

# Fact Sheet

## for farmers markets in Fargo and West Fargo

This fact sheet addresses foods allowed at farmers markets.

The food products can only be sold at community and nonprofit events or farmers markets located in Fargo and West Fargo. This includes such events as: county fairs, nonprofit and charitable events, public spirited and/or community celebrations and farmers markets and roadside stands.



### It does NOT include:

Craft shows, food festivals, or other for profit events nor sales to other businesses, interstate or internet sales, or sales from one's home or business.

### Home-Processed, Home-Canned and Home Baked foods:

The individual who is selling home-processed, home-canned and home-baked foods under this exemption should have available, upon request of the regulatory authority, the product's recipe and/or pH results .

The seller must display a sign or placard at the point of sale which states:

***These canned goods/baked goods are homemade and not subject to state inspection***

Persons producing and selling these products are encouraged to have the recipe and manufacturing process reviewed by a person knowledgeable in the food canning/processing industry and recognized as a process authority.

### Labeling requirements:

Each food container and/or food item sold must include the following statement using a font size that is prominent, conspicuous, and easy to read.

**"These food products were produced in an un-inspected home kitchen where major food allergens may also have been handled and prepared, such as tree nuts, peanuts, eggs, soy, wheat, milk, fish, and crustacean shellfish"**

If you have questions, please contact:

**Fargo Cass Public Health  
Environmental Health Division  
701.476.6729**



**Public Health**  
Prevent. Promote. Protect.  
Fargo Cass Public Health

# You May NOT Sell

Foods that require refrigeration

Fresh-processed (not canned) foods that require refrigeration such as fresh salsa, pesto, refrigerator pickles, etc.

Potentially hazardous foods including, but not limited to: cut melons, cut leafy greens, and cut tomatoes.

Nut butters of any kind (peanut, almond, sunflower, etc.)

Frozen pasta, or pastas requiring refrigeration.

Foods that are home-processed or home-canned such as home-canned fish, pickled eggs and meat.

**NOT ALLOWED:** Certain foods are not allowed to be sold under these rules.

Any non-acidified foods processed by either the use of a boiling water bath or by the use of a home pressure cooker.

Some foods naturally have a pH of 4.6 or greater. ***These foods are not allowed unless the pH of these foods is reduced to pH 4.6 or less.***

These foods include:

artichokes	asparagus
beans (lima, string, kidney, Boston style, soy, waxed)	
beets	broccoli
Brussels sprouts	cabbage
carrots	cauliflower
horseradish	sweet corn
egg plant	mushrooms
peas	peppers
potatoes	squash
spinach	vegetable soups

## Home-Baked Foods

**ALLOWED:** Home-baked foods may include but are not limited to lefse, bread, rolls, fruit pies, candies/confectioneries, and cookies & bars.

**NOT ALLOWED:** Foods that require refrigeration may not be sold under this ruling.

These foods include home-baked foods such as custards, custard-filled pastries, meringue-topped pies or pastries, kuchen, pumpkin pies, cream pies or other pies, pastries or baked goods that are considered potentially hazardous or require temperature control.

Certain foods fall under regulatory jurisdiction and are not exempted by this ruling. ***YOU MAY NOT SELL WITHOUT A LICENSE:***

- fish
- dairy
- poultry
- meat products including:
  - smoked fish
  - butter
  - milk
  - jerky
  - potentially hazardous products such as garlic and oil mixtures or other flavored oils.

## You May Sell

**ALLOWED:** Foods that have a natural pH of 4.6 or less and acidified foods which have acid(s) or acid food(s) added. ***The final pH of the food must be 4.6 or less.***

Home-canned high acid foods such as:

- sweet or dill pickles
- tomatoes
- salsa
- apples
- cherries
- grapes
- plums
- peaches
- flavored vinegars
- naturally fermented foods such as :
  - sauerkraut
  - pickles and KimChi
- jellies and jams



## You May Also Sell:

- honey
- dried pasta
- eggs-as long as kept at 41°F or below
- all fresh picked/non processed/not cut produce

*When in  
doubt -  
check it out!*

*Call  
Fargo Cass  
Public Health  
701.476.6729*