

## FARMERS' MARKET GUIDELINES

A Farmers' Market is a short-term operation for the sale of produce and prepared food products under the direction of a designated Market Coordinator. This guideline also applies to flea markets, craft sales, bake sales and other such establishments.

As consumers look to source locally produced food and support local economies by buying food produced close to home, the popularity of farmers' markets continues to grow. This document will assist entrepreneurs meet regulatory requirements for selling food at farmers markets.

This is a guideline only. Additional items may be required by the Public Health Inspector pursuant to the *Food and Food Handling Establishments Regulation – MR 339/88R (The Public Health Act)*. All markets must be approved by and receive an operating permit from a Public Health Inspector before opening.

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## GUIDELINES FOR THE OPERATION OF A FARMERS' MARKET

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### 1. **Definitions:**

Farmers' Market: a short-term operation under the direction of a designated Market Coordinator that allows Vendors to sell produce or prepared food products. Also covers other types of temporary food markets such as flea markets, craft sales, bake sales and other such establishments.

Vendor: a person who rents or leases a stall or space at a Farmers' Market for the purpose of displaying or offering their own product for sale. Vendors are responsible for selling their own product and must be on site during the market.

Market Coordinator: a person who is responsible for ensuring the market is organized, designed, operated and maintained in accordance with this guideline and the regulation. They are also responsible for registering for the operating permit. A Market Coordinator may also be a vendor for their own product but shall not sell product on behalf of another vendor.

Potentially Hazardous Food: Any food that, given the right conditions of time, pH, temperature and water activity, can support the growth of pathogens. Pathogens are micro-organisms that cause disease, and include bacteria, viruses, parasites, protozoa and fungi.

### 2. **Responsibilities:**

The Market Coordinator as designated by the Health Permit is responsible for ensuring the market is designed, operated and maintained in accordance with the guideline and the Food and Food Handling Establishments Regulation MR 339/88R under *The Public Health Act*.

Vendors preparing food at home are allowed to sell foods listed on page 8 of this guideline.

Vendors wishing to sell "*potentially hazardous foods*" from page 7 are required to obtain a separate health permit, as required under the regulation, and work out of a commercial facility such as a community kitchen. For foods not listed, please contact your local public health inspector.

3. **Registration:**

- The Market Coordinator must register the Farmers' Market on the form provided by the Public Health Inspector at least **14 working days** before starting operation.
- As part of the registration, the Market Coordinator shall provide a list of known vendors along with their name(s), civic and mailing addresses and telephone information. The Coordinator must maintain and have on-site a current list of all vendors operating at the market, and a list of foods that vendors are proposing to sell.

4. **Permit:**

- No person shall operate a Farmers' Market unless in possession of a valid permit issued by the Public Health Inspector.
- Market Coordinators must post the permit in a conspicuous location visible to the public within the market place.
- Unless otherwise approved by a Public Health Inspector, the operation of a Farmers' Market is restricted to a maximum of two days per week.
- No person shall transfer or assign a permit without the approval in writing from the Public Health Inspector.

5. **Food Supplies:**

- Food shall be in sound condition, free from spoilage, adulteration, poisonous or toxic substances, filth or other contamination and shall be kept safe for human consumption.
- No person shall sell, offer for sale, deposit for sale or have in a Farmers' Market any food that is potentially hazardous unless prepared and packaged in an approved establishment. Potentially hazardous foods include meat or meat products, poultry or poultry products, milk or milk products, or any food with these products as ingredients (e.g. homemade perogies, cabbage rolls, sandwiches, and cream-filled pastries). Note: These products must be packaged and labelled by the approved establishment.
- No person shall use or sell food from hermetically sealed containers where that food was not prepared in a government inspected food processing plant. The exceptions are jams, jellies and pickles with a pH of 4.6 or lower.

- Under no circumstances can unpasteurized milk, ungraded eggs, wild mushrooms, uninspected meat or poultry be sold at a Farmers' Market.

6. **Food Protection:**

- Food shall be protected at all times from insanitary conditions and from potential contamination, including dust, insects, rodents, animals, unclean equipment and utensils, unnecessary handling, coughs, sneezes, flooding and drainage through the use of clean, new, approved packaging or display cases. Whole, uncut raw vegetables and fruit are excluded from the packaging requirements.
- Individually portioned products do not have to be individually wrapped, but must be kept covered to protect from contamination.
- No person shall sell or be in possession of any food that has been salvaged from fires, snow storms, floods, transport accidents, or other disasters.
- Food that is spoiled or damaged shall be promptly disposed of in accordance with regulations.
- Containers of food shall be stored a minimum of 15cm (6 inches) off the ground (floor).
- Packaged food shall not be stored in direct contact with water or undrained ice.
- Potentially hazardous foods requiring refrigeration shall be kept at an internal temperature of 5°C (41°F) or below.
- Frozen foods shall be kept frozen (-18°C/0°F or below).
- Only jars which are proper sealing (mason-type or equivalent) may be used for pickles and relish. These jars may be reused providing they are in good condition, clean and properly sterilized; however, rubber sealing rings and snap lids must be new.

## 7. **Labelling:**

All home packaged food shall be labelled identifying the following:

- Source – producer name or identity code, and phone number
- Common name of food
- Ingredients
- Date the food was prepared

Individually portioned products do not require labelling, however labelling information must be readily available from the vendor.

For further information on labelling requirements, vendors can visit the Canadian Food Inspection Agency website at: [www.inspection.gc.ca](http://www.inspection.gc.ca)

## 8. **Equipment and Utensils:**

All utensils, display cases, counters, shelves, tables, refrigerating equipment, sinks and any other equipment used in connection with a Farmers' Market operation shall be so constructed as to be easily cleaned and shall be kept clean and in good repair at all times.

## 9. **Sanitary Facilities:**

- The Market Coordinator shall ensure that the Farmers' Market is provided with at least one hand wash station that is easily accessible to all vendors on the premises, supplied with potable water and a receiving basin or other approved drainage system.
- The Market Coordinator shall ensure that the Farmers' Market is provided with at least one toilet and one hand basin for each gender that is easily accessible and maintained in a clean condition and in good repair.
- The Market Coordinator shall ensure that a supply of soap and single service towels are conveniently located at each hand wash station.
- Any other system approved by a Public Health Inspector.

## 10. Grounds:

- The Market Coordinator shall keep the area around the food booths and immediate adjacent grounds clean and free from litter and rubbish.
- The Market Coordinator shall ensure that a sufficient number of covered containers are provided to hold all garbage and refuse.

## 11. Personal Hygiene:

All persons handling food products shall conform to proper hygiene practices and be free from disease conditions which may contaminate foods (i.e. open sores, cold, flu).

## 12. Food Sampling

All samples offered by vendors must meet the following criteria:

- Non-perishable food samples must be stored in rigid, covered containers until serving.
- All samples must be pre-cut away from the sales unit.
- All samples of potentially hazardous foods must be prepared in a licensed kitchen facility.
- Samples should be of adequate size and proportionally spaced to minimize customer handling.
- All samples must be held and dispensed under clean and sanitary conditions.(e.g. toothpicks provided for sampling).
- All vendors giving free samples **MUST** provide a waste container in a prominent place and labeled for use by the public.
- Keep potentially hazardous food **cold** at 41°F (5°C) or colder – or **hot** 140°F (60°C) or hotter.
- Adequate cooking equipment, probe thermometers and hot and cold storage facilities with appropriate thermometers must be provided for the food being handled.
- Avoid touching food with bare hands, use disposable gloves, tongs, scoops or clean napkins.
- Food handlers shall wear clean full length aprons or smocks and hair restraints.

### Examples of Potentially Hazardous Foods:

These foods **SHALL NOT** be sold at a Farmers' Market unless prepared at an approved Food Handling Establishment and conform to all other applicable regulations.

Antipasto	Kombucha
Cabbage Rolls	Meat or Meat Products
Chocolate (unless used as an ingredient that has undergone a cooking process above 71°C (160° F) e.g. fudge, chocolate chip cookies etc.)	Perogies
Cole Slaw	Pickles Eggs
Cream-filled or custard filled pastries	Pies with Meringue (egg product)
Dairy Products (cheese, yogurt, ice cream, etc.)	Pumpkin Pie
Fish and Shellfish	Salsa
Garlic Spreads	Sauerkraut
Homemade Soups	Sundried Tomatoes in Oil
Hummus	Unpasteurized Apple Cider
Kimchi	Whipped Butter
	Wild Mushrooms (not allowed to be sold under any circumstances)

### **Any other “potentially hazardous food” item.**

Foods are on this list because they are commonly implicated in food poisoning illness outbreaks. They require special care and handling during preparation. Approved food handling establishments have the equipment and facilities to produce these foods in a safe manner.

**If a food product is not on this list does not mean that it cannot be sold at a Farmers' Market, just that it must be prepared in an approved Food Handling Establishment.** Your local church hall, community center, or legion may be places to make inquiries. They may already have the facilities needed to obtain a permit. You can also talk to other established food businesses in your community or other vendors at the market. Manitoba Agriculture has a list of commercial community kitchens for rent on their website:

<https://www.gov.mb.ca/agriculture/food-and-ag-processing/starting-a-food-business/rent-commercial-kitchen.html>

<https://www.gov.mb.ca/agriculture/online-resources/community-kitchens-listing.html>

Once you have located a facility, check with your local public health inspector to make sure it meets the regulatory requirements. You will also need to obtain your own permit to process the food product, separate from any permit that the facility may already have.

**Preparing, serving and selling food from a home-based business for public consumption is prohibited. This includes, selling direct to customers or online e-commerce.**

The sole exception to this is non-potentially hazardous foods can be sold at a farmer's market, flea market, craft sale or bake sale, in accordance with the Farmers' Market Guidelines.

<https://www.gov.mb.ca/health/publichealth/environmentalhealth/protection/home.html>

**Examples of Foods which **MAY** be Prepared at Home and Sold only at a Farmers' Market:**

Bread	Jam
Brownies	Jelly
Buns	Matrimonial Cake
Butter Tarts	Muffins
Cakes e.g. – carrot cake, etc. with sugar icing (no whipping cream, synthetic cream or whipped topping products)	Noodles (Dry Only)
Cereal Products	Peanut Brittle
Cinnamon Buns	Pickles (vegetable and Fruit in vinegar based brines, with a finished pH of 4.6 or lower)
Cookies	Popcorn
Dried Fruit	Preserves (fruit soaked with sugar)
Dry Rice	Pumpkin Seeds
Flaked Pastry with Fruit Filings	Relish – with a pH of 4.6 or lower (vinegar-based)
Fruit	Rice Crispie Cake
Fruit Rollups	Spices
Fruit-filled Pies and Fruit-filled Tarts	Sunflower Seeds
Fudge	Toffee
Hard Candy	Vegetables
Honey	Wine Vinegar
Hot Cross Buns	

**Any other non-potentially hazardous food products approved by the Public Health Inspector.**

For further information, contact your local Public Health Inspector and visit the Health Protection Unit's website at:

<https://www.gov.mb.ca/health/publichealth/environmentalhealth/protection/food.html>

TEMPORARY FOOD MARKET REGISTRATION FORM

[www.manitoba.ca/healthprotection](http://www.manitoba.ca/healthprotection)

MARKET NAME: \_\_\_\_\_  
DATE: FROM: \_\_\_\_\_ TO: \_\_\_\_\_  
HOURS OF OPERATION: \_\_\_\_\_  
MARKET LOCATION: \_\_\_\_\_  
STREET ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_ POSTAL CODE: \_\_\_\_\_  
SITE TELEPHONE: \_\_\_\_\_

<b>MARKET COORDINATOR INFORMATION</b>		
NAME: _____		
MAILING ADDRESS: _____	CITY: _____	POSTAL CODE: _____
EMAIL: _____	TELEPHONE: _____	FAX: _____
ASSOCIATED BUSINESS NAME (IF APPLICABLE): _____		
BUSINESS ADDRESS: _____	CITY: _____	POSTAL CODE: _____

**MARKET OWNER/OPERATOR:** (Person or Company Applying for Permit)

Company Name \_\_\_\_\_  
 Partnership \_\_\_\_\_  
 Sole Proprietorship \_\_\_\_\_  
Company Contact Person: \_\_\_\_\_ Driver's License # \_\_\_\_\_  
STREET ADDRESS: \_\_\_\_\_  
CITY: \_\_\_\_\_ PROVINCE: \_\_\_\_\_ POSTAL CODE: \_\_\_\_\_  
TELEPHONE: \_\_\_\_\_ CELL: \_\_\_\_\_ EMAIL: \_\_\_\_\_

**PLAN SUBMITTED (Required)** - A detailed drawing showing overall layout of the market **MUST** be provided. Include booths, hand wash stations, cleaning area, washrooms, etc.

Plan previously Submitted to PHI (PHI Initial \_\_\_\_\_)     Attached

**FOOD VENDORS:**

**List of Vendors/Operators** and the food products they are selling **MUST** be provided to the PHI **and updated as required.**  
 List has been reviewed by Applicant to ensure those participating in the Market meet health protection requirements.

**Only vendors selling NON-potentially hazardous foods may operate under a Market permit. All others will require their own permit from a Public Health Inspector.**

*Signature represents the Market Operator is aware it is their responsibility to ensure the temporary food market is organized and operated in compliance with all applicable Acts and Regulations and is familiar with the Farmers' Market Guidelines, which also applies to flea markets, craft sales, bake sales and other such establishments.*

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE OF OWNER/REPRESENTATIVE