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Farmers Market Guidance

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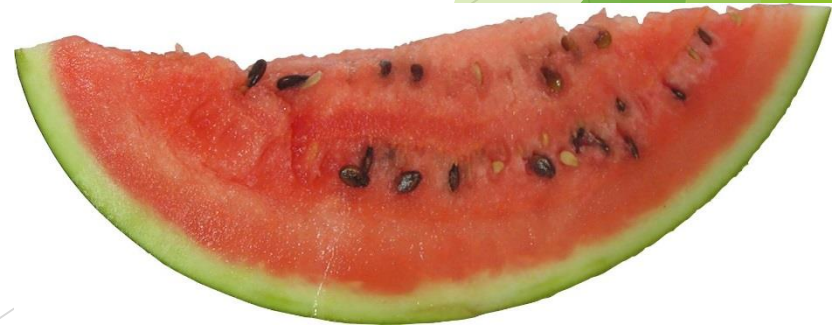
ND Meat & Poultry Inspection Program





AGENDA

1. North Dakota Farmers Market Information
2. North Dakota Meat & Poultry Inspection Program
3. Minnesota Dept. of Agriculture Information
4. Questions



North Dakota Farmers Market Information

- Definition of a Farmers Market
- Food Products that can be sold
- Potentially Hazardous Foods that cannot be sold
- Labeling requirements
- Required signage
- Food sample requirements
- Potential Concerns



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Farmers Market Definition - North Dakota

- A Farmers Market is characterized as a direct marketing operation without a permanent structure consisting of groups of food producers and processors organized together into an association. These markets offer outdoor shopping, is seasonal in nature, and features locally produced agricultural products and some **regulatory exempted** home processed or home canned or home baked products.



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Food Products that can be sold at Farmers Markets in ND

- Home-baked goods to include:
 - Lefse, Bread, Rolls, Fruit pies, Candies, Cookies, and Bars
- Home canned products that have a pH of 4.6 or less including:
 - Sweet or dill pickles, Tomatoes, Salsa, Apples, Cherries, Grapes, Plums, Peaches, Flavored vinegars and naturally fermented foods such as Sauerkraut, pickles, and KimChi
- Farm Products:
 - Produce that is not canned i.e. carrots, sweet corn, mushrooms
 - Eggs
 - Use clean un-cracked eggs
 - Place clean eggs in storage containers at 41 degrees or below
 - During storage and transportation eggs must be maintained at 45 degrees or below
 - Shelf life of eggs are 30-40 days from when they are laid
 - Try to keep eggs refrigerated at all times

Potentially Hazardous Food Products that cannot be sold at Farmers Markets* in ND

- Home-baked goods that require refrigeration that include:
 - Custards, Custard-filled pastries, Meringue-topped pies or pastries, Cream or other pies, Pumpkin, Kuchen
- The following cannot be canned and sold unless the pH is reduced to a pH of 4.6 or less include:
 - Artichokes, Beans (lima, string, kidney, Boston style, soy, waxed), beets, Brussels sprouts, Carrots, Horseradish, Egg plant, Peas, Potatoes, Spinach, Asparagus, Broccoli, Cabbage, Cauliflower, Sweet Corn, Mushrooms, Most peppers, Squash
- Other potentially hazardous foods that cannot be sold:
 - Fish, dairy products to include raw milk and butter, poultry
 - Fresh processed foods that require refrigeration i.e. Salsa, Pesto
 - Home-canned fish, pickled eggs, or meat
 - Any non-acidified foods processed by a boiling water bath or home pressure cooker

* *Potentially hazardous foods cannot be sold without a valid Health Dept. License*

ND Labeling Requirements

Name of product

**Name of producer
and contact
information**

**Date product was
made or canned**

Ingredients



Do You Need a Nutrition Facts Label?

No, it's not required for small businesses.

Nutrition Facts			
Serving Size: About 2 Tbsp (16g)			
Servings Per Container: 42			
Amount Per Serving			
Calories	90	Calories From Fat	60
% Daily Value*			
Total Fat	6g		9%
Saturated Fat	0g		0%
Trans Fat	0g		
Cholesterol	0mg		0%
Sodium	0mg		0%
Total Carbohydrate	5g		2%
Dietary Fiber	5g		20%
Sugars	0g		
Protein	4g		
Vitamin A 0% • Vitamin C 0%			
Calcium 4% • Iron 4%			
* Percent Daily Values are based on a 2,000 calorie diet. Your daily values may be higher or lower depending on your calorie needs:			
		Calories	2,000 2,500
Total Fat	Less than	65g	80g
Sat Fat	Less than	20g	25g
Cholesterol	Less than	300mg	300mg
Sodium	Less than	2,400mg	2,400mg
Total Carbohydrate		300g	375g
Dietary Fiber		25g	30g

INGREDIENTS: True Cold Milled Golden Omega Flaxseed.



Required Signage in ND

“The food products being sold are not subject to health inspection. These items may have also been produced in a kitchen where major food allergens were handled during preparation.”

Food Sample Requirements - ND

- If you are preparing, serving, and/or offering samples of potentially hazardous food products you are required to obtain a health license.
- If you are preparing, serving, and/or offering non-potentially hazardous food products you are not required to obtain a health license, but we strongly encourage proper sanitation practices.
- If you are specifically offering meat related samples the product must originate from a state or federally inspected source.

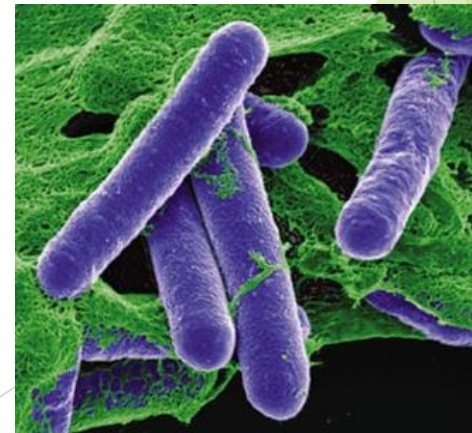
Potential Concerns

- Non-regulated food items i.e. eggs, proper storage, proper labeling, improper samples
- *Clostridium botulinum*

Clostridium Botulinum

- Creates a toxin that causes the deadly disease botulism
- Clostridium botulinum spores are heat-resistant
 - Pasteurization and cooking temperatures below 212 F cannot destroy this microorganism.
 - Proper acidification and pH levels can control and inhibit its growth.

<http://www.fda.gov/downloads/Food/GuidanceRegulation/UCM252416.pdf>



<http://www.chinaasearch.com/show.aspx?id=748&cid=215>

TWELVE DINE WITH DEATH IN GRAFTON FARM HOME

Eleven of Twelve Victims in Poison Food Tragedy



Pictures of all of the victims of botulism, except one are shown here. So far as known no picture of Mrs. Edward Hein is in existence. These

PARTY GIVEN THURSDAY NIGHT AT HOME
OF MR. AND MRS. EDWARD HEIN
HAS TRAGIC ENDING

FIVE IN ONE FAMILY ARE VICTIMS OF RARE MALADY

With bowed heads and heavy hearts the Grafton community is in the midst of the sorrowful task of laying away its dead after the worst tragedy in North Dakota's history.

Botulism, as rare in the annals of medical science as it is deadly in effect, claimed a toll of twelve lives here from Saturday to Monday, while the community stood appalled and helpless.

A friendly, neighborly gathering Thursday night, such as is common in every community, entertained an unbidden and an unseen guest. Stealthily he entered and just as stealthily did he creep upon his unsuspecting victims. When he had finished his work Monday noon, one family was almost completely decimated, and the circle of loved ones had been broken in six.

The home

THURSDAY, FEBRUARY 5, 1931

Three Orphans Remain of Family That One Time Numbered Eight

Science Slowly Gathers Data to Combat Dreaded Botulism

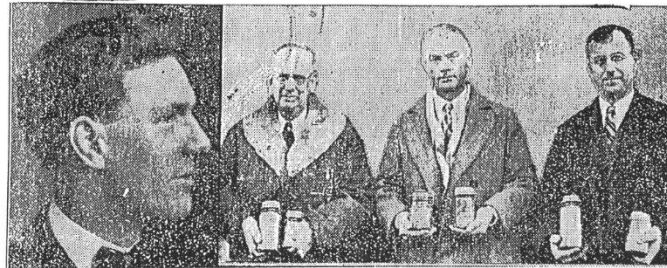
Germ Was First Discovered in '91;
Made First Recorded U. S.
Appearance in 1899

Bacillus Botulinus, the deadly germ which visited a Walsh county farm home Thursday night and caused the death of 12 of 17 who were there in attendance at a party, after they had partaken of a lunch in which the germs were hidden, is not a disease of any great scope, medical journals show.

Of the cases reported the records show that the disease was first discovered by a German scientist in 1894. Since that time science has done all in its power to combat the disease. Because of the rarity with which it strikes, however, it is extremely difficult to accomplish a great deal of research.

The first outbreak recorded in the United States occurred in 1899 and in the period to 1903 one other outbreak was recorded. Both of these outbreaks were recorded as having stricken human beings. In the per-

The Home-Canned Food Containing the Fatal Poison



At the left is Elmer Stokke, one of those at the party, who never eats salad and escaped death because he ate none of the poisoned food. At the right are state and county officials with cans of the poison food taken from the Hein home after the tragedy. They are W. C. Cashman, state food and sanitation inspector; P. M. Anderson, Adams county coroner, and T. I. Dahl, state attorney.

Why All the Concern?

Foods Linked to Botulism

- Canned Foods

- Corn, Peppers, Green beans, Soups, Beets, Asparagus, Mushrooms, Ripe olives, Spinach, Tuna fish, Chicken, Chicken livers, Liver pate

- Other food items

- Luncheon meats, Ham, Sausage, Stuffed eggplant, Lobster, Smoked and salted fish

North Dakota Department of Ag Meat Inspections - David Slack

North Dakota State Law, 36-24-06, number two states;

“ A person may not sell, transport, offer for sale or transportation, or receive for transportation, in intrastate commerce any article that is usable as human food and which is adulterated or misbranded or any article that has not been inspected and passed under this chapter.”

► David Slack - ND Compliance Officer (701) 220-0024

MN Regulations/ Sale/Licensing

Definition of Sell, Sale: keeping, offering, or exposing for sale, use, transporting, transferring, negotiating, soliciting, or exchanging food; having in possession with intent to sell, use, transport, negotiate, solicit, or exchange food; storing, manufacturing, producing, processing, packing, and holding of food for sale; dispensing or giving food; or supplying or applying food in the conduct of any food operation or carrying food in aid of traffic in food whether done or permitted in person or through others.

What this means: if you do anything with food in Minnesota it is considered a sale

License required:

If a person **buys** a product or ingredient to use and/or **resell**

If an off-farm ingredient has been added during food processing (cutting, heating, canning, freeze drying, mixing, coating, bottling, etc.)

All ingredients need to be considered, including: **Salt, Flavors, Colors, Preservatives**

Unless you are excluded.

Minnesota Department of Agriculture (MDA) Food Licenses

Wholesale Food Handler

Wholesale Food Processor/Manufacturer

Retail Food Handler

Retail Mobile Food Handler

MN Dept of Health licenses:

Food and beverage service establishment,
Food cart, seasonal temporary, seasonal
permanent, mobile food unit, Special event
food stands

MDA Food License Exclusions

- Product of the farm
Persons selling products of the farm or garden
- Food product sampling and demonstration
Sampling at farmers market or community events
- Cottage food exemption (New 2015)
Sales of non-potentially hazardous food no
canned food sales from ND

MDA Product of the Farm

- Shell eggs: Registration, candling and grading, labeling and refrigeration required.
- Meat & poultry: Must processed under continuous USDA inspection if from ND.
- Fruit and produce you grow.
- Honey and Maple syrup from your hives or trees.
- Mushrooms from your land.

MDA Cottage Food Exemption

An individual who:

- Prepares non potentially hazardous food without inspection or a license;
- Manufactures food that does not require time or temperature controls for safety; Sells directly to the end consumer; and **Registers with the Minnesota Department of Agriculture.**
- This exemption applies to individuals, not businesses.
- Allows sales of non potentially hazardous foods.
- Sales of \$5,000-18,000 per year
- Complete safe food handling training course
- Training required once every three years
- Registration is required each year

MDA Meat/Poultry/Milk Requirements

- Your own production -> no license needed
 - Poultry and livestock slaughtered and processed under continuous inspection USDA inspection for product from North Dakota
- Single ingredient product, Multi-ingredient products require licensing
- Must have approved equipment for storage and delivery, must be held under mechanical refrigeration if out longer than 4 hours.
- Raw milk **CANNOT** be sold at Farmers' Markets or community events. **MN Statute 32.393**

MDA Shell Egg Requirements

- Registration with MDA or North Dakota required
- Own produce -> no license needed
- Candling, grading and sizing Done by the farmer or purchaser
- Refrigeration required ,45 degrees F or below
- Labeling: Grade and size, Name, address, zip code , Julian pack date, Freshness date, Safe Handling
- Grocery store, restaurant, or food service sales allowed:
- Clean condition, no wet cleaning

Remember: EXEMPTION FROM *LICENSING* DOES NOT MEAN EXEMPTION FROM *INSPECTION*

Food licensing in Minnesota

- Department of Agriculture
MN Statute 28A Food Licensing
Contact 651-201-6027
- Department of Health
MN Statute 157 Food and Beverage licensing
Contact 651-201-4500

QUESTIONS

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