Manitoba
Health and Healthy Living

farmers' markets
association of manitoba co-op inc.

Manitoba
Agriculture, Food
and Rural Initiatives

FARMERS' MARKET GUIDELINES

A **Farmers' Market** is a short-term operation for the sale of produce and prepared food products under the direction of a designated operator. This guideline also applies to flea markets, craft sales, bake sales and other such establishments.

As consumers look to source locally produced food and support local economies by buying food produced close to home, the popularity of farmers' markets continues to grow. This document will assist entrepreneurs meet regulatory requirements for selling food at farmers markets.

This is a guideline only. Additional items may be required by the Public Health Inspector pursuant to the *Food and Food Handling Establishments Regulation – MR 339/88R (The Public Health Act).* All markets must be approved by and receive an operating permit from a Public Health Inspector before opening.

June 2009 **Guideline #HPU09-01**

GUIDELINES FOR THE OPERATION OF A FARMERS' MARKET

1. Definitions:

Farmers' Market: a short-term operation for the sale of prepared food products under the direction of a designated Operator. Also covers other types of temporary food markets such as flea markets, craft sales, bake sales and other such establishments.

Vendor: a person who rents or leases a stall or space at a Farmers' Market for the purpose of displaying or offering product for sale.

Operator: a person who is responsible for ensuring the market is organized, designed, operated and maintained in accordance with this guideline and the regulation. They are also responsible for registering for the operating permit.

Potentially Hazardous Food: Any food that, given the right conditions of time, temperature and moistness, can support the growth of pathogens. Pathogens are micro-organisms that cause disease, and include bacteria, viruses, parasites, protozoa and fungi.

2. Responsibilities:

The Operator as designated by the Health Permit is responsible for ensuring the market is designed, operated and maintained in accordance with the guideline and the Food and Food Handling Establishments Regulation MR 339/88R under *The Public Health Act*.

Vendors are permitted to sell foods listed on page 8 of this guideline. Vendors wishing to sell *"potentially hazardous foods"* from page 7 are required to obtain a separate health permit, as required under the regulation. For foods not listed, please contact your local public health inspector.

3. **Registration:**

- The Operator must register the Farmers' Market on the form provided by the Public Health Inspector at least **14 working days** before starting operation.

- As part of the registration, the Operator shall provide a list of known vendors along with their name(s), civic and mailing addresses and telephone information. The operator must maintain and have on-site a current list of all vendors operating at the market.

4. **Permit:**

- No person shall operate a Farmers' Market unless in possession of a valid permit issued by the Public Health Inspector.

- Operators must post the permit in a conspicuous location within the market place.

- Unless otherwise approved by a Public Health Inspector, the operation of a Farmers' Market is restricted to a maximum of two days per week.

- No person shall transfer or assign a permit without the approval in writing from the Public Health Inspector.

5. **Food Supplies:**

- Food shall be in sound condition, free from spoilage, adulteration, poisonous or toxic substances, filth or other contamination and shall be kept safe for human consumption.

- No person shall sell, offer for sale, deposit for sale or have in a Farmers' Market any food that is potentially hazardous unless prepared and packaged in an approved establishment. Potentially hazardous foods include meat or meat products, poultry or poultry products, milk or milk products, or any food with these products as ingredients (e.g. homemade perogies, cabbage rolls, sandwiches, and cream-filled pastries). Note: These products must be packaged and labelled by the approved establishment.

- No person shall use or sell food from hermetically sealed containers where that food was not prepared in a government inspected food processing plant. The exceptions are jams, jellies and pickles with a pH of 4.6 or lower.

6. **Food Protection:**

- Food shall be protected at all times from insanitary conditions and from potential contamination, including dust, insects, rodents, animals, unclean equipment and utensils, unnecessary handling, coughs, sneezes, flooding and drainage through the use of clean, new, approved packaging or display cases. Whole uncut raw vegetables and fruit are excluded from the packaging requirement.

- No person shall sell or be in possession of any food that has been salvaged from fires, snow storms, floods, transport accidents, or other disasters.

- Food that is spoiled or damaged shall be promptly disposed of in accordance with regulations.

- Containers of food shall be stored a minimum of 15cm (6 inches) off the ground (floor).

- Packaged food shall not be stored in direct contact with water or undrained ice.

- Potentially hazardous foods requiring refrigeration shall be kept at an internal temperature of 5°C (41°F) or below.

- Frozen foods shall be kept frozen (-18°C/0°F or below).

- Only jars which are proper sealing (mason-type or equivalent) may be used for pickles and relish. These jars may be reused providing they are in good condition, clean and properly sterilized; however, rubber sealing rings and snap lids must be new.

7. Labelling:

All home packaged food shall be labelled identifying the following:

- Source – producer name or identity code, and phone number
- Common name of food
- Ingredients
- Date the food was prepared

For further information on labelling requirements, vendors can visit the Canadian Food Inspection Agency website at: www.inspection.gc.ca

8. Equipment and Utensils:

All utensils, display cases, counters, shelves, tables, refrigerating equipment, sinks and any other equipment used in connection with a Farmers' Market operation shall be so constructed as to be easily cleaned and shall be kept clean and in good repair at all times.

9. Plumbing Facilities:

- The operator shall ensure that the Farmers' Market is provided with at least one single compartment sink that is easily accessible to all producers on the premises, serviced with hot and cold running water and connected to an approved drainage system.

- The operator shall ensure that the Farmers' Market is provided with at least one toilet and one hand basin for each gender that is easily accessible and maintained in a clean condition and in good repair.

- The operator shall ensure that the hand wash basins are provided with hot and cold running water and connected to an approved drainage system.

- The operator shall ensure that a supply of soap and single service towels are conveniently located at each hand wash basin.

- Any other system approved by a Public Health Inspector.

Note: If the Farmers' Market is to be located in an area where piped water is not available, hand wash facilities must be approved by a Public Health Inspector.

10. Grounds:

- The operator shall keep the area around the food booths and immediate adjacent grounds clean and free from litter and rubbish.

- The operator shall ensure that a sufficient number of covered containers are provided to hold all garbage and refuse.

11. Personal Hygiene:

All persons handling food products shall conform to proper hygiene practices and be free from disease conditions which may contaminate foods (i.e. open sores, cold, flu).

12. Food Sampling

All samples offered by vendors must meet the following criteria:

- Non-perishable food samples must be stored in rigid, covered containers until serving.
- All samples must be pre-cut away from the sales unit.
- All samples of potentially hazardous foods must be prepared in a licensed kitchen facility.
- Samples should be of adequate size and proportionally spaced to minimize customer handling.
- All samples must be held and dispensed under clean and sanitary conditions. (I.e. toothpicks provided for sampling).
- All vendors giving free samples MUST provide a waste container in a prominent place and labeled for use by the public.
- Keep potentially hazardous food ***cold*** at 41°F (5°C) or colder – or ***hot*** 140°F (60° C) or hotter.
- Adequate cooking equipment, probe thermometers and hot and cold storage facilities with appropriate thermometers must be provided for the food being handled.
- Avoid touching food with bare hands, use disposable gloves, tongs, scoops or clean napkins.
- Food handlers shall wear clean full length aprons or smocks and hair restraints.

Examples of Potentially Hazardous Foods. These Foods MUST ALWAYS be prepared at an approved Food Handling Establishment and conform to all other applicable regulations

Antipasto
Cabbage Rolls
Chocolate (unless used as an ingredient that has undergone a cooking process above 71°C (160° F) e.g. fudge, chocolate chip cookies, etc.)
Cole Slaw
Cream filled or custard filled pastries
Dairy Products
Fish
Garlic Spreads
Homemade soups
Meat or Meat Products
Perogies
Pickled Eggs
Pies with Meringue (egg product)
Pumpkin Pie
Salsa
Ungraded Eggs
Whipped Butter
Wild Mushrooms (not allowed to be sold under any circumstances)

Any other *"potentially hazardous food"* item.

Foods are on this list because they are commonly implicated in food poisoning illness outbreaks. They require special care and handling during preparation. Approved food handling establishments have the equipment and facilities to produce these foods in a safe manner.

Just because a food product is on this list does not mean that it cannot be sold at a Farmers' Market, just that it must be prepared in an approved Food Handling Establishment. Your local church hall, community center, legion or nursing home may be places to make inquiries. They may already have the facilities needed to obtain a permit. You can also talk to other established food businesses in your community or other vendors at the market. The Food Development Center in Portage la Prairie may also be able to assist you. Contact them by phone at 204-239-3150 or toll free 1-800-870-1044 or on the web at http://www.gov.mb.ca/agriculture/fdc/

Once you have located a facility, check with your local public health inspector to make sure it meets the regulatory requirements. You will also need to obtain your own permit to process the food product, separate from any permit that the facility may already have.

Examples of Foods which **MAY** be Prepared at Home and Sold at a Farmers' Market:

Bread
Brownies
Buns
Butter Tarts
Cakes e.g. - carrot cake, etc. with sugar icing (no whipped cream or synthetic cream (whipped topping products).
Cereal Products
Cinnamon Buns
Cookies
Dried Fruit
Dry Rice
Flaked Pastry with Fruit Fillings
Fruit
Fruit Rollups
Fruit-filled Pies
Fruit-filled Tarts
Fudge
Hard Candy
Honey
Hot Cross Buns
Jam
Jelly
Matrimonial Cake
Muffins
Noodles (Dry Only)
Peanut Brittle
Pickles with a pH of 4.6 or lower (vinegar-based)
Popcorn
Preserves (fruit soaked with sugar)
Pumpkin Seeds
Relish - with a pH of 4.6 or lower (vinegar-based)
Rice Crispie Cake
Spices
Sunflower Seeds
Syrup
Toffee
Vegetables
Wine Vinegar

Any other non-potentially hazardous food products approved by the Public Health Inspector.

For further information, contact your local Public Health Inspector and visit the Health Protection Unit's website at:

www.gov.mb.ca/health/publichealth/environmentalhealth/index.html