



# BOH Forms: #26 Farmers' Market Checklist

## Board of Health and Local Health Department Standard Operating Procedures (SOP)

This **Checklist** highlights many of the requirements for regulated Farmers' Markets.

The checklist is designed to be used in tandem with the **MA Food Code**. **Remember: BOH always has the final say on requirements.**

### Definitions

- **Farmers Market:** A public market for the primary purpose of vending local farm products from multiple farms more than once.
- **Retail Food:** Any food product intended for human consumption and sold directly to the consumer. **Note: Meat Products require a USDA certification to ensure the meat products are from an approved/inspected source.**
- **Wholesale Food:** Any food product intended for human consumption and sold to a vendor who sells to the consumer. Note: Wholesale Food operations require a permit from the Massachusetts Department of Public Health (DPH).
- **TCS Foods:** Time-Temperature for Safety Foods include any cut or processed fruits or vegetables, food products that are not commercially packaged and shelf stable or foods that require refrigeration.
- **Food Establishment:** Any vendor that stores, packages, prepares, sells, or distributes food to the consumer/public. It does not include stores that only sell commercially packaged, non-TCS foods, home kitchens preparing non-TCS foods for a charitable event, cooking classes, private homes, an owner-occupied daycare, a small B & B or farm stands that sell unprocessed produce
- **Board of Health Food Permit:** Boards of Health (BOH) primarily regulated Retail Foods sold directly to consumers.

### Agricultural Product Sales that DON'T require a BOH Permit

**Note:** all food operations that **don't** require a permit are required to provide safe food to the public and post a Consumer Disclosure: *"Not Regulated by the Board of Health."*

- Farm Stands/Markets/Residential Kitchens offering only uncut fruits and vegetables, eggs held at 45F, raw honey, or maple syrup.
- Mobile Farmers Market Vans that only sell/provide the items listed above.
- **Note:** Mobile Vans. may be considered Food Trucks if they dispense/sell processed foods of any kind and may be required to obtain a local Board of Health Mobile Food permit.
- **Note:** Farm Stands or Markets businesses or structures may be subject to regulation by other agencies such as fire/building dept.

### Food Vendors that Require a Board of Health Food Establishment Permit to Operate

- Any for-profit food vendor that makes or sells **processed** farm products, TCS foods, or foods that require refrigeration (except for whole eggs) unless exempt as noted above.
- Providing fee tastes of any cut or prepared foods requires a food vendor/establishment permit unless exempted by the BOH.
- Any non-profit selling Time-Temperature Control for Safety (TCS) foods – foods that require refrigeration, except for whole eggs unless granted a temporary permit that does not exceed 14 continuous days at a single event.
- Food processed or prepared anywhere but onsite at the point of sale or distribution, must be prepared in a licensed kitchen.
- Mobile Food Vehicles require a BOH permit in each town if transporting and selling processed or regulated foods.

**Note:** non-profits that distribute food for free or for a minor handling charge may need a permit, but won't be charged a permit fee

### Obtaining the Required Permits

- **Food Establishment Permit** If you are a Farmer/Farmer's Market that sells regulated (most processed/refrigerated foods) food to the public, contact the local Board of Health in each town/city where you intend to sell or distribute regulated food products.

### Changes in Farmer's Market Operations

- **Farmers' Market Operations: Notify your Board of Health of substantial changes to your permit or list of vendors.**
- **Modified Hours of Operation:** Due to changes in demand or staffing, you may need to modify your hours of operation. Please notify the Board of Health of any changes.

### Safer Handwashing

- Wet hands with warm running water.
- Lather with soap and scrub between fingers, on the back of your hands, fingertips and under nails.
- Wash for at least 20 seconds. The soap needs to be in contact with the virus for 20 seconds to kill most viruses, then rinse.
- Dry hands using a single use paper towel. Avoid the use of jet air dryers as they can aerosolize any remaining contaminants.
- Wash your hands as soon as you arrive, between tasks, before and after eating and before you leave.
- *When in doubt, wash your hands.*

### Safer Glove Use

**Gloves are Last On, First Off** and should only be used on freshly washed hands. Gloves are required when handling Ready to Eat (RTE) foods. Use a glove anytime you have a cut on your hand. Reusing gloves is not recommended as they develop small tears and are hard to take off without tearing or contaminating the inside. If you must reuse gloves, wash them thoroughly with soap and water before removing, then remove carefully without tearing, keeping the outside out, if you can, and let them air dry wet

side out. Then wash your hands thoroughly again with soap and water for 20 seconds, dry with a single use paper towel and finish with plenty of hand sanitizer that is left to air dry.

- Gloves are only effective if used properly, fit correctly and are not torn.
- Gloves will not protect the wearer if they become contaminated and then touch food, surfaces or the eyes, nose or mouth.
- Hands must be washed and dried before putting gloves on and before changing to a fresh pair.
- Gloves should be changed as soon as they become soiled or torn, before starting a new or different task, at least every four hours during continual use (or more often as necessary), after handling raw meat, seafood, or poultry and before handling RTE food.
- Gloves must be removed properly so as not to contaminate clean hands or surfaces and never reused.
- Wash hands again after removal for 20 seconds.

**Cleaning and Sanitation Procedures**

- **Sanitizers:** clean at least daily all surfaces and handles. – train staff
  - Test strips are required to check the sanitizer concentration. You must use the correct strip for the correct sanitizer.
  - Chlorine should be at 50-100 ppm and Quaternary Ammonium should be 150-300 ppm (or according to manufacture specs.)
  - Always follow directions on the bottle for chemicals exactly. MSDS sheets must be available onsite. Never mix chemicals.
- Clean and Disinfect non-food contact surfaces
  - Food contact surfaces
    - Use only cleaning supplies approved for food contact surfaces such as chlorine or quaternary ammonium mentioned above.
    - Sanitizer solutions/buckets should be tested when first mixed and changed at least every four hours. Sanitizing clothes should be stored in the solution in between use.
    - It is important to clean and sanitize surfaces in the food prep areas frequently such as door handles, sink handles, refrigerator door handles, etc. Dampness can cause remaining viruses on surfaces to survive and multiply, avoid this by cleaning, disinfecting and drying frequently.

**Illness Policy**

**Note: Food Establishments are required to have an employee illness policy and train their staff on this policy.**

- Employees should report any illnesses to their supervisor.
- Anyone with a foodborne illness must not prep or serve food. Depending on the illness they may have to stay home.
- Post handwash signage in the restrooms to remind all of the proper steps for washing hands..
- Keep hot foods hot and cold foods cold. Protect all foods from contamination. And only use approved, tested food and water.

**Mass Food Establishment Requirements Checklist: BOH may pass more stringent requirements at any time.**

	All Commercial Mobile Food, Catering, Restaurants	Institutions Camps, Schools Hospitals/LTC	Non-Profit Venue Free Food Distribution	Non-Profit Multiple Events Non-TCS Foods	Non-Profit Fundraisers TCS Foods	Non-Profit Temporary Food Event	Residential Kitchen for Free Non-Profit Distr
Permits	Yes	Yes	Yes	No*	Yes	Yes	No
Fees	Yes	Yes	No	No	Yes	Yes	No
Inspections	Yes	Yes	Yes	May	Yes	Yes	No
Choke Saver TR	Yes, 25+ seats	Yes, 25+ seats	Yes, 25+ seats	Yes, 25+ seats	Yes, 25+	Yes, 25+	N/A
Allergen Awareness Training/Signs	Yes**	Yes**, or have written plan	Yes**	Yes**	Yes**	No*	Yes**
Consumer Advisory Signs	Yes	Yes	Yes	N/A	Yes	Yes	N/A
Food Manager Training***	Yes	Yes	Yes	No*	Yes	No*	No*
Consumer Postings, Disclosures	Display Permit & Disclosures	Display Permit & Disclosures	Post Sign: <i>Food prepared in kitchens not regulated or inspected by the Board of Health</i>		Display Permit & Disclosures	Display Permit & Disclosures	N/A

\*Food Managers Training, Allergen Awareness, Consumer Advisories are good practices and can be required by local BOH regulations. BOH can require additional Food Employee training at any time as deemed necessary for compliance.

\*\*Allergen Awareness Notice: *Before placing your order, please inform your server if a person in your party has a food allergy.*

\*\*\***Every Food Establishment, including non-profits, must have a Knowledgeable Person in Charge (PIC) at all times.**

Consumer Advisory: Consuming raw or undercooked MEATS, POULTRY, seafood, shellfish, or EGGS may increase your RISK of foodborne illness; [Food Establishments at Events and Farmers Markets Questions and Answers \(07/25/19\)](http://www.mass.gov/http://www.foodprotect.org/media/guide/Temporary%20Food%20Establishment%20Guidance%20Final%202011.pdf)

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