

# Food Sales Regulations at Outdoor Markets

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# TYPES OF OUTDOOR MARKETS

# “Farmers Market” (as defined in the Utah Wholesome Food Act)

- "Farmers market" means a market where a producer of a food product sells only a fresh, raw, whole, unprocessed, and unprepared food item directly to the final consumer.



# “Direct-to-Sale Farmer’s Market” (as defined in the Home Consumption and Homemade Food Act)

- "Direct-to-sale farmers market" means a facility or area where producers gather on a regular basis to sell directly to informed final consumers food items that have not been certified, licensed, regulated, or inspected by state or local authorities.
- Products cannot contain meat or unpasteurized dairy products.



Food or food products sold in direct-to-sale farmer’s markets shall be labeled with:

- (a) the producer's name and address;
- (b) a disclosure statement indicating that the product is:
  - (i) not for resale; and
  - (ii) processed and prepared without state or local inspection; and
- (c) a statement listing whether the food or food product contains, or was prepared in a location that also handles, common allergens including milk, soy, wheat, eggs, peanuts or tree nuts, fish, or shellfish.

# Outdoor Markets

Most farmer's markets are neither true "farmer's markets" (though some vendors may sell whole, raw produce) nor "direct-to-sale farmer's markets". We generalize them under the term "Outdoor Markets".

Outdoor Markets must be registered with UDAF, and all vendors selling food products that are not exclusively their own whole, raw produce must also be registered.



# Mixed Markets

- The Home Consumption and Homemade Food Act allows standard outdoor and farmers markets to incorporate “direct-to-sale farmer’s markets” within their space, as long as the unregistered vendors are in a separate area marked off with signs:

**FOOD ITEMS OFFERED FOR  
SALE IN THIS SECTION OF THE  
FARMERS MARKET ARE  
HOMEMADE AND HAVE NOT  
BEEN CERTIFIED, LICENSED,  
REGULATED OR INSPECTED BY  
STATE OR LOCAL AUTHORITIES**

- Markets are not required to incorporate this section, and most have so far chosen not to.



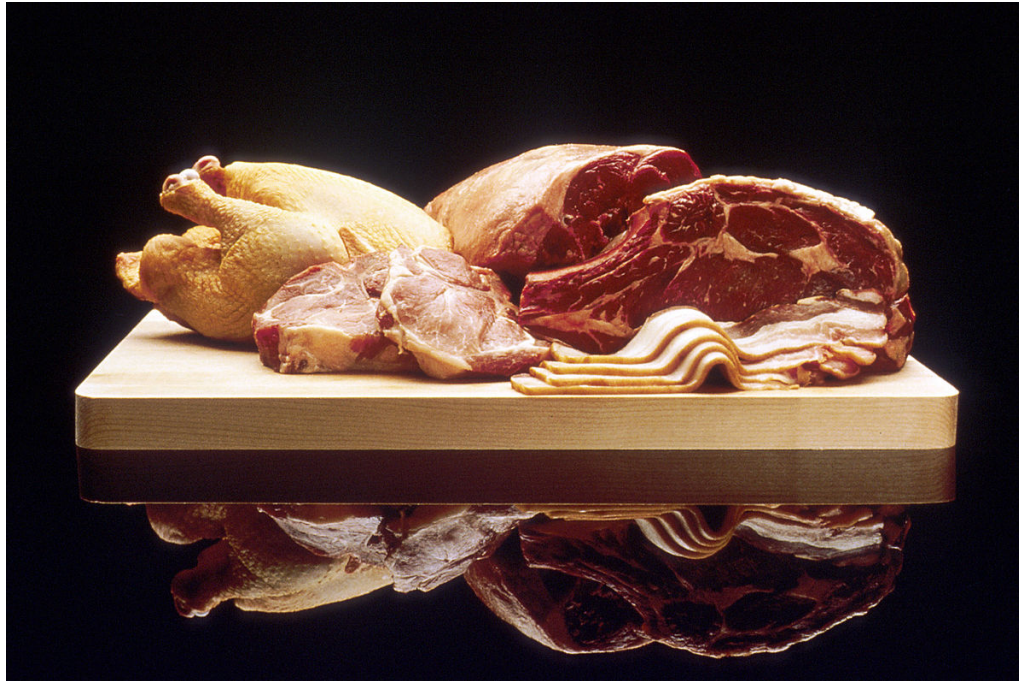
EGGS

# Selling Eggs at Outdoor Markets

- Only clean cartons, blank or with own name. No reuse of other brand cartons.
- Must be held at 45 degrees Fahrenheit or lower.







# MEAT & POULTRY PRODUCTS

# Commercial Meat Products

- Commercial meat products must be processed and packaged by a commercial meat plant, and bear a mark of inspection. (See examples below.)
- Must be stored and sold frozen at outdoor markets.



# Poultry and Rabbit Meat Exemptions

## Poultry

- Producer can slaughter no more than 1,000 birds per year.
- Slaughter and processing are conducted under sanitary standards
- Producer keeps required records
- Poultry may not enter interstate commerce

## Rabbit Meat

- No numerical limit on animals slaughtered
- Slaughter and processing are conducted under sanitary standards
- Producer keeps required records
- Rabbit meat may not enter interstate commerce





# PROCESSED / PACKAGED PRODUCTS

# Commercial and Cottage Foods

## Commercial Food Products

- Producer will have a Certificate of Registration from the Utah Department of Agriculture and Food.
- Eligible to sell products legally at any outdoor market.
- Products sold packaged must bear labels with product name, net weight, ingredient list, and name and address.

## Cottage Food Products

- Producer will have a Certificate of Registration from the Utah Department of Agriculture and Food.
- Eligible to sell products legally at any outdoor market within the state of Utah.
- Products sold packaged must bear labels with product name, net weight, ingredient list, and name and address.
- Label must also bear the statement “Home Produced”

# For more information:

## Cottage Foods and Home Consumption and Homemade Food Act

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