

# Operating Guidelines for Farmers' Markets

Porcupine Health Unit, Environmental Health, Food Safety

**If you are planning to operate a farmers' market in the Porcupine Health Unit area, the following guideline must be followed.**

**This guideline is divided into three sections:**

**SECTION 1: MARKET ORGANIZER**

**SECTION 2: ALL FOOD BOOTHS**

**SECTION 3: FOOD BOOTHS WITH ON-SITE PREPARATION,  
SERVICE OR SAMPLING**

## SECTION 1: MARKET ORGANIZER

All persons and/or organizations planning to operate a farmers' market must:

- A. Submit a Farmers' Market Organizer Application Form.
  - i. New markets - please submit 60 days prior to the beginning of the market season.
  - ii. Re-occurring markets - please submit 15 days prior to the beginning of the market season.
- B. Supply all food vendors with a copy of this guideline and provide instructions for submitting the completed Farmers' Market Food Vendor Application Form to the Porcupine Health Unit at least 15 days prior to attending the market.
- C. Each market will be assessed seasonally by the Porcupine Health Unit to determine if it meets the requirements for exemption as a Farmers' Market under *Ontario Regulation 493/17 - Food Premises*. To help determine market exemption, please provide the following:
  - i. Full list of vendors, including vendors who will not be selling food products. Include each vendor's name, address, telephone number and email address.
  - ii. Vendor list based on the following 2 seasons:  
May 1st to October 31<sup>st</sup>  
November 1st to April 30<sup>th</sup>
- D. A public health inspector will count the total number of farmers selling their own farm products and insert the numbers into the following equation:

$$\frac{\text{Total number of farmers selling their own farm products}}{\text{Total number of vendors (including non-food vendors)}} \times 100 = \underline{\hspace{2cm}} \%$$

## **SECTION 1: MARKET ORGANIZER (cont'd)**

If the percentage is 51% or higher, the market will be considered an exempt farmers' market. Food vendors at this market will be exempt from the requirements of *Ontario Regulation 493/17 – Food Premises*.

If the percentage is below 51%, the market does not meet the exemption requirements under *Ontario Regulation 493/17*. This market will be considered a non-exempt farmers' market, and food vendors must meet the requirements of *Ontario Regulation 493/17 – Food Premises*.

Your local public health inspector will provide you with further direction after identifying whether the market will be considered a true farmers' market or not.

- E. Market Organizers are to provide adequate washroom facilities and a central hand washing station equipped with liquid soap in a pump dispenser and paper towel.

### **Food vendor information for Farmers' Market Coordinators**

#### **What is the definition of a food vendor at a farmers' market?**

"Food vendor" in the context of a farmers' market means the operator of a stall or other food premise that is selling food items at the market. This includes individuals selling prepackaged food items, ready-to-eat food items, fruits and vegetables, etc. Individuals operating food trucks and other mobile food service vehicles or trailers at the market are also considered to be food vendors and must be included in the total.

#### **What is a Farm Product?**

"Farm products" means products that are grown, raised, or produced on a farm and intended for use as food. These include, but are not restricted to: fruits and vegetables, mushrooms, meat and meat products, dairy products, honey products, maple products, fish, grains and seeds, and grain and seed products.

#### **If the market is not considered an exempt market, what vendors are allowed to sell their food products?**

At a non-exempt farmers' market, all food vendors must meet the requirements of the Ontario Regulation 493/17 - Food Premises. This means any prepared food that will be sold at the event must be prepared in a kitchen space that is inspected and approved by the Porcupine Health Unit.

#### **If the market is considered an exempt market, what vendors are allowed to sell their food products?**

At an exempt farmers' market, the only products that are required to come from an inspected facility are products that are federally or provincially inspected, such as meat, milk, and eggs. Home-prepared food items are allowed at exempt farmers' markets; however, a health hazard assessment on the food items will be completed by a public health inspector.

It is recommended that vendors selling home prepared food items stick to low risk food items.

- Fresh fruits and vegetables
- brownies
- Bread and buns (with no dairy/cheese filling)
- Butter tarts
- Commercially prepared jams and jellies
- Cakes (icing sugar only; no whipped cream )
- Dry cereal products
- chocolate
- Cinnamon buns
- Commercially prepared pickles
- Muffins
- popcorn
- Dry noodles
- Cookies—dried fruits
- Fruit pies and pastry
- fudge
- Hard candy
- honey
- toffee
- Maple syrup

(Source: ASPHIO Common Approaches for Farmers' markets and Special Events, 2012)

A health hazard assessment completed on high-risk food items may determine a food item cannot be safely prepared, stored, and transported from a home kitchen. It is recommended that vendors selling home-prepared foods avoid high-risk food items. If a vendor from an exempt market wishes to sell a high-risk home-prepared food item, a written food safety plan will need to be submitted to the health unit for review.

- Antipasto
- Processed beans, including baked, refried, bean salad
- Herb and flavoured oils
- Cabbage rolls
- Chop suey
- Creamed corn dairy products
- Food containing eggs as ingredients (custard/salad)
- Fresh shell eggs (graded)
- Pesto, garlic spreads
- Guacamole, salsa, hummus
- Juice (fruit and vegetable)
- perogies
- Fresh or processed meat, fish
- Cakes / pastries filled with whipped cream, cheese or cream

(Source: ASPHIO Common Approaches for Farmers' markets and Special Events, 2012)

### **What are the options for someone who would like to become a vendor at a non-exempt market but does not have an approved kitchen?**

If the vendor wishes to have a kitchen approved, the vendor should contact the Porcupine Health Unit for a Home-Based Food Business kitchen consultation. This consultation will assist the vendor in determining any work required for the kitchen to meet the standards of the *Food Premises Regulation*.

If the consultation results in the vendor no longer wishing to have the kitchen approved, the vendor may rent an approved kitchen to use for preparing and storing food items. Examples of approved kitchens may be church kitchens or community hall kitchens that are inspected by the local health authority and available to rent.

If the vendor is not able to find an inspected/approved space to prepare food items, they will not be permitted to sell their food items at a non-exempt market.