

Farmers Market Permit Guidelines:

1) General Definition:

- a) A Farmers market is a designated location used primarily for the distribution and sale of food directly to consumers by farmers and other producers. 25 TAC §229.702 (2)

2) Permit Required :

- a) Vendors who sale foods that require time/temperature control for safety (potentially hazardous foods); as defined in 25 TAC §228.2 (144) shall be required to obtain a permit from Fannin County Health Department. Applications for Farmers Market Food Establishment Permit must be received by the Health Department at least 5 business days before the first event. One person must be in charge.
 - i) Annual Permit: The annual permit is valid for one calendar year; the establishment may operate at any designated location within Fannin County meeting the definition of a Farmers Market, and only when the Farmers Market is in operation.
 - ii) One-time: The one-time permit is valid for seven calendar days; the establishment may operate at any designated location within Fannin County meeting the definition of a Farmers Market, and only when the Farmers Market is in operation. This permit is only allowed to be obtained twice per calendar year.
- b) Operators of all food stands shall comply with these requirements. All persons preparing and serving time/temperature control for safety food (potentially hazardous food) must have valid/current food handler permits required by county and city ordinances or there must be a certified food manager in charge.
- c) Vendors who produce and are selling only pre-packaged non-potentially hazardous foods (foods that do not require time and temperature control for safety) will not be required to obtain a health permit, but will be required to submit a manufacturing permit from the Texas Department of State Health Services with their Farmers Market permit application.

3) Prepackaged Foods:

- a) Egg Products. An egg producer that sells only ungraded eggs from their own flock may be exempt from licensing from the Texas Department of Agriculture, but must be permitted by the Department of State Health Services or the local food authority. The eggs must be stored at 45 degrees or less, and meet specific labeling requirements—this includes the name and address of the producer as well as the word “ungraded” as described in 4 TAC §15.8 (d).
- b) Meat products. Any vendor selling meat products must have the meat processed under USDA or DSHS regulations. Specific labeling requirements must also be met. Meat must be stored in a mechanical freezer at 0 degrees or less. Labeling requirements must be in accordance with 9 CFR §317.2

4) Cottage Foods:

- a) An individual who operates a cottage food production operation must have successfully completed a basic food safety education or training program for food handlers accredited under Health and Safety Code, Chapter 438, Subchapter D. All cottage foods must be labeled in accordance to 25 TAC §229.661 (d).

5) Labeling:

- a) Absolutely no unlabeled foods may be sold to the public from a food vendor. Any unlabeled foods, improperly labeled foods or foods that are found being held at improper temperatures may be detained or immediately condemned by the inspecting officer.

6) Sampling:

- a) Only the vendor may prepare and dispense samples. Open samples shall be prepared on site. Home preparation of samples is not permitted To provide open samples of food at the Farmers Market you must obtain a permit at no cost and comply with the following:
 - i) Distribute the samples in a sanitary manner.
 - ii) Have potable water available.
 - iii) Wash any produce intended for sampling with potable water to remove any visible dirt or contamination.
 - iv) When preparing the samples wear clean disposable plastic gloves and observe proper handwashing techniques immediately before preparation.
 - (1) Handwash facilities with water, soap and individual disposable towels shall be provided for handwashing. The handwash facility may consist of a container of water with spigot and catch pan or two separate basins, one for washing and one for rinsing. Chlorine bleach at 100 ppm will be used as a sanitizer (1 tsp of bleach per 2 quarts of water = 100 ppm) for wiping cloths and sanitizing hands.
 - v) Use smooth, nonabsorbent, and easily cleaned (i.e. metal or plastic) utensils and cutting surfaces for preparing samples, or use disposable utensils and cutting surfaces.
 - vi) Samples of cut produce and other time/temperature control for safety foods (potentially hazardous foods) shall be maintained at a temperature of 41 degrees or below or 135 degrees and above or discarded within two hours after cutting or preparation. A sample is defined as a bite size portion, not a full serving.

7) Cooking:

- a) If you intend to do cooking of any kind at a Farmers Market, you must meet all requirements of a temporary food establishment as well as the requirements below.

8) Guidelines for Selling Meats at the Farmers Market.

- a) Only packaged meat will be allowed. All meat must come from an approved source. (USDA stamp or DSHS – Meat and Safety Assurance)
- b) All meat items must be stored and displayed in a mechanical freezer approved by the Fannin County Health Department.
- c) All labeling requirements must comply with USDA and DSHS rules and regulations.
- d) The processing plant must be USDA or DSHS inspected unless it has a small producer exemption. A small producer must provide proof of exemption and meet labeling requirements. The producer shall provide either a grant of inspection or exemption.
- e) The meat storage facility must provide proof that it is a licensed facility under the Department of State Health Services.
- f) If the meat is stored in a facility other than the processing plant, a copy of the latest health inspection by the local regulatory authority shall be provided.
- g) The following must be provided to Fannin County Health Department before operation at any Farmers Market:
 - i) Completed application
 - ii) Equipment inspection
 - iii) Processing license, (or proof of exemption)
 - iv) Storage license
 - v) Copy of product labels

9) Equipment:

- a) Surfaces. All food and non-food contact surfaces shall be clean and in good repair.
- b) Temperature Control. Adequate equipment must be available to keep food cold at 41degrees F (45 degrees F for eggs) or below, reheat food rapidly to 165 degrees F or above, and to maintain hot food at 135 degrees F. or above. Rotisseries, grills and microwaves are approved heat sources. An accurate food product thermometer must be available and used, the thermometer must be metal stemmed and scaled 0 to 220 degrees F.
- c) Thermometers. Thermometers shall be stored in hot and cold holding devices.
- d) Food Stands. Shall have at least three sides or be positioned to prevent the entry of unauthorized personnel into the service area. There shall be sufficient tables/counters for equipment, supplies, and food preparation. Booths shall have overhead protection, such as canvas or plastic. If flies or other insects are present, pyrethrum sprays or fly bait granules may be used, and foods must be properly protected. No food should be exposed to insects or other contamination. All wooden surfaces shall be painted or sealed.
- e) Hair Restraints. All personnel involved in food preparation or service are required to wear a hat, visor, or hair net at all times.
- f) Restrooms with adequate handwashing facilities must be provided by the market sponsors if the public is served.