

FARMER'S MARKETS

Missoula County

"Farmer's market" means a farm premises, a roadside stand owned and operated by a farmer, or an organized market authorized by the appropriate municipal or county authority. (MCA 50-50-102)

ITEMS NOT REQUIRING A STATE FOOD LICENSE

Note: Prepared foods, such as bread and preserves, must be sold by the person(s) who made the item.

- A. Raw and unprocessed fruits and vegetables. This means fruits, vegetables and grains, in their natural state including, un-shucked corn, unshelled peas, uncut fruits and vegetables (fresh or dried), cabbage, raw carrots, etc. Fruits and vegetables may not be cooked, canned, preserved peeled, diced, placed in sealed packaging, or subjected to other processing. Placing items in unsealed bags or pre-weighted bunches are acceptable methods of presentation for sale (e.g. carrots, apples, huckleberries).
- B. Home made preserves, jams, compotes, fruit butter, syrups, and other high sugar content foods which are hot processed, (usually in a hot water bath or steam pressure), hermetically sealed, and shelf stable at room temperature are allowed to be sold at the Farmer's Market. Home canned vegetables or pickled items are prohibited.
- C. Home baked goods are allowed, if no temperature control is needed, including most breads, cakes, pies etc. This does **NOT** include any potentially hazardous foods such as cream pies, cream filling, custard, whipped cream or other ingredients which may support rapid growth of bacteria. Sampling or distribution of unwrapped baked items requires a handwash station, sanitizer bucket, and prevention of bare hand contact with food items (allowed without license by specific exemption in law).
- D. Ungraded farm eggs, if from the seller's ranch or farm, are allowed to be sold at the Farmer's Market – the seller must display signage stating ungraded farm eggs.
- E. Herbs are considered a vegetable and thus a raw farm product. They may not be processed or packaged beyond field trimming and drying.
- F. Wild mushrooms may be sold if they meet specific requirements for proper identification. Sellers must submit a written statement to the local or state health authority naming the identifying individual, complete with an explanation of their education, experience, training, and/or demonstrating recognition of competence. Alternatively, they may keep such documentation on hand at the point of sale (form available HD).
- G. Unprocessed honey, still in the comb, may be sold without licensure.

ITEMS REQUIRING A STATE FOOD LICENSE

- A. Sliced or processed fruits, vegetables and other foods not specifically allowed above (this includes slicing or processing for samples on site).
- B. Milk, cheese, and dairy products must come from a licensed facility in order to be sold to the public. If you wish to sell them at a farmer's market you will need to be licensed as a temporary food service or mobile food service.
- C. Poultry, Meat, Seafood, or other Perishable Foods cannot be sold retail at a farmer's market, EXCEPT if they have a Meat Market License with a mobile endorsement and transportation provision in the approved plans, including the facility where the product is processed, packaged, and stored.
- D. All other processed or potentially hazardous foods not addressed above must be prepared and distributed from a licensed facility for service to the public.
- E. Processed honey, cider, etc. must be packaged in a licensed and inspected processing facility and have approved labeling indicating source.

No animals except service animals are allowed within 15 feet of any outdoor food service establishment.

If you have any questions about safety or whether an item qualifies under the Farmer's Market rules call the Missoula City-County Health Department
258-4755

License application materials are available at:
<http://www.co.missoula.mt.us/EnvHealth>

These Rules are compiled from the following MT State and local regulations:

ARM 37.110.201-259
MCA 50-50-202
Missoula Municipal Code 6.08.145
MT State Memorandum FP 32-99
MT State Memorandum FP 28-01 & FS 38-01