



Farmer's Markets

What items are allowed to be sold without a temporary or mobile food license at a farmer's market?

- Fresh unprocessed fruits or vegetables
- Approved Cottage Food Items
- Maple Syrup, Sorghum, or Honey that is produced according to 3715.021 ORC

How do I register a Farmer's Market?

- Contact the Food Safety Division at the Ohio Department of Agriculture by calling 614 728-6250 or by emailing foodsafety@agri.ohio.gov

Is there a limitation on the size of my display/stand?

Yes, the size of the display may not exceed 100ft³ of prepackaged non-time/temperature controlled food safety (potentially hazardous) food items. If the stand exceeds 100ft³, a Temporary Retail Food Establishment license must be obtained from the local health department.

What items REQUIRE a food license (temporary or mobile) at a farmer's market?

- Selling meat (Pork, Chicken, Beef, Bison, etc.)
- Cheese products
- Eggs
- TCS Bakery Items (Cream pies, custard pies)
- Poultry Items
- Displays of more than 100ft³ of prepackaged non-TCS food items
- Anytime food is cooked/prepared onsite and sold to the customer

Are there any items that cannot be sold at a Farmer's Market?

Yes. No home canned food items such as pickles, salsas, relishes, corn or green beans are permitted to be sold at Farmer's Markets. All canned food items (with the exception of jams, jellies, fruit butters, and fruit chutneys) must be produced in a licensed facility.

Are there requirements to sell meat?

Yes. All meat must be from an ODA/FDA inspected meat facility AND must be properly labeled. A **temporary or mobile food license** is required to sell any meat item.

What are the requirements for selling TCS food items at a Farmer's Market?

All TCS food items must be from an approved source and, if needed, be properly labeled.

A **temporary or mobile license** is required for selling cheese curds, cheese, frozen meat/poultry/fish, and eggs. The temporary license is a time limited license and must be obtained prior to operating at the farmer's market. This license must be obtained from the health department who has jurisdiction over the location of the farmer's market. A mobile license may be issued from any local health department in Ohio.

Cottage Food Items

What is a Cottage Food Operation?

A cottage food production operation is defined in ORC 3715 to mean a person who, in the person's own **home***, produces food items that are **NOT** time/temperature controlled for safety (TCS). All food items must be shelf stable, and may not require refrigeration.

**Home is defined in 3715.01(B)(20) ORC as the "primary residence occupied by the residence's owner, on the condition that the residence contains only one stove or oven used for cooking, which may be a double oven, designed for common residence usage and not for commercial usage, and that the stove or oven be operated in an ordinary kitchen within the residence"*

Does a cottage food operation need a license?

No. A cottage food operation that produces any of the foods listed below **AND** labels all food items properly is exempt from licensure.

What foods are NOT allowed to be cottage food items?

- Any TCS food item
- Any food items that used reduced oxygen packaging
- Processed acidified and low acid canned foods (salsa, green beans, corn, etc.,)
- Any food item not listed in Chapter 901:3-20 of the Cottage Food Rules

What foods ARE considered to be cottage food items?

This list found in Chapter 901:3-20-04 of the Cottage Food Rules

- Non-TCS bakery products (ex., cookies, breads)
- Jams
- Jellies
- Candy, not including fresh fruit dipped, covered, or otherwise incorporated with candy
- Flavored honey which has been produced by a beekeeper exempt under 3715.021(A) of the Ohio Revised Code
- Fruit Chutneys
- Fruit Butters
- Granola, granola bars, granola bars dipped in candy, if fruit is used, it must be commercially dried
- Maple sugar produced by a maple syrup producer exempt under 3715.021(A) of the Revised Code
- Popcorn, flavored popcorn, kettle corn, popcorn balls, caramel corn, not including popping corn
- Unfilled, baked donuts
- Waffle Cones and waffle cones dipped in candy
- Pizzelles
- Dry cereal and nut snack mixes with seasonings
- Roasted coffee, whole beans or ground
- Dry baking mixes in a jar, including cookie mix in a jar
- Dry herbs and herb blends
- Dry soup mixes containing commercially dried vegetables, beans, grains, and seasonings
- Dry seasoning blends
- Dry tea blends

*****Cottage food products may not be packaged using reduced oxygen packaging*****

Where can cottage food operations sell their food items?

- At the home where the food is produced
- A licensed food facility (retail food establishment or food service operation)
- A registered Farmer's Market, Farm Market, Farm Product Auction
- Cottage food items may also be used as ingredients in licensed food facilities

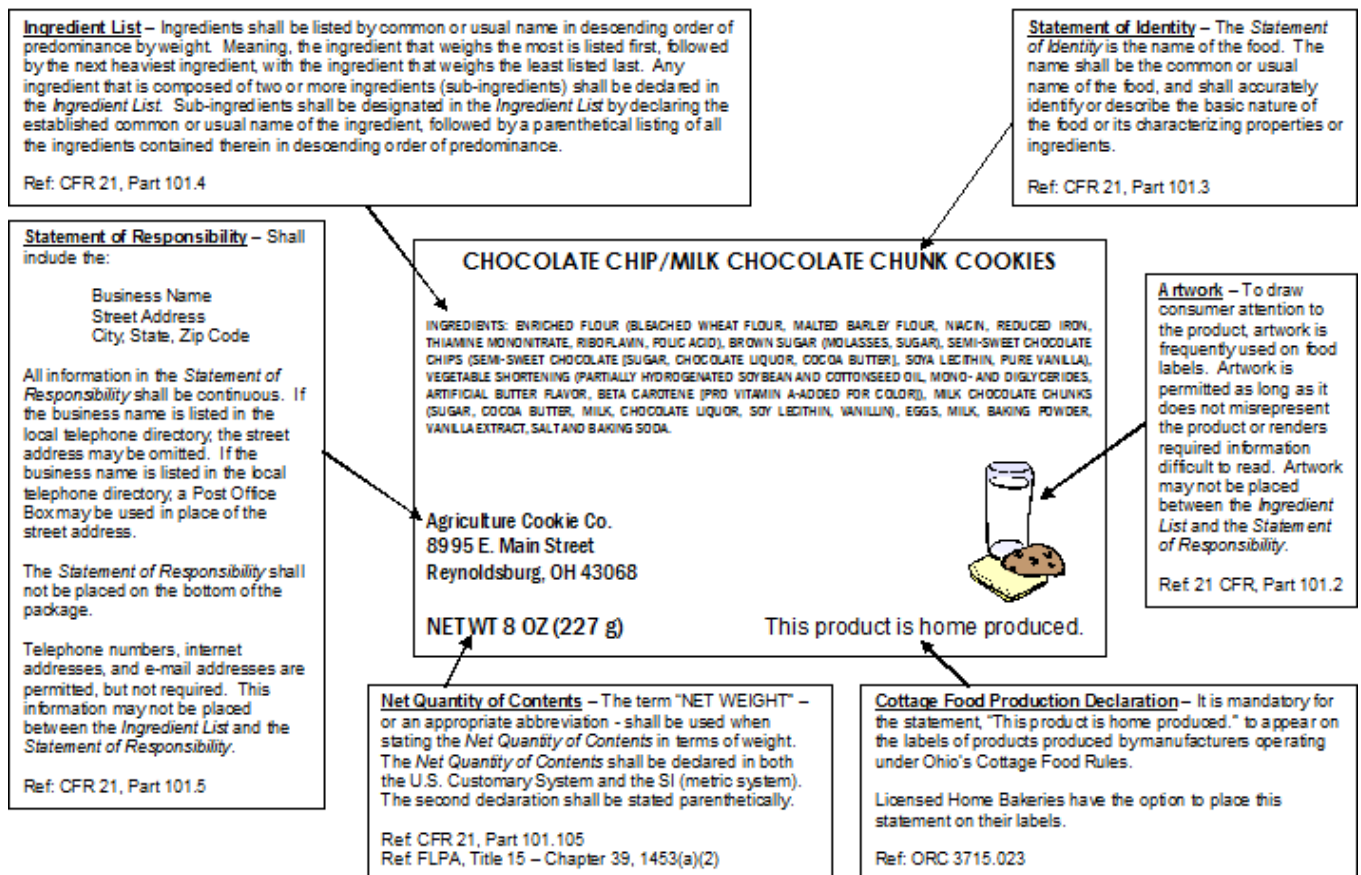
What are the labeling requirements for Cottage Food items?

Every cottage food label must have the following items:

- Statement of Identity - the name of the food product
- Net Quantity of Contents - the net weight, in both U.S. Customary System and International system
- Ingredient List - ingredients of the food product, listed in descending order of predominance by weight
- Statement of Responsibility - the name and address of the business
- The following statement in ten-point type: "This Product is Home Produced".

Example Label from the Ohio Department of Agriculture, Food Safety Division

BASIC COMPONENTS FOR LABELING REQUIREMENTS



If you have any questions regarding Farmer's Markets or Cottage Food Operations, please contact our office by calling 614-525-3160 or by emailing food@franklincountyohio.gov.