

Shelby County Farmers Market Food Vendor Regulations

EXAMPLES OF RESTRICTED PHF

- Meat (domestic or wild) – Allowed if slaughtered and processed at a licensed facility and sold frozen and in original packaging with date and facility information on label or packaging.
- Aquatic animal products
- Dairy (including raw milk)
- Egg products* *Excluding some baked items and dried noodles; raw shell eggs can be sold through egg board
- Use of “reduced oxygen packaging” (ROP) methods
- Canned or hermetically sealed containers of acidified or low-acid foods
- Cut melons
- Raw seed sprouts
- Non-modified garlic-in-oil mixtures
- Can't be Done as a HBV
 - Pickles, if made by acidification, cannot be sold by a HBV
 - Low acid and acidified foods must be commercially sterile - Green beans, pickled beets, salsa...

EXAMPLES OF ALLOWED HBV PRODUCTS

- Baked goods – cakes, fruit pies, cookies, brownies, dry noodles
- Candy and confections – caramels, chocolates, fudge, hard candy
- Produce – whole and unprocessed
- Tree nuts and legumes
- Honey, molasses, sorghum, maple syrup
- Jams, jellies, preserves – only high acid fruit
- Rabbit, poultry and shell eggs

LABELING

- HBV food products must be labeled
 - Producer's name and address
 - Common name of food product
 - Ingredients of food product
 - Net weight and volume or numerical count
 - Date food product was processed
 - The following statement in 10-point type:
 - **“This product is home produced and processed, and the production area has not been inspected by the State Department of Health.”**
- In place of labeling on the product a placard may be used in some situations:
 - When the product sold is not packaged
 - Must contain all the same required labeling information
 - Labeling is encouraged in most situations

SAMPLING OF HBV PRODUCTS

- Food sampling by a HBV:
 - Sampling does not include the assembling of 2 or more HBV food products at point of sale
 - Sampling must be discontinued if not conducted in a sanitary manner
 - Practice “proper” sanitary procedures including:
 - Hand washing
 - Sanitation
 - Safe storage
 - Protection from contamination

ADDITIONAL POINTS FOR HBV’S

- May not sell other commercially prepared products (prepackaged items)
- Shall not deliver to any location other than a farmer’s market or roadside stand
- May not sell products in another state at a farmer’s market or roadside stand without meeting the requirements of that state
- A HBV is subject to inspection or samples of a HBV’s food product can be taken by the regulatory authority if the HBV is non-compliant, the HBV’s food product is misbranded or adulterated, a consumer complaint is received, or there is an occurrence of an imminent health hazard Regulatory Authority
 - The regulatory authority may require further information or testing of a food product to determine whether a food product is potentially hazardous or not

DEFINITIONS:

- **Farmers’ Market:** a common facility where two or more farmers or growers gather on a regular recurring basis to sell a variety of fruits, vegetables and other farm products directly to consumers
 - Can be combined with other events, but must be with the farmer’s market
 - This is NOT an individual produce market operated by a person or company
- **Roadside Stand:** a place, building, or structure along, or near, a road, street, lane, avenue, boulevard, or highway where a HBV sells food product(s) to the public. This does NOT include the HBV’s residence or a regulated food establishment.
- **“Home-Based Vendor”:** an individual who:
 - Has made a non-potentially hazardous food product in their primary residence
 - Is selling the food product they made, only at a roadside stand or farmers’ market
 - Complies with IC 16-42-29 Definitions
- **Potentially hazardous food products (PHF):** Natural or synthetic foods that require temperature control because of capability to support:
 - Rapid and progressive growth of infectious/toxigenic microorganisms (Clostridium botulinum, Salmonella enteritidis)
 - pH (acidity), water activity (Aw) and other intrinsic factors are considered when deciding