough moisture to be available for harmful bacteria to grow without other barriers. This means the pH of the product becomes the barrier to harmful bacterial growth. If fruit with a pH above 4.0 and artificial sweeteners are used, then botulism becomes a problem. Extra steps must be taken to assure the safety of products that use acidity to prevent harmful bacteria from being a problem.

Products that contain artificial sweeteners in the finished product need to be sent to a laboratory and have the pH tested.

A jam or jelly with a final pH below 4.0 can still be allowed to be made in home kitchens under the statutory exemption. The manufacturing process must be strictly followed in order to produce a product that would have the same pH as the tested sample. Even a slight change in the recipe would require re-testing. Products made from fruits with natural sugars in them should be labeled “no sugar added” since they will still contain natural sugars from the fruit after processing.

“Sugar free” or “no sugar added” jelly that has a pH between 4.0 and 4.6 must be made in an inspected or regulated facility. The pH should be

tested on every batch with a quality pH meter and a record kept of the results.

“Sugar free” or “no sugar added” jelly with a pH above 4.6 is not allowed under any circumstances to be produced in a home kitchen. These products would be classified as a low acid food and the manufacturer would need to attend a Better Process Control School and have the product evaluated by a process authority in accordance with federal law. Examples of these low-acid foods include pepper jelly, tomato jelly and similar products. Jellies made with juices should also be tested.

If the pH is below 4.0, then the pH will be considered the primary control point and the producer may proceed. If the pH is above 4.0, water activity becomes the primary control point and the water activity of the jelly must be tested in a laboratory.

If the water activity is below .80, the jelly can be allowed to be made under the food code exemption. The recipe and process should not be changed or the pH and water activity measurements previously determined will no longer be valid and would require retesting.

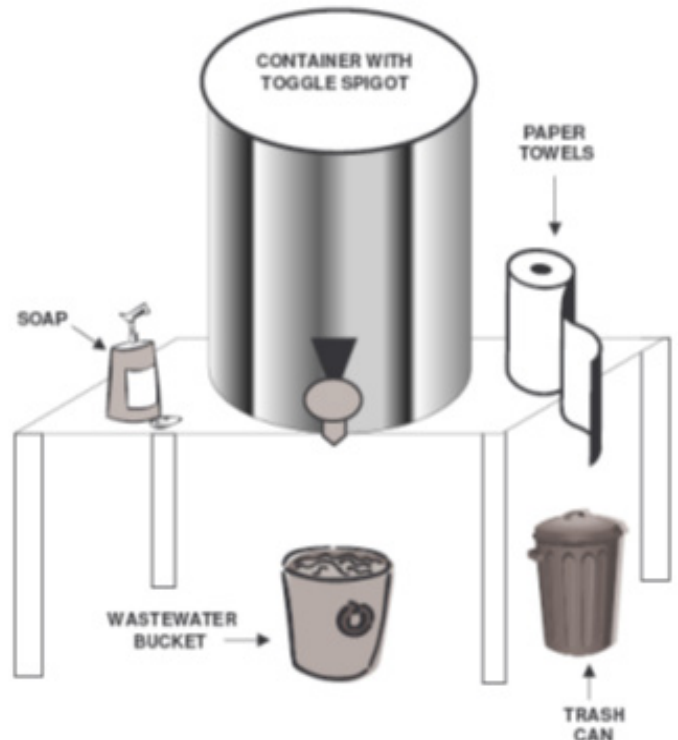
If the water activity for the jelly is between .80 and .85, it must be manufactured in a regulated facility and the water activity monitored.

Any product with a water activity above .85 would be considered a low acid or acidified food, which cannot be made in a home kitchen. The manufacturer of this product would need to attend a Better Process Control School and have the product evaluated by a process authority.

Basic requirements for sampling food at the farmers market

- Self-service samples are not permitted unless sneeze guards or similar counter protection is provided.
- Bare hand contact with ready to eat food is prohibited. Serving must be done in a manner that protects the sample from any bare hand contact. The use of gloves, single service utensils, napkins or tissues, or toothpicks may be used to sample.
- Potable water must be utilized for all food service uses.
- Minimum requirements will include immediate access to hand washing facilities. If a permanent pressurized hand washing facility is not available, a container with a spigot could be allowed. The container must allow water to flow until physically turned off - no pushbutton spigots. A container must be provided to collect wastewater. Liquid soap and paper towels must be available.
- Overhead protection is required. Fans or screens may be required on a case-by-case basis.
- Eating, drinking and tobacco use is prohibited in any food preparation area.
- Single-service or disposable utensils or dishware is required unless a 3-compartment dishwashing station is provided and utilized correctly, including the use of test strips for determining the proper

EXAMPLE OF A HANDWASHING SETUP FOR A TEMPORARY FOOD SERVICE EVENT



sanitizer concentration. Approved sanitizers include: bleach and quaternary ammonia.

Requirements for Sampling Fresh Fruits and Vegetables

- All food preparation (cutting fresh fruits and vegetables) must be done on site.
- All fruits and vegetables must be rinsed thoroughly in clean water. If cutlery is not disposable or single use, the 3-compartment warewashing station must be used.
- Fruits and vegetable sample servings must be protected from contamination at all times.
- A permit to sample is required, however there is no fee associated with the permit. A representative from Public Health and Human Services will issue a permit to the vendor once the vendor has met the basic sampling requirements.





Requirements for Sampling Meats

- All meats must come from inspected approved sources. Vendors must be able to show proof of the approved source.

- Meats must be in pre-formed patties or pre-cut portions not requiring preparation.

Meat items may be served directly from a covered grill using sanitary methods, such as toothpicks or tissues. If foods are cooked and held, the meat must remain above the minimum hot holding temperature of 135 °F. If time is used as a public health control, it must be declared in writing and unserved foods shall be disposed of immediately after 4 hours.

- Foods must be protected from contamination and flies at all times.

- If condiments are used, they must be available in single service packets.

- A permit to sample is required, however there is no fee associated with the permit. A representative from Public Health and Human Services will issue a permit to the vendor once the vendor has met the basic sampling requirements.

Temperature Control of Foods

- Required internal cooking temperatures for potentially hazardous food are: chicken $\geq 165^{\circ}\text{F}$; ground beef or other comminuted meats $\geq 155^{\circ}\text{F}$; whole muscle meats $\geq 145^{\circ}\text{F}$.

- The maximum cold holding temperature required for potentially hazardous foods that must be kept cold, including eggs, is 41 °F.

- The minimum hot holding temperature required for potentially hazardous foods that must be kept hot is 135 °F.

- Metal stemmed thermometers accurate to within plus or minus 3 °F must be provided to monitor temperatures. Alcohol swabs for sanitizing the stem of the thermometer must be provided.

What is a potentially hazardous food?

The food code defines a potentially hazardous food as:

- (a) 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 mixtures of cut tomatoes that are not modified in a way so that they are unable to support pathogenic microorganism growth or toxin formation; and garlic-in-oil mixtures that are not modified in a way so that they are unable to support pathogenic microorganism growth or toxin formation.
- (b) Except as specified in Subparagraph (3)(d) of this definition, a food that because of the interaction of its AW and PH values is designated as Product Assessment Required (PA) in Table A or B of this definition:

Table A. Interaction of PH and AW for control of spores in food heat-treated to destroy vegetative cells and subsequently packaged:

	PH: 4.6 OR LESS	PH: > 4.6 -5.6	PH: > 5.6
AW values	4.6 or less	> 4.6 - 5.6	> 5.6
<0.92	non-PHF*/non-TCS FOOD**	non-PHF/non-TCS FOOD	non-PHF/non-TCS FOOD
> 0.92 - .95	non-PHF/non-TCS FOOD	non-PHF/non-TCS FOOD	PA***
> 0.95	non-PHF/non-TCS FOOD	PA	PA

* PHF means potentially hazardous food ** TCS FOOD means time/temperature control for food safety

***PA means Product Assessment required

Table B. Interaction of PH and AW for control of vegetative cells and spores in food not heat-treated or heat-treated but not packaged:

AW values	PH: 4.2 OR LESS	PH: > 4.2 -4.6	PH: 4.6- 5.0	PH: > 5.0
< 0.88	non-PHF/non-TCS FOOD	non-PHF/non-TCS FOOD	non-PHF/non-TCS FOOD	non-PHF/non-TCS FOOD
0.88-0.90	non-PHF/non-TCS FOOD	non-PHF/non-TCS FOOD	non-PHF/non-TCS FOOD	PA***
> 0.90-0.92	non-PHF/non-TCS FOOD	non-PHF/non-TCS FOOD	PA	PA
> 0.92	non-PHF/non-TCS FOOD	PA	PA	PA

* PHF means potentially hazardous food ** TCS FOOD means time/temperature control for food safety

***PA means Product Assessment required

(3) “POTENTIALLY HAZARDOUS FOOD” does not include:

- (a) An air-cooled hard-boiled EGG with shell intact;
- (b) A food with an Aw value of eighty-five one-hundredth (0.85) or less;
- (c) A food with a PH level of four and six-tenths (4.6) or below when measured at seventy-five degrees Fahrenheit (75°F);
- (d) A food, in an unopened hermetically sealed container, that is commercially processed to achieve and maintain commercial sterility under conditions of non-refrigerated storage and distribution; and
- (e) A food for which laboratory evidence demonstrates that the rapid and progressive growth of

infectious or toxigenic microorganisms or the growth of *S. Enteritidis* in eggs or *C. botulinum* cannot occur, such as a food that has an Aw value above eighty-five one-hundredths (0.85) and a PH level above four and six-tenths (4.6) when measured at seventy-five degrees Fahrenheit (75°F) and that may contain a preservative, other barrier to the growth of microorganisms, or a combination of barriers that inhibit the growth of microorganisms.

- (f) A food that does not support the growth of microorganisms as specified under Paragraph 1 of this definition even though the food may contain an infectious or toxigenic microorganism or chemical or physical contaminant at a level sufficient to cause illness.

What is a Processed Food?

- Processed foods are defined as foods produced in a commercial operation that manufactures, packages, labels, or stores food for human consumption and does not provide food directly to a consumer.
- All processed foods must come from an approved and inspected kitchen unless they are listed as an exempt item. A Columbia Business license must be obtained from the City of Columbia Finance Business license office prior to selling non-exempt processed foods at the Farmers Market. A Health operating permit will be issued once the fees have been paid as Business License and proof of inspection from the local regulatory authority is provided.
- Sampling or sale of processed foods requiring preparation at the site must comply with mobile concession requirements or temporary food event rules. Please contact Columbia/Boone County Public Health and Human Services for more information about these requirements.

Salsa, Pickling and Fermenting

- Making salsa, pickling items and fermenting foods falls into the category of foods that are considered low-acid canned foods, acid foods or acidified foods.
- Certain food items, such as pickled products, relishes, salsas, salad dressings, and fermented items have additional requirements because of the nature of the food item. If you wish to produce these types of food items, you must file a copy of your process with the Missouri Department of Health and Senior Services (MDHSS) and the Food and Drug Administration (FDA). You will also be required to attend a Better Process School course. See the contact information for the MDHSS and the FDA for more information.
- Public Health and Human Services may also require a food analysis of any food item that is to be sold non-refrigerated. This includes food items preserved in vinegars. The analysis may include equilibrium pH and/or water activity readings for a determination of product safety. Please contact the Public Health and Human Services for information on how to obtain a food product analysis.
- Unless the food product is an exempt item, the processing operation must take place in an approved kitchen separate from the home kitchen. An adequate, sanitary supply of hot and cold running water under pressure must be available. Unless connected to public sewer, the facility must have an adequate, approved, properly functioning onsite wastewater system. A wastewater lagoon cannot be used for a commercial operation unless permitted by the Department of Natural Resources.
- Please see the brochure entitled “New Construction Requirements” for more information on the basic requirements for an approved kitchen, or you may contact Public Health and Human Services. You must also contact your local fire officials and planning and zoning department for approval.



Contact Information

Missouri Department of Health and Senior Services

Section for Environmental Public Health
(866) 628-9891

FDA (Food and Drug Administration)

(888) 723-3366
<http://www.cfsan/fda.gov>

Department of Natural Resources

Northeast Regional Office - (660) 385-8000

Columbia/Boone County Department of Public Health and Human Services

1005 W. Worley, PO Box 6015
Columbia, MO 65203
573-874-7346
www.como.gov

Cooking food to sell at the Farmer's Market



If you wish to occasionally cook food to sell, you will need to follow the requirements for temporary food events. You will need a temporary food permit from Public Health and Human Services, and the fee is \$40.00. If the event is for profit, you will also need a City of Columbia Business License.

A temporary food event is defined as an event lasting less than 15 days. If you wish to cook foods on a routine basis, this is not a temporary food event. You will need to follow the requirements for mobile food establishments. You will also need a permit from Public Health and Human Services and a City of Columbia Business License. All mobile food establishments shall operate out of a commissary and have a signed commissary agreement with an approved kitchen.

WHAT IS A COMMISSARY?

An approved kitchen or food preparation area available for unannounced inspection meeting criteria established by the Columbia Food Code and other applicable local rules and regulations. The permit holder for the commissary must be the same as the permit holder for the mobile vending vehicle or the operator must be able to supply written proof of access to an approved commissary. The operator must have free access to the commissary at all times without conflict with another food operation using the same commissary. The commissary must be permitted by the Columbia/Boone County Department of Public

Health and Human Services and meet all applicable Department standards.

WHAT IS A MOBILE FOOD ESTABLISHMENT?

An enclosed vehicle, a trailer licensed to operate on public roads, or any other type of mobile setup in which a person travels from place to place to serve food or beverage.

All mobile food establishments will be required to submit a written plan detailing what foods (menu) will be served and how the preparation and serving of the food is proposed. Detailed information demonstrating operator's knowledge of food safety principles will be required to satisfy the administrative authority.

GENERAL REQUIREMENTS: All food must be clean, free from spoilage, free from adulteration, and safe for human consumption. All food must be from an approved source. All potentially hazardous food (meats, cheeses, dairy products, fish, etc.) must be prepared on the site by a permitted operator or be prepared at another permitted facility. No foods prepared or stored in a private home or a non-permitted facility may be used or sold on a mobile food vehicle.

PERMITS: All mobile vendors must have a current Columbia/Boone County Department of Public Health and Human Services Operating Permit. This permit is renewable annually. Mobile vendors must

obtain a temporary business license and comply with terms and conditions of the permit. Fees are based on the gross receipts of the business per year.

WATER SUPPLY: A readily available supply of hot and cold running water from an approved source must be provided at all times to the vehicle. The water supply must be adequate to meet the needs of the establishment. This water must be stored in an approved container.

WASTEWATER: Wastewater must be retained in a spill proof, leak proof container with a 15% larger capacity than the water supply tank available on the vehicle. Wastewater must be disposed of into an approved sanitary sewer. Receipts verifying proper disposal may be required.

HANDWASHING: An approved hand wash sink must be installed with hot and cold running water under pressure with the following exception. No hand washing sink is required when only pre-packaged foods are sold or for pushcarts with a limited menu.



FOOD HANDLING: Bare hand contact with ready-to-eat food is prohibited. Cross-contamination of cooked foods with raw foods must be prevented at all times during food handling. The use of utensils such as tongs, forks and spatulas is required to minimize hand contact with food. Single-service articles/utensils may not be re-used. All food products must be individually wrapped or covered to protect them from contamination. Tobacco use is prohibited in any food preparation or service area. Galvanized and chipped enamelware containers shall not be used for food storage or preparation. All food must be properly stored off the floor or ground.

TEMPERATURE CONTROL OF FOODS: Potentially hazardous foods must be kept cold or hot, (41 °F

or below, 135 °F or above) at all times. Pre-cooked foods must be reheated to 165 °F before serving. Equipment must be provided that is capable of maintaining these temperatures at all times. Required internal cooking temperatures for potentially hazardous foods are: chicken ≥ 165 °F; pork ≥ 145 °F; ground beef ≥ 155 °; beef ≥ 140 °F. Partial cooking of potentially hazardous food is prohibited. Metal stemmed thermometers accurate to within plus or minus 3 °F must be provided to monitor these food temperatures.

CONSTRUCTION OF EQUIPMENT: Fans and or screens may be required to control flies. All food contact surfaces must be smooth, easily cleanable, non-absorbent, and non-toxic. They must be durable and kept in good repair. All other equipment must be constructed and maintained in a manner consistent with department standards. Overhead protection must be provided for all food preparation and food storage areas. Materials such as canvas, plastic or wood that protect the establishment from the weather will be approved. A site should be chosen which will minimize problems with dirt and dust.

ICE AND REFRIGERATION: Mechanical refrigeration units must be clean and in good repair and must be capable of maintaining food temperatures of 41 °F or below. Thermometers must be provided in all refrigeration units. If ice is to be used for temperature control, the following criteria must be met: Ice must be from an approved source. The ice-holding container must be constructed of non-porous materials, with an attached lid. Styrofoam coolers are not approved. Ice used for cooling food or beverages may not be used for human consumption. Ice containers must be drained to prevent accumulation of water.

SANITIZING AND SINK REQUIREMENTS: All mobile vendors preparing potentially hazardous foods must be equipped with an approved three-compartment sink with hot and cold running water. The sink must be of adequate size to submerge utensils and cookware halfway into the sink. Mobile vendors selling only pre-packaged foods require no sink. Mobile vendors operating from a permitted commissary may not be required to provide sanitizing facilities on the vehicle.

State & Local Agency Contact Information

Columbia/Boone County Public Health and Human Services

1005 W. Worley
P.O. Box 6015
Columbia, MO 65203
(573) 874-7346
<https://www.CoMo.gov/Health/>

City of Columbia Business License Office

701 East Broadway, 5th Floor
Columbia, MO 65201
(573) 874-7378
<https://www.gocolumbiamo.com/Finance/Services/blord.php>

Meat and Poultry Inspection Missouri Department of Agriculture Division of Animal Health

(573) 751-3377
www.mda.mo.gov

Egg Licenses and Certified Scales Missouri Department of Agriculture Weights and Measures

P.O. Box 630 Jefferson City, MO 65102
(573) 751-5639

Wild Mushroom Certification Missouri Mycology Society

www.momyco.org

Dairy Products Missouri State Milk Board

(573) 751-3830
www.mda.state.mo.us

Department of Agriculture Division of Weights and Measures

(573) 751-5639

Missouri Department of Health and Senior Services - Environmental Public Health

(866) 628-9891
FAQs:
<http://health.mo.gov/safety/foodsafety/industryfoods/retailfoods/faqs.php#4>

Canned or Jarred Products

Missouri Department of Health and Senior Services

930 Wildwood Drive Jefferson City, MO 65102-0570
Telephone: (573) 751-6400
Email: info@health.mo.gov

Acidified (pickled) Foods Section for Environmental Public Health (SEPH) (866) 628-9891

Sales/Use Tax

P.O. Box 840
Jefferson City, MO 65105-0840
General Inquiry Phone: (573) 751-2836
Balance Due Phone: (573) 751-7200
Fax: (573) 522-1160
salesuse@dor.mo.gov

Business Tax Registration

P.O. Box 3300
Jefferson City, MO 65105-3300
Phone: (573) 751-5860
Fax: (573) 522-1722
businesstaxregister@dor.mo.gov

AgriMissouri

Rachel Heimericks
Marketing Specialist
Office: (573) 751-7794
Cell: (573) 418-5514
Fax: (573) 7512868
Email: Rachel.Heimericks@mda.mo.gov
<http://agrimissouri.com/pdf/fmhandbook.pdf>