

FARMERS' MARKET AND OTHER PUBLIC FUNCTIONS GENERAL INFORMATION

Jackson County Missouri 2001 Food Code 3-201.11 Compliance with Food Law.

- (A) FOOD shall be obtained from sources that comply with LAW.
- (B) FOOD prepared in a private home may not be used or offered for human consumption in a FOOD ESTABLISHMENT.

Home Canned Goods (low acid foods such as vegetables, salsa and pickles):

1. All of these products must be made in an approved and inspected facility with a valid, food permit. Vendor must keep a copy of permit with them at their booth at all times.
2. Vendor must check the pH of each batch and keep records
3. Vendor must follow all federal regulations such as attending a better process control school.
4. Each product must be reviewed by a process authority.
5. Acidified foods that have not been through this process may be considered to be adulterated.

Names and contacts of two university programs capable of evaluating processes are given below. After one of these programs conducts an evaluation of the process and provides a written statement that the process (with any suggested modifications) is safe, we will allow the product at the function.

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Food Science Institute
Coordinator of Value-Added Program
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Manhattan, KS 66506-1600
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website: <http://fpc.unl.edu/marketing/ent.htm>

If the proposed food is a meat product, contact the Missouri Department of Agriculture at 573-522-1242 or USDA in Lawrence, KS at 785-841-5600 pertaining to the regulations.

No Sugar Added Jams and Jellies:

No sugar added jams and jellies must have a pH below 4.0. Jellies and jams must be sent off for testing on the pH. Certificate from testing must be submitted before the products can be sold. After the initial testing on pH individuals must check the pH of each batch with their own meter. A log of the pH should be available at the market booth.

Low Acid Jams and Jellies:

Pepper and tomato jams and jellies and similar products are classified as a low acid food. Low acid foods require pH testing, evaluation of the product, attendance to a better process control school, and production in a commercial kitchen.

Jellies made with juice:

Jellies made with juice should be tested for pH and water activity. If the pH is below 4.0 the producer may proceed to sell. If the pH is above 4.0 the water activity must be tested. If the water activity is below .80 the producer can continue to sell under the exemption. If the water activity is .80 to .85 it must be manufactured in a regulated facility where the water activity is monitored. Any product with a water activity above .85 would be considered a low acid food which cannot be made in a home kitchen for sale. The producer would need to attend a better process control school and have the product evaluated by a process authority.

For pH testing, you may contact Andrew Clarke, Ph.D. at 573-882-2610 or Lakdes Fernando at 573-882-3317, with the University of Missouri Food Science Department. Please provide the Jackson County Public Health Specialist with a copy of the test results of the process and a written statement that the process (with any suggested modifications) is safe, before we can allow the product at the function.

Jams, Jellies and Honey:

Producers of jams, jellies, preserves, fruit butters, sorghum and honey whose annual sales are thirty thousand dollars or less are no longer required to construct a separate facility to produce these products. The home kitchen is acceptable for these processors. Jackson County Health Authority will not regulate these operations if they meet the following requirements.

1. These products must be made in the home of the person processing them and sold by the processor directly to the end consumer.
2. During the sale of such jams, jellies and honey, a sign shall be displayed in a prominent location stating the following: THIS PRODUCT HAS NOT BEEN INSPECTED BY THE LOCAL HEALTH AUTHORITY.
3. Annual gross sales may not exceed thirty thousand dollars. The person manufacturing such jams, jellies and honey shall maintain a record of sales of jams, jellies and honey processed and sold. The record shall be available to the regulatory authority when requested.
4. The jam, jelly or honey containers must bear the following information: Name and address of the producer, Common name of the food, A list of all the ingredients in the food and A statement that the food has not been inspected by the local Health Authority.
5. Honey must be labeled with a disclaimer stating that honey should not be fed to children under the age of one.
6. Violators of these provisions may be prohibited from selling jams, jellies and honey by the Missouri Department of Health.

Bakery Goods:

Stands in which only foods meeting the following conditions are sold, sampled or served will not come under regulatory authority.

1. Non-potentially hazardous processed foods, except low acid canned and acidified foods, including, but not limited to breads, cookies, fruit pies, cracked nuts, packaged spices and spice mixes, dry cookie, cake, bread, and soup mixes. (Cream pies, meringue pies, and focaccia style breads with

- vegetables are potentially hazardous foods and will not be allowed at farmers markets.)
2. The seller is the individual actually producing the food or an immediate family member residing in the producer's household with extensive knowledge about the food.
 3. The seller only sells, samples or serves the food directly to the end consumer.
 4. All processed packaged foods bear a label stating the Name and address of the manufacturer/processor preparing the food, Common name of the food, A list of all the ingredients in the food and A statement that the product is prepared in a kitchen that is not subject to inspection by the local Health Authority.
 5. The consumer is informed by a clearly visible sign at the sales or service location that the FOOD IS PREPARED IN A KITCHEN THAT IS NOT SUBJECT TO REGULATION AND INSPECTION BY THE LOCAL HEALTH AUTHORITY.

Eggs:

It is required by the Jackson County Food Code that eggs be stored at a temperature of (41 °F) or below. Cold storage units holding eggs shall be equipped with a temperature measuring device accurate to $\pm 2^{\circ}\text{F}$ in the intended range of use. Sellers of eggs must possess an egg license issued by the Missouri Department of Agriculture as outlined on page 3 of this document.

Required Items for Vendors:

If selling:

1. **Home canned goods:**
 - a. Copy of written statement pertaining to evaluation of process.
 - b. Copy of Food Establishment Permit or last approved inspection report of local Health Authority.
2. **Jams, Jellies, Honey and non potentially hazardous bakery goods:**
 - a. Sign indicating that FOOD IS PREPARED IN A KITCHEN THAT IS NOT SUBJECT TO REGULATION AND INSPECTION BY THE LOCAL HEALTH AUTHORITY.
 - b. Product labeling of containers as specified under **Jams, Jellies and Honey** (4).
3. **Bakery goods (prepared with no potentially hazardous food);**
 - a. Sign indicating that FOOD IS PREPARED IN A KITCHEN THAT IS NOT SUBJECT TO REGULATION AND INSPECTION BY THE LOCAL HEALTH AUTHORITY.
4. **Packaging:**
 - a. All packaging should be new and clean.
 - b. Egg cartons may be re-used if previous information is marked out.
5. **Eggs:**
 - a. Copy of Missouri Department of Agriculture Egg License.
 - b. Cold holding unit capable of keeping eggs at 41 °F or below.
 - Temperature measuring device in cold holding unit accurate to $\pm 2^{\circ}\text{F}$
 - c. Egg cartons must be labeled with the name and address of the farm providing the eggs.

Dairy & Poultry:

Egg Licensing & Inspection -

Egg quality is highly important to most consumers. That's why the Weights and Measures Division licenses egg producers, dealers, and retailers and also inspects eggs sold in Missouri for quality. Anyone who buys or sells eggs must be licensed and renew that license annually.

The Weights and Measures division issues three types of egg licenses:

Retailer's License –

A retailer is any person who sells eggs to a consumer.
Fee - \$5.00

Dealer's License –

A dealer is any person who buys eggs from producers or other dealers to sell eggs to another dealer, processor, or retailer. Fees are determined by the number of cases of eggs sold in any one week.

- (a) 1 - 25 cases \$ 5.00
- (b) 26 - 50 cases \$ 12.50
- (c) 51 - 100 cases \$ 25.00
- (d) more than 100 cases \$ 50.00

Processors License –

A processor is any person engaged in breaking eggs or processing egg liquids, whole egg meats, yolks, whites, or any mixture of yolks and whites with or without adding other ingredients. Fees are based on cases of eggs (or the equivalent in liquid or frozen eggs) processed in any one day.

- (a) Less than 50 cases \$ 25.00
- (b) More than 50 cases, less than 250 cases. \$ 50.00
- (c) More than 250 cases, less than 1000 cases \$ 75.00
- (d) More than 1000 cases \$100.00

The statutes governing the egg licensing and inspection program can be found in Chapter 196 of the Revised Missouri Statutes, 196.311 through 196.361. Rules and regulations are located in the Code of State Regulations – 2 CSR 90-36.010 and 2 CSR 90-36.020. To obtain a handbook containing the egg laws and regulations contact the Device & Commodity Inspection Program.

Fruits and Vegetables:

A produce stand that offers only whole uncut fresh fruits and vegetables is not considered a food establishment. ***A stand wishing to cut fruits and vegetables for sampling will need to obtain a temporary food permit.*** Applications and guidelines are available on the Jackson County web site at www.jacksongov.org/publicworks. Click on Food Establishments, then Applications. A permit will only be issued if all guidelines are followed.

Dried Spices:

Dried spices can be packaged and sold. Dried spices added to oils cannot be sold. The mixture causes an environment that allows harmful bacteria to grow at certain temperatures. Refrigeration is required making the end product a potentially hazardous food.

Pet Treats and Feed:

Anyone wishing to produce or sell pet (cat or dog) treats and feed in the state of Missouri must first submit a Feed License Application before they start distributing. Producers must also pay a \$25.00 annual inspection fee and file a Product Listing Form for pet foods sold exclusively in packages of ten pounds or less and on specialty pet foods sold only in packages of one pound or less. Visit the Missouri Agriculture website at mda.mo.gov/ for more information.

Missouri Department of Agriculture
Weights and Measures Division
Device & Commodity Inspection Program
P.O. Box 630
1616 Missouri Blvd.
Jefferson City, MO 65102
(573) 751-5639 or (573) 751-2495

**THIS FOOD WAS PREPARED IN
A KITCHEN THAT IS NOT
SUBJECT TO REGULATION
AND INSPECTION BY THE
LOCAL HEALTH AUTHORITY.**

CONTACTS:

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