# Illinois FARMERS MARKET Food Safety Guide

*May 2023*

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# INTRODUCTION

The Farmers Market Food Safety Guide was developed to provide standards, guidelines and consistent information to Illinois vendors and market managers to provide fresh, safe, and quality food to the consumer. In an effort to bolster local food entrepreneurship while ensuring food safety, the Farmers Market Food Safety Guide offers advice on food items that may be sold, conditions that must be met at the point of sale and helpful tips on food safety. The guide also contains information regarding some of the risks involved with foods often distributed at farmers markets and basic guidance on safe transportation, delivery, and display of foods.

The Farmers Market Food Safety Guide represents a collaborative effort between the Illinois Department of Public Health (IDPH)'s Food, Dairies and Devices Section and a joint membership of representatives from county farmers markets, agricultural production associations and local health departments. The guide is navigable by food type and references. Any questions regarding this guide can be directed to the IDPH at DPH.Food@illinois.gov. For questions or concerns on specific farmers market items, contact your local health department. See https://dph.illinois.gov/about/lhd.html for a list of local health department contact information. Additionally, below is a list of relevant Illinois statutes and rules that provide the legal basis for regulating farmers markets. Note that this list is not comprehensive. There may be other applicable regulations or local ordinances.

A special thanks to the Illinois Farmers Market Task Force who originally created this guide. Their hard work and dedication in the creation of the original guide in 2012 allowed for this update to continue assisting the people of Illinois understand laws, regulations, and guidance.

I. Bees and Apiaries Act [510 ILCS 20]
II. Egg and Egg Products Act [410 ILCS 615/]
III. Food Handling Regulation Enforcement Act [410 ILCS 625]
IV. Grade A Pasteurized Milk and Milk Products Act [410 ILCS 635]
V. Illinois Food, Drug and Cosmetic Act [410 ILCS 620]
VI. Meat and Poultry Inspection Act [225 ILCS 650]
VII. Sanitary Food Preparation Act [410 ILCS 650]
VIII. Illinois Commercial Feed Act [505 ILCS 30]

## PERMITTED ITEMS WITH NO RESTRICTIONS

As provided by the Farm Products Marketing Act [505 ILCS 70] the following foods are allowed at farmers markets with no restrictions:

- **Fresh fruits and vegetables** *(only minimally rinsed to remove visible soil, but otherwise unprocessed)*
- **Grains, seeds, beans, nuts** *(whole, unprocessed and unsprouted)*
- **Popcorn** (kernels can be removed from cob but popped corn is not exempt from restrictions)
- **Fresh herb sprigs; dried herbs in bunches; microgreens** *(only cut for harvesting, minimally rinsed to remove visible soil)*
- **Commercially raised mushrooms** ***(see page 8)***
- **Raw Honey, honey in the comb**

The above items are allowed to be in unsealed bags, or containers, or bagged at the time of sale by the vendor.

Additionally, **honey in the comb** or that is removed from the comb and in an unadulterated condition is exempt from restrictions if the producer packs or sells less than 500 gallons per year. (***see page 11)***

## FOODS PROHIBITED FROM SALE OR DISTRIBUTION

The following products are prohibited from sale or distribution to the public. Please see the referenced pages for more details.

- Mushrooms harvested from the wild (***see page 8)***;
- Home-canned and homemade foods except those allowed under cottage food regulations ***(see page 10)***;
- Raw milk or any dairy products made with raw milk ***(see page 13)*** for exemption regarding some aged cheese);
- Ice cream made in an uninspected facility ***(see page 13)***;
- Home-butchered meat, poultry or wild game ***(see page 14)***;
- Home vacuum-packaged products; and
- Sandwiches prepared at home.

# PERMITS AND FEES

Depending on the product, a market vendor may be required to obtain a permit from the local health department as a food establishment. Ask your local health department if a food establishment permit is required. Permit fees vary by county. Fresh, whole, uncut, unprocessed produce, as implied in the Farm Products Marketing Act, is exempt from inspection and licensing fees.

## Farmers Market Permit

Farmers who would like to sell meat, poultry, dairy, eggs, or certain frozen products may obtain a permit specialized for farmers markets from the local health department to sell in. Additional permits or licenses from other agencies may be required if selling meats, poultry, dairy or eggs. Frozen products must be prepared in a licensed kitchen and the main ingredient must be grown or raised on the farm. Permits are issued based on the sale of eggs only or the sale of all items listed under this permit.


## Cottage Food Registration

Annual registration is required with the health department in the county the cottage food operation is based in. Once registered, Cottage Food vendors may operate throughout the state of Illinois under this registration. See IDPH Cottage Food Guide for more information.

## Farmers Market Food Product Sampling Handler Certificate

Anyone who would like to sample food products at a farmers' market can complete requirements for Illinois Department of Public Health's Farmers Market Food Product Sampling Handler Certificate. This certificate allows for the sampling of products at a farmers' market, including cottage food and other cooked products.

## Other Permits

Food service, including preparing and selling ready to eat foods at the market, which are not covered by above options may require a permit. Contact your local health department to determine what licenses will be required in your jurisdiction.

# RETAIL OR WHOLESALE

Aside from raw agricultural products or cottage food products, the facility and processes for all other goods intended for direct retail sale or distribution, as items intended for end-use only, must be inspected by the local health department. Additionally, aside from raw agricultural products, all goods intended for **wholesale distribution** the facility and processes must be inspected by the Illinois Department of Public Health. Regardless of distribution type, all perishable foods, including baked goods *(i.e., cream or custard-filled items)* shall be transported and held at or below 41˚ F.

## Meat and Poultry Broker's License

An Illinois Department of Agriculture Meat and Poultry Broker's License is only required when products are intended for wholesale *(sale of the product by a broker to a hotel, restaurant, or facility that will resell the product)*. An IDOA Meat & Poultry Broker's License is NOT required for retail sales *(sales to the end consumer)*.

### Egg License

An egg license issued by the IDOA is required for anyone who transports and sells eggs anywhere except ON the farm sales where the eggs were produced. IDOA rules stipulate that all eggs sold at farmer markets and other off-farm venues must be washed, candled and graded for quality and labeled according to Illinois egg law requirements. Eggs are to be held at 45 degrees or below ambient temperature during storage, transportation, and distribution. Contact IDOA to determine which license classification would be required.

**Public Health Facts**

*Due to the difficult and complex nature of mushroom identification, the challenge is best left to mycologists, or mushroom experts. For instance, while mushrooms in the wild are responsible for the most mushroom-related deaths in Illinois per year, some edible species within this genus are revered as the most delectable. Due to the ease in misidentification, the sale of wild harvested mushrooms is not allowed at farmers markets in Illinois.*

# PRODUCE

## Mushrooms

**Cultivated mushrooms, or commercially raised mushrooms** *(i.e. common button mushroom, portabella, shiitake, enoki, bavarian, etc.)* must have documentation detailing their approved source. These mushrooms are considered an agricultural product. Mushrooms that have been mechanically dried, powdered, pickled, or used in other products are not considered agricultural products. These products must be made in a commercial kitchen or under the cottage food regulations.

***Mushroom foraged in the wild shall not be offered for sale or distribution.***

Grow kits *(block farming bags that have yet to be exposed to fruiting conditions aka light, humidity and airflow)*, agar, slants, and liquid cultures are not considered food.

Products listed have been confirmed by professionals knowledgeable of the industry as reasonable and safe to sell at farmers markets *(and markets across IL have been selling these products safely for several years already)* - consult your local farmers market manager, University of Illinois Extension office, or Local Health Department representative with further questions

## Microgreens

Microgreens that have been field harvested and bagged or are harvested from medium on site during the farmers market are considered an agricultural product as long as it is not sold as ready to eat.

## Sprouting

A sprout is a newly germinated seed with a shoot and/or root, this product can be consumed raw or cooked. Sprouting must be grown and sold from a commercially licensed vendor, as it is considered a special process under the FDA. Sprouting has been associated with multiple foodborne illness outbreaks. Contact your local health department for more information on how to sell this product.

## Fruits and Vegetables

Whole, uncut fruits and vegetables may be offered for sale without a permit from the local health department. However, once cut, many fruits and vegetables are considered potentially hazardous foods. Melons and tomatoes are just two examples. These products, once cut, would have to be held below 41˚ F. If a vendor chooses to sample, an IDPH Farmers Market Food Product Sampling Handler Certificate or permit from the local health department maybe required. For more on sampling, ***(see page 22).***

## Herbs (Fresh & Dried)

**Chopped, blended, packaged, or otherwise processed herbs** must be prepared in an inspected facility. Dry herbs, dry herb blends or dry tea blends are allowed under the cottage food regulations if intended for end-use only *(direct to consumer)*.

## Wild Foraged Foods

Wild foraged foods are products that often have deep cultural roots, particularly in minority cultures. Many have very little to no risk and are easily identified such as pawpaw fruit or black raspberries. Others have deep historical and cultural associated practices for safe use such as acorns or pokeweed. Wild foraged foods are, largely, legally allowed. Many may exist both as a wild foraged product and a cultivated product in your area. Misidentified wild foraged edibles may lead to severe illness and even death if you ingest poisonous flowers, berries, roots, stems, or other parts of a plant. Wild foraged products should not be used unless the person gathering these products is able to correctly identify the plant and/or the method they used to process the plant. Foods made from these products may be required to be prepared in a commercial kitchen under licensure or under the Cottage Food Act, if allowed. Wild foraged mushrooms are prohibited. Market managers have the right to ban such products if there is a concern of food safety. We invite you to explore these unique and often obscure but culturally important ingredients before making a decision to blank ban them from your market.

# AGRICULTURAL PRODUCTS VS. PREPARED FOODS

Agricultural products that have been field harvested or harvested cut is defined as cutting the base of a plant to remove from the roots. This can also be rinsed to remove any large debris but is not considered a ready to eat product. No additional licensure is needed for these products.

Prepared foods that have been processed or are considered ready to eat must be prepared under a commercial license or, if allowed, the cottage food regulations. These products will be regulated by your local health department *(for retail sales)* or Illinois Department of Public Health *(for wholesale distribution).*

**Public Health Facts**

*A "potentially hazardous food" is defined by whether or not it requires time/ temperature control for safety to limit pathogen growth or toxin formation. When efficient to control pathogen or toxin growth in the food, refrigeration is the viable alternative. The pH and available nutrients of fresh-cut tomatoes and cut melons support the growth of Salmonella spp., therefore they are considered potentially hazardous foods (once sliced for samples) and must be held at 41° F.*

# BOTTLED, JARRED, OR CANNED GOODS

## Herb Vinegar

Herb vinegars shall be made in an inspected facility or under the cottage food regulations. All vinegars must meet labeling requirements found in the labeling section on ***(page 17)***.

## Maple And Flavored Syrups

Maple syrup and other flavored and bottled syrups must be bottled in an inspected facility or under the cottage food regulations, and must follow the labeling requirements found in the labeling section on ***(page 17).***

## Jams, Jellies and Preserves

Must be canned in an inspected facility or under the cottage food regulations, and must follow the labeling requirements found in the labeling section on ***(page 17).***

## Fruit Butter

Must be canned in an inspected facility or under the cottage food regulations, and must follow the labeling requirements found in the labeling section on ***(page 17).***

## Canned Goods

Low acid canned goods have a final equilibrium pH of 4.6 or higher and must be made in an inspected facility.

Acidified canned goods can be made in an inspected facility or under the cottage food act, provided they do not contain any restricted ingredients under the act. These products must meet a final equilibrium pH of 4.6 or below.

All canned goods must follow the labeling requirements found in the labeling section on ***(page 17).***

# OTHER ITEMS

## Baked Goods

Baked goods must be made in an inspected facility or under the cottage food regulations, and must follow the labeling requirements found in the labeling section on ***("Cottage Food" on page 17).***

## Apple Cider, Fruit, and Vegetable Juice

Apple cider, fruit and vegetable juices shall be made in an inspected facility or under the cottage food regulations. Juice Hazard Analysis Critical Control Points (HACCP) regulations must be followed if sold wholesale. Contact your local health department on rules for juice at the point of sale. For Illinois processors, contact the Illinois Department of Public Health and the local health department for retail. 21 CFR 101.17 applies to this section. Unless laboratory testing is conducted, juices will be considered a potentially hazardous food and must be held at 41˚ F or below at all times.

## Garlic Oil and Other Flavored Oils

Garlic-in-oil shall only be sold if processed in an inspected, commercial processing plant where it has been acidified to certain specifications *(usually with citric acid)* or under the cottage food regulations. Laboratory testing shall comply with 21 CFR 114.90.

Other flavored oils shall be made in an inspected facility or under the cottage food regulations. Flavored oils have not been epidemiologically implicated in foodborne illness outbreaks. Therefore, they do not require acidification and are not considered potentially hazardous. Labeling requirements must be followed as detailed in the labeling section on ***(page 17).***

**Public Health Facts**

*Garlic-in-oil, root, and other bulb in oil items are subject to contamination with Clostridium botulinum spores and have been implicated in several foodborne outbreaks. Unless properly acidified and tested, oils infused with garlic or herbs must be kept refrigerated to avoid the risk of botulism.*

## Honey

Honey in the comb or that is removed from the comb and in an unadulterated condition, is exempt from inspection per the Illinois Food, Drug and Cosmetic Act [410 ILCS 620/27]. However, federal labeling laws must be followed ***(see page 17).***

Firms that process more than 500 gallons of Illinois produced honey per may be regulated by IDPH under the Sanitary Food Preparation Act *(410 ILCS 650)*. If any sweetener is added, the product may not be called "honey." If any flavoring is added, the honey is considered processed. This must be done under inspection or under the cottage food regulations.

Creamed or whipped honey that represents a mixture of pure honey in different natural states with no additives would be exempt from regulation under Section 27 of the Illinois Food, Drugs and Cosmetic Act *(410 ILCS 620/27)*. Such products would be a raw agricultural commodity and not regulated as cottage food under Section 4 of the Food Handling Regulation Enforcement Act.

The Illinois Bees and Apiaries Act [510 ILCS 20] requires every person keeping one or more colonies of bees to register annually with the Illinois Department of Agriculture (IDOA). For more information see: FDA Guidance on Honey labeling

## Cottage Food Regulations

As defined in Illinois's law, "Cottage Food Operation" means an operation conducted by a person who produces food or drink, other than foods and drinks listed as prohibited in the law, in a kitchen located in that person's primary domestic residence or another appropriately designed and equipped kitchen on a farm for direct sale by the owner, a family member, or employee. In other words, a Cottage Food Operation is a home-based food business.

As of January 1, 2021, all food and drink are permitted, except for what is specifically prohibited in the law, outlined below:

- Meat, poultry, fish, seafood, or shellfish;
- Dairy, except as an ingredient in a non-potentially hazardous baked good or candy; or as an ingredient in a baked good frosting, such as buttercream;
- Eggs, except as an ingredient in a non-potentially hazardous food, including dry noodles, or as an ingredient in a baked good frosting such as buttercream, if the eggs are not raw;
- Pumpkin pies, sweet potato pies, cheesecakes, custard pies, creme pies, and pastries with potentially hazardous fillings or toppings;
- Garlic in oil or oil infused with garlic, except if the garlic oil is acidified;
- Low acid canned foods;
- Sprouts;
- Cut leafy greens except for cut leafy greens that are dehydrated, acidified or blanched and frozen;
- Cut or pureed fresh tomato or melon;
- Dehydrated tomato or melon;
- Frozen cut melon;
- Wild-harvested, non-cultivated mushrooms;
- Alcoholic beverages; Kombucha

For more information refer to the Illinois Cottage Food Guide or *(410 ILCS 625/)* Food Handling Regulation Enforcement Act. See IDPH Cottage Food Guide for more information.

Local health departments have the right to verify if the cottage food vendor is in compliance with the regulations cessation of sales until it deems the situation has been addressed. In discussion of non-compliance with the Act, the public health inspector shall clearly state what steps the vendor can take to reach compliance with the Act.

## Bake Sales As Fundraisers

Sold or distributed non-potentially hazardous foods, such a cookies, cakes and fruit pies, which have not frequently been associated with foodborne illness, may be prepared in non-inspected kitchens provided the products are sold to distributed on an occasional basis *(i.e., a bake sale)* and not as a routine business as long as the consumer is informed by a clearly visible placard at the sales or service location. The placard must state the following: "This product was produced in a home kitchen not subject to public health inspection that may also process common food allergens."

Additionally, foods sold to the public must be protected from exposure to sources of contamination through the transfer of items using utensils or disposable plastic gloves to eliminate bare hand contact. Acceptable packaging includes food-grade plastic wrap, bags, foil or plates. Cloth napkins and paper towels are not acceptable packaging. If cookies or other desserts are to be sold individually, they should be wrapped or served individually. No self-service is allowed.

# DAIRY

## Milk And Cheese Products

Milk and cheese products shall be processed in a Department/state-licensed facility. Only products that have been pasteurized, processed, and packaged in a licensed dairy plant may be sold at farmers markets. All perishable dairy products shall be stored at 41˚ F or below. All dairy products must follow the labeling requirements in the labeling section on ***(page 17).***

Cutting portions from blocks of cheese for individual customer sales is allowed, so long as the cheese is maintained at a temperature of 41˚ F. Some suggestions for maintaining this temperature during sampling include using cold plates, ice packs or dry ice; and by rotating sample blocks regularly with refrigerated blocks. Additionally, cheese portions should be covered between cuttings, such as by plastic wrap, or by glass or plastic lids. During cutting, clean gloves and proper handwashing should be used. Additionally, any compromised product, due to overexposure to heat, contaminants, or otherwise should be thrown out.

**Raw milk cheeses** may be sold if made in a licensed dairy plant and if cured at a temperature of not less than 35˚ F and aged more than 60 days. However, **raw milk and other dairy products made with raw milk** are prohibited from sale or distribution at farmers markets by the Grade A Pasteurized Milk and Milk Products Act.

**Ice cream** may be sold if it is manufactured in a licensed dairy facility or in a retail food establishment from commercially pasteurized ice cream mix. However, ice cream made in an uninspected facility is prohibited from sale at farmers markets.

**Public Health Facts**

*The pathogens of concern in raw dairy ingredients include Campylobacter jejuni, Listeria monocytogenes, and Salmonella. Listeria monocytogenes in particular is unusual because it can grow at refrigerator temperatures where most other foodborne bacteria do not. When eaten, it may cause listeriosis, an illness to which pregnant women and their unborn children are very susceptible.*

## Eggs

An egg license issued by the IDOA is required for anyone who transports and sells eggs anywhere except on the farm where the eggs were produced. IDOA rules stipulate that all eggs sold at farmer markets and other off-farm venues must be candled and graded, and held at 45˚ F or below during storage, transportation, and distribution. Once the eggs are at the farmers market, the Illinois Food Service Sanitation Code [77 Ill. Adm. Code 750] stipulates that the eggs shall be held 45˚ F or below. All eggs sold at farmers markets must be candled, graded, labeled, and packed according to the Illinois Egg and Egg Products Act. Used consumer containers are prohibited. Out of state producers selling into Illinois must be licensed with the state of Illinois and meet these requirements. For more information regarding these requirements and the Illinois Egg and Egg Products Act [410 ILCS 615] visit www.agr.state.il.us.

**Public Health Facts**

*Salmonella enteritidis (SE) is the pathogen of concern with shell eggs. Keeping eggs well refrigerated prevents any Salmonella that is present in eggs from growing. For this reason, eggs should be refrigerated until they are needed.*

# MEATS AND POULTRY

**Meat and poultry** are regulated by the IDOA, Bureau of Meat and Poultry Inspection, and United States Department of Agriculture (USDA) Food Safety and Inspection Service. Meat, meat products, poultry and poultry products must be derived from livestock or poultry, which were slaughtered under IDOA or USDA inspection. However, a meat and poultry broker's license issued by IDOA is **not** required for anyone who sells meat, poultry, meat products or poultry products exclusively to retail/household customers, including selling at farmers markets.

Meat, meat products, poultry and poultry products offered for sale at farmers markets must bear an IDOA or USDA inspection legend and other required labeling *(product description, ingredients)* on every container/package. All

required labeling and handling rules apply and vary depending on the product. Vendors at farmers markets must meet any additional relevant requirements found in the Food Service Sanitation Code [77 Ill. Adm. Code 750] and/or local food ordinances if applicable. Meat, meat products and poultry must be held at a temperature of 41˚ F or below. For more information LINK.

Sales of meat and poultry that have been processed under the IDOA poultry and rabbit exemption are not allowed at farmers' Markets.

Secondary processing that is performed by a location other than the original facility must also be performed at an IDOA or USDA licensed establishment.

## Approved and Inspected Sources of Certain Exotic Meats

According to 9 CRF 352.1(k), an "exotic animal" means any reindeer, elk, deer, antelope, water buffalo, bison, catalo, cattalo, buffalo, or yak. Under federal regulations, the preceding list of species are subject to inspection including, ante-mortem and post-mortem inspection in an "official" establishment and must bear USDA inspection legends to enter commerce in Illinois *(except poultry slaughtered under religious exemptions in which a statement and establishment number will appear on the label)*. In addition, the Meat and Poultry Inspection Act [22 ILCS 650] requires ante-mortem and post-mortem inspection on American bison *(buffalo)*, catalo, cattalo, domestic deer, domestic elk, domestic antelope, domestic reindeer, water buffalo, domesticated rabbits and domesticated birds. Again, the slaughter and inspection must be performed in a state-licensed Type 1 establishment. For more information on exotic meat sales www.agr.state.il.us.

## Fish

Fish shall be processed in an inspected facility using a HACCP plan as required in Title 21 Code of Federal Regulations Part 123 [21 CFR 123]. A commercial fishing license is required for anyone selling or distributing fish at a farmers' market. Fish must be held at 41˚ F or below.

## Other Meat

**Home-butchered meat, poultry, and wild game animals** are prohibited from sale or distribution at farmers markets. Home-butchered meat and poultry is for the owner's household use only.

**Public Health Facts**

*At room temperature, bacteria in food like meat and poultry can double every 20 minutes. The more bacteria there are, the greater the chance you could become sick. Keeping poultry and fish at 41F or below helps to keep most harmful bacteria from multiplying.*

# OTHER PRODUCTS

**Commercially produced pre-packaged food products** are allowed for sale at farmers markets and other outdoor food events if they meet applicable regulations and requirements, including labeling requirements found on ***(page 17).***

## Live Animals

It is recommended that no live animal sales occur at farmers markets. Furthermore, if someone is selling any companion animal that he or she has not raised or produced on their own they may be required to be licensed under the Illinois Animal Welfare Act. Anyone selling livestock may be required to be licensed under the Illinois livestock Auction Market act and be subject to disease testing. Finally, all live poultry sales must be tested for PT or enrolled in the NPIP program.

## Lotions/Creams/Cosmetics

Contact the Food and Drug Administration (FDA)

Cosmetics FAQs

## Pet Food

Pet food is regulated by the IDOA. The Bureau of Agricultural Products Inspection is responsible for overseeing compliance with the Illinois Commercial Feed Act, including the licensing of manufacturers or distributors of pet foods and registration of their products before distribution in the state. Anyone who wishes to make homemade pet food for distribution also must comply with these requirements and follow rules on pet food labeling. For more information on pet food, treats and labeling.

Other food products will be assessed on an individual basis by the local or state health department.

## Hemp, CBD, and THC

Under the Illinois Food, Drug and Cosmetic Act *(410 ILCS 620/21)*, all additive regulations and supplements thereto or revisions thereof adopted under the authority of the Federal Food, Drug and Cosmetic Act are the food regulations in Illinois. There is no food additive regulation which authorizes the use of THC or CBD as an ingredient in human food. THC and CBD are therefore unapproved food additives.

*Additional information from FDA below:*

FDA Regulation of Dietary Supplement & Conventional Food Products Containing Cannabis and Cannabis-Derived Compounds

FDA Regulation of Cannabis and Cannabis-Derived Products, Including Cannabidiol (CBD)

# LABELING

## Cottage Food

A proper cottage food label must consist of the following:

- Label on every package;
- Name of cottage food operation;
- Common name of product;
- All ingredients of food product, including any colors, artificial flavors and preservatives, listed in descending order by predominance of weight and show with common or usual names;
- The phrase: "This product was produced in a home kitchen not inspected by a health department that may also process common food allergens. If you have safety concerns, contact your local health department.";
- Date product was processed; and
- Allergen labeling as specified by the FDA.
- Registration number
- County in which the operator is registered

## Labeling Example

## Non-Cottage Food Retail

**Labeling for non-cottage food vendors:** All food pre-packaged in advance of retail sale that does not fall under the Cottage Food Act must bear the following label, sign or placard, or recipe as available to the consumer. The following information must include:

- Common name of the product;
- Net contents *(weight or volume)* of the package;
- All ingredients of food product, including any colors, artificial flavors and preservatives, listed in descending order by predominance of weight shown with common or usual names;
- Safe handling instructions for meat and poultry products;
- Other labeling information as required by federal, state or local jurisdictions; and
- Allergen labeling as specified by the FDA.
  - For more information regarding food allergens, including the Food Allergen Labeling and Consumer Protection Act of 2004.

No nutrition labeling is required for businesses with less than $10,000 gross sales per year unless a health claim is made *(for example, relieves or cures some disease or condition)*, or a nutrition claim is made *(no fat, low salt)*.

## Allergens

When required, labeling for allergens should include any of the following if found in the product: milk, eggs, fish, shellfish, tree nuts, peanuts, wheat, soy, and sesame. Labels should indicate which of these are in the product. Example, contains: Tree nuts and sesame.

## Labeling Requirements For Raw Meat Products

| FEATURE | REFERENCE | LOCATION | APPLIES TO |
|---|---|---|---|
| **Product Name** | 9 CFR 317.2(c)(1) or 381.117 | Principal display panel | All products |
| **Inspection Legend** | 9 CFR 317.2(c)(5) or 381.123 | Principal display panel | All products |
| **Handling Statement (e.g. "Keep Frozen")** | 9 CFR 317.2(k) or 381.125(a) | Principal display panel | Products requiring special handling to maintain wholesomeness |
| **Net Weight Statement** | 9 CFR 317.2(h) or 381.121 | Principal display panel | Product sold at retail, unless the net weight is applied at retail |
| **Ingredients Statement*** | 9 CFR 317.2(f) or 381.118 | Information panel or Principal display panel | Products with multiple ingredients |
| **Address Line** | 9 CFR 317.2(g) or 381.112 | Information panel or Principal display panel | All products |
| **Nutrition Facts Panel** | by 9 CFR 317.300 or 381.400 | Information panel or Principal display panel | Products not exempted by 9 CFR 317.400 or 381.500 |
| **Safe Handling Instructions** | 9 CFR 317.2(l) or 381.125(b) | Information panel or Principal display panel | Products with a not-ready-to-eat meat or poultry component |

**Mindy's Meatloaf**

*Keep Refrigerated*

U.S. INSPECTED AND PASSED BY DEPARTMENT OF AGRICULTURE EST.38

Net. Wt. 26oz. (1.625 lbs.)

Ingredients: Beef, Pork, Veal, Bread Crumbs (flour, wheat, flour, salt, pepper, and seasoning), Flavorings, Natural Flavorings, Spices, Sugar, Dextrose, Water
Distributed by:
Mallon Industries, West Seneca, NY 14224


HEATING INSTRUCTIONS:
Remove from package
Put in pan
Preheat oven to 350 degrees
Heat for 60 minutes or until it reaches an internal temperature of 165 degrees as measured by a meat thermometer.

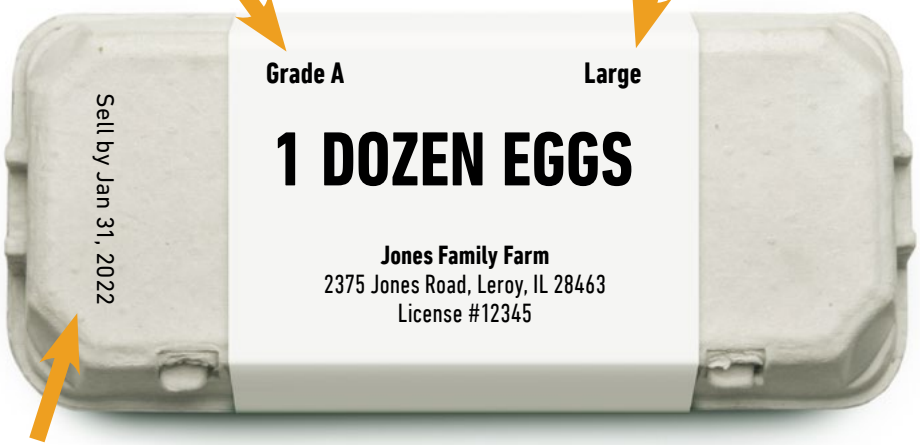

## Labeling for Eggs

**Grade AA:** 30 day sell by code. Must meet Grade AA standards.

**Grade A:** 45 day sell by date code. Must meet Grade A standards.

**US Recognized Sizes:**

Jumbo = 30 oz.
Extra Large = 27 oz.
Large = 24 oz.
Medium = 21 oz.
Small = 18 oz.




**Dates:**

Grade A = No later than 45 days from candle/pack date.

Grade AA = No later than 30 days from candle/pack date.

## Product Origin Requirements

Farmers selling raw agricultural products and specialty crops at farmers markets are required to display at the point of sale a placard, label on product, or packing slip indicating the address of the farm or farms where the products were grown or produced. If the origin is unknown, the placard, label, or packing slip must indicate the address and business name where the product was purchased. Failure to provide this information could result in the product being considered misbranded.

Requirements implemented under the Federal Food Safety Modernization Act regarding transparency, tractability, and product origin labeling pertaining to specialty crops and raw agricultural products apply.

**Produce From:**

**BIG ROCK FARMS**

6767 Peacetime Rd, Organicville, IL 50000

*Also Representing:*

Clancy Acres | 654 CR 342 | Hanks, IL 27511

Morning Sun Farm | 3321 Farm Rd | Jones, IL 14322

## Illinois Labeling

Food Packaging may include a special "Illinois-grown", "Illinois-sourced", or "Illinois farm product" if the product is grown in Illinois or processed and packaged in Illinois, using at least one ingredient grown in Illinois.

# ILLINOIS PRODUCTS LOGO PROGRAM

**Public Health Facts**

*According to the Centers for Disease Control (CDC), eight foods account for 90 percent of all food allergy reactions: milk, eggs, peanuts, tree nuts, fish, shellfish, wheat, soy, and sesame. The FDA estimates each year in the United States there are 30,000 ER visits, 2,000 hospitalizations and 150 deaths due to anaphylaxis due to food allergies. Proper labeling of allergens in products is the first step towards the prevention of anaphylaxis.*

## Cooking Demonstrations

**Those wishing to provide cooking demonstrations should contact their local health department to determine if it's necessary to obtain a food service permit.** For instance, a food service permit may be required for any type of cooking demonstration in which samples are offered to the public. Illinois Department of Public Health's Farmers Market Food Product Sampling Handler Certificate may also be used for this kind of sampling

# SAMPLING FOOD PRODUCTS

Tips for offering product samples:

- Food for sampling should be displayed separately from food that will be sold.
- Any fresh fruits and vegetables offered for sampling must be washed before cutting and distributing.
- All samples should be prepared in a sanitary manner (with clean utensils, clean hands or gloves, and clean contact surfaces).
- If cutting utensils are used at the market, bring clean potable water and dish detergent to wash and rinse the utensils. Use of a sanitizing solution after rinsing is required.
- Servers should keep a barrier, such as a glove, tongs, tissues or utensils between their hands and the food.
- Samples can be placed in individual serving cups or packages, or they can be displayed under a clear dome, plastic wrap, or other method that protects that food from contamination.
- When appropriate, disposable single-use utensils such as toothpicks, deli paper, or disposable cups must be provided for proper handling of samples by consumers.
- Put out small amounts of samples, so they will be used quickly. Keep cold perishable products on ice and hot products hot.

**Public Health Facts**

*Food preparers' hands, consumers' hands and insects are the major sources of potential food sample contamination. "A vendor's hands can become contaminated by handling money, then transfer germs to the next customer when handing out a food sample. Viruses can survive on paper money up to several weeks." Proper handwashing between handling money and handling food will stop its spread.*

**Additional requirements for sampling by cottage food vendors:** As long as a product meets the requirements of the cottage food regulations sampling is allowed. Samples **may** be pre-packaged in the home kitchen *(e.g., If bread is to be sampled can be cut in a home kitchen and individually wrapped or packaged and put into sample cups with lids).* Do not use communal, open bags *(i.e., bread cubes, chips)* for sampling, as they are prone to contamination by the consumer's hands. Instead, find a way to pre- package individual serving samples. Although an individual label is not needed for each sample, a properly labeled package of the product must be on display with the samples so customers can review the ingredient list. For the safety of consumers with food allergens, vendors should post a list of all ingredients and clearly identify the common allergies in their products, including milk, eggs, fish, shellfish, tree nuts, peanuts, wheat, soy, and sesame.

Sampling may also be conducted under the IDPH Farmers Market Food Product Sampling Handler Certificate while at a farmers market.

# FOOD PROTECTION DURING DISPLAY & TRANSPORT

## Handwashing

Handwashing is required when produce or any food item is sliced, cut, or prepared onsite or offsite. Handwashing facilities must be provided if any of the following activities are being conducted: cutting, slicing, or dicing fresh fruits or vegetables, preparing food onsite, serving potentially hazardous foods, or even extensive handling of food products. It is highly recommended that if warm water under pressure is not available, a handwashing station such as the one shown below be utilized. Water used for handwashing must be from a potable (drinkable) source. Hand sanitizer in place of handwashing is not allowed. Hand washing stations may be shared when needed. Hand washing stations are recommended for all vendors handling agricultural products, even if not ready to eat. Check with your local health department for additional requirements and guidance.

A temporary handwashing station that is conveniently accessible is required at all permitted temporary food facilities. This must be set up prior to any food preparation. Provide a container with a spigot that allows hands-free flowing water, a waste water bucket, a pump-type soap dispenser and single use/disposable paper towels. All food workers must wash their hands when they return to the stand/booth and after using the restroom, eating, smoking or handling money.


**Public Health Facts**

*According to the CDC, using alcohol gel in place of handwashing does not adequately reduce important foodborne pathogens, as alcohols have very poor activity against certain viruses. Proper handwashing can significantly reduce the threat of the spread of contaminants from workers hands to the food.*

## Food Handlers

Vendors who handle food should note that it is imperative that any person experiencing symptoms of nausea, vomiting, diarrhea, fever, sore throat, or jaundice be excluded from handling any food products or utensils. Any person diagnosed with or living with someone diagnosed with salmonellosis, shigellosis, E. coli infection, hepatitis A, or norovirus also shall be excluded from food handling.

**Public Health Facts**

*About 50 percent of all food-related illness is caused by norovirus. In many of these cases, sick food handlers are involved in spreading the virus. It only takes a very small amounts of virus particles to make someone sick, so infected people who have any stool or vomit on their hands can easily infect the food they touch or the surfaces with which they come into contact. Therefore, sick food handlers should be excluded from food areas.*

## Premises

The vendor at each stand or sales area is responsible for maintaining it in a neat, clean and sanitary condition. An adequate number of waste containers must be provided for disposal of garbage and refuse. Food must be stored off the ground or floor, these containers must be stored to eliminate potential for contamination of any food products. At the close of business, each vendor shall clean their stand and surrounding area.

## Packaging

Any prepared, processed, baked or cut food must be packaged or wrapped for protection with required labeling ***(see page 17)***. Food on display in open-air markets must be adequately protected from incidental public handling, dirt and other contamination. Food must be stored off the ground or off the floor. Any wrapping or container for prepared, processed, baked, or cut food must be constructed of safe, non- toxic and food-grade materials. Food products must be enclosed and protected from pests overnight.

## Scales

"Weights and Measures Regulations for Farmers' Markets - The Illinois Department of Agriculture's Bureau of Weights and Measures regulates the retail sales of fruits, vegetables, and other items at farmers' markets. The Bureau is responsible for enforcing the rules and regulations of the Weights and Measures Act [225 ILCS 470/1 et seq.]. The requirements for the method of sale of food products and commercial scales are found in this act. Please follow the guidelines in the following link for choosing a correct method of sale, and making sure vendors are using a "legal for trade" scale." For more information: agr.illinois.gov/consumers/weightsmeasures.html

## Refrigeration

Meat, poultry, fish, dairy, baked goods, and all other food products containing perishable items shall be transported and held at or below 41˚ F. Eggs may be held and sold at 45˚ F. As an alternative to mechanical refrigeration, an effectively insulated, hard-sided, cleanable cooler with sufficient ice or other cold holding methods are allowed. The use of dry ice or blue ice packs are recommended over loose or bagged ice.

Mechanical refrigeration is not required. However, should a vendor be unable to maintain proper temperatures, the local health department may require an effective, alternative form of maintaining temperatures, such as reducing the amount of product in a cooler or mechanical refrigeration.

## Vehicles

During transportation and delivery, food and food equipment must be protected from insects, flies, animals, dust and dirt, unnecessary handling, and other contamination. Delivery vehicles or equipment used for transportation must be constructed as easily cleanable.

## Sanitizer

- Sanitizer must be used on equipment and surfaces to reduce the number of foodborne illness causing germs.
- The most common types of sanitizer are Quaternary Ammonia and Chlorine *(bleach)*.
- Disinfecting wipes and pre-mixed disinfecting sprays should not be used. These can be too strong of a chemical and are often not used correctly to the manufacturers' instructions.
- If using bleach, make sure that it is EPA registered and has wording such as "Kills Germs'' or "Sanitizes". Not all bleaches will kill germs– stay away from those that are scented or splashless or only advertise cleaning, brightening, and whitening.
- Test strips for the specific sanitizer should be used. Test strips help make sure sanitizer is being mixed correctly.

## Produce Safety

The Produce Safety Rule (PSR) is part of the Food and Drug Administration (FDA) Food Safety Modernization Act (FSMA) which sets mandatory federal regulatory standards for the production, harvest, and handling of whole fruits and vegetables. This law was initiated to help prevent microbial contamination on farms and reduce foodborne illnesses associated with fresh produce.

If you are a fruit and vegetable grower and sell your products into the marketplace as a CSA, through a local farmers market, to a wholesaler or retail business, you should become familiar with the Produce Safety Rule.

# RESOURCES

FSMA Final Rule on Produce Safety

Farm Coverages and Exemptions to the Produce Safety Rule

Good Agricultural Practices Online Course

Produce Safety Alliance Grower Training Courses

Records Required by the FSMA Produce Safety Rule

Good Agricultural Practices Decision Trees

Produce Safety Alliance

**Illinois Department of Public Health** Food Safety www.illinois.gov

**Food, Dairies, and Devices Section** DPH.Food@illinois.gov

## For Questions About This Guide

**Illinois Department of Agriculture** www.agr.state.il.us

**Bureau of Weights and Measures** 800-582-0468
*For queries on measures of sale*

**Bureau of Agricultural Products Inspection** 217-782-3817
*For pet food queries*

**Bureau of Animal Health and Welfare** 217-782-4944
*For live animal sales queries*

**Illinois Bees and Apiaries Program** 217-782-6297
*For colony registration*

**Egg Inspection Program** 217-524-1550
*For egg sale queries*

**Bureau of Meat & Poultry Inspection** 217-782-6684
*For meat and poultry queries*

**U.S. Food and Drug Administration** http://www.fda.gov
**Chicago District Office** 312-353-5863
*For cosmetic sales queries*

# LOCAL HEALTH DEPARTMENTS

For questions about specific farmers market items, please contact your local health department of the county or city where you intend to sell.

# ACKNOWLEDGMENTS

Thank you to the Illinois Farmers Market workgroup and the original Farmers Market Task Force for assistance in the mission to provide fresh, safe and quality food to Illinois consumers. Thank You to the West Virginia Department of Health and Human Resources, West Virginia Bureau for Public Health, University of Vermont Extension, Purdue University Extension Public Health Sanitation Division, CDC and FDA for their outreach materials, which were used as guiding documents in the creation of this document. Thank you to the Local Health Departments, Illinois Department of Public Health, Illinois Department of Agriculture, Illinois Farmers Market Association, Illinois Farm Bureau, University of Illinois- Extension, and all other organizations that made updating this document possible.

## Contributing Organizations:

**Illinois Department of Agriculture**

**Illinois Department of Public Health**

**Peoria City/County Health Department**

**Illinois Environmental Health Association**

**Illinois Farm Bureau**

**Illinois Farmers Market Association**

**Illinois Specialty Growers Association**

**Illinois Stewardship Alliance**

**Northern Illinois Public Health Consortium**

**Southern Illinois Public Health Consortium**

**The Land Connection**

**University of Illinois Extension**

ILLINOIS DEPARTMENT OF PUBLIC HEALTH

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