



*Guide to*

RANDOLPH COUNTY  
**FARMERS  
MARKET**  
FENNEL BUILDING COMPLEX



## Eggs

Eggs (must have MO State Egg License) The term “egg” means the shell eggs of a domesticated chicken, turkey, duck, goose or guinea that are intended for human consumption. Vendors who combine eggs from different species must mark the carton to indicate from which species the eggs were produced. Eggs should be clean, egg cartons should have the name and address of the producer, and eggs must be held at a temperature no greater than 45°F at the farmer’s market.



## Meat (beef, pork, and other meats)

Each package of meat must have a mark of inspection from either the United States Department of Agriculture (USDA) or Missouri Department of Agriculture (MDA). Meat labeled “not for sale” may not be sold at a farmer’s market. Products must be maintained at proper temperatures.

- Producers of poultry and rabbits may be exempt from inspection if they produce less than 1,000 carcasses a year. Producers under these exemptions may sell these products at a farmer’s market. These small producers may not sell products that are adulterated. All products must be kept at proper temperature.
- Wild game meat such as deer, elk, turkey, etc., may not be offered for sale at a farmer’s market. Commercially raised game must meet the same requirements as beef and pork.

## Commercially harvested fish

May be sold at farmer’s markets. The fish should be maintained at proper temperatures and cannot be adulterated. The vendor should be able to show their commercial fishing license if asked at the time of inspection.

## Dairy products

Unpasteurized milk cannot be sold in retail food establishments; therefore, unpasteurized milk cannot be sold at a farmer’s market. This applies to fluid milk and cream. All dairy products including milk, cheese, yogurt, cottage cheese, butter, sour cream, etc., must be produced in a State Milk Board regulated facility. The packaging of these items must be intact and the proper temperatures maintained.



## Whole, uncut fruits, vegetables, in-shell nuts and other whole agriculture products

Can be sold at a farmer’s market without inspection. These foods should be stored and displayed so they are protected from contamination. Store them off of the ground and protected from rain or other environmental contaminants.

## Wild mushroom

Shall be obtained from sources where each mushroom is individually inspected and found to be safe by an approved wild mushroom identification expert. Additionally, the vendor of the mushrooms must be able to provide information on the wild mushroom expert that provided the inspection of the mushrooms.

## Honey

Honey can be processed and bottled in a home kitchen without inspection if gross sales do not exceed \$50,000 annually. The honey must be labeled with the name and address of the persons preparing the food, the common name of the food and the name of all ingredients in the food.



## Certain non-potentially hazardous foods

- Can be processed in a home kitchen without inspection if labeled "This product has not been inspected by the Randolph County Health Department" and have a placard at the sales location with the same notation.
- Certain non-potentially hazardous processed foods including, but not limited to: breads, cookies, fruit pies, jams, jellies, fruit butters, honey, sorghum, cracked nuts, packaged spices, dehydrated fruits and vegetables, and spice mixes, dry cookie, cake, bread and soup mixes.

The following requirements must be met:

- The seller is the individual actually producing the food.
- The seller sells only to the end consumer.
- All food items are labeled with the name and address of the processor, the common name of the food, all ingredients in the food, and a statement that the product is prepared in a kitchen that is not subject to inspection by the Department of Health and Senior Services.
- If food items are sampled or served in unpackaged, individual portions, the sales booth must have a sign stating that the food is not subject to inspection by the Randolph County Health Department.

The Health Department has the final authority in determining whether a food item can be sold under these regulations.

Sampling of jams, jellies, salsa and other similar foods may be allowed if limited preparation is required. An example might be a vendor putting a dab of jelly on a cracker, serving it to a customer on a napkin.



## Certain non-potentially hazardous foods

Home production of “sugar free” or no sugar added jams and jellies are an exception to the food code exemptions. Regular jams and jellies rely on the amount of sugar used and the pH of the finished product to prevent harmful bacteria from being a problem. The pH scale is used to measure the acidity of food products. (pH is measured on a scale of 0 to 14, where less than 7 is acidic and greater than 7 is basic.) Less sugar may allow enough moisture to be available for harmful bacteria to grow without other barriers. This means the pH of the product becomes the barrier to harmful bacterial growth. If fruit with a pH above 4.0 and artificial sweeteners are used, then botulism becomes a problem. Extra steps must be taken to assure the safety of products that use acidity to prevent harmful bacteria from being a problem.

Products that contain artificial sweeteners in the finished product need to be sent to a laboratory and have the pH tested.

A jam or jelly with a final pH below 4.0 can still be allowed to be made in home kitchens under the statutory exemption. The manufacturing process must be strictly followed in order to produce a product that would have the same pH as the tested sample. Even a slight change in the recipe would require re-testing. Products made from fruits with natural sugars in them should be labeled “no sugar added” since they will still contain natural sugars from the fruit after processing.

“Sugar free” or “no sugar added” jelly that has a pH between 4.0 and 4.6 must be made in an inspected or regulated facility. The pH should be tested on every batch with a quality pH meter and a record kept of the results.

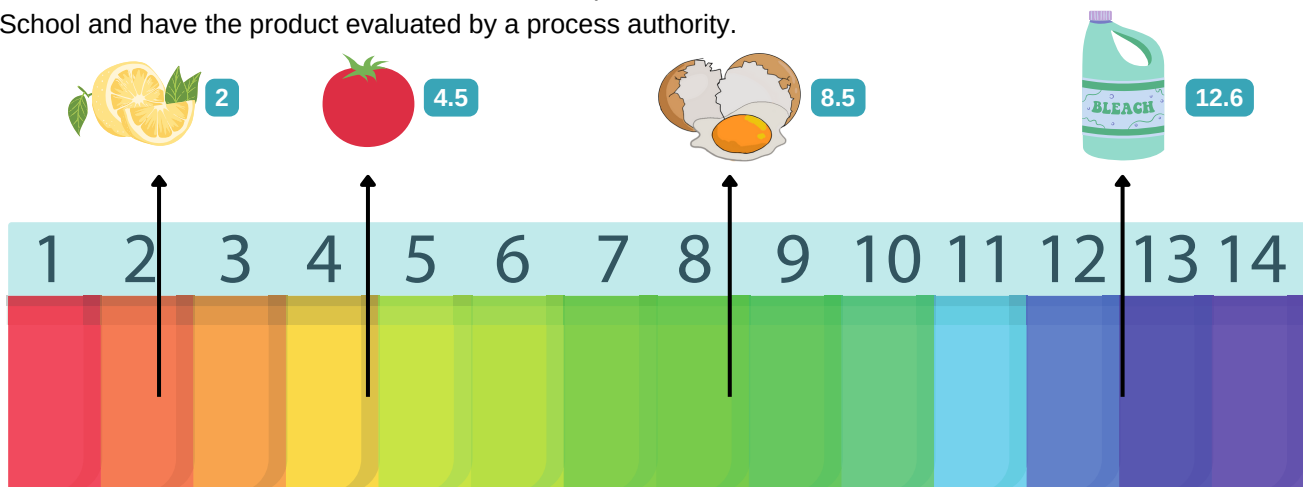
“Sugar free” or “no sugar added” jelly with a pH above 4.6 is not allowed under any circumstances to be produced in a home kitchen. These products would be classified as a low acid food and the manufacturer would need to attend a Better Process Control School and have the product evaluated by a process authority in accordance with federal law. Examples of these low-acid foods include pepper jelly, tomato jelly and similar products. Jellies made with juices should also be tested.

If the pH is below 4.0, then the pH will be considered the primary control point and the producer may proceed. If the pH is above 4.0, water activity becomes the primary control point and the water activity of the jelly must be tested in a laboratory.

If the water activity is below .80, the jelly can be allowed to be made under the food code exemption. The recipe and process should not be changed or the pH and water activity measurements previously determined will no longer be valid and would require retesting.

If the water activity for the jelly is between .80 and .85, it must be manufactured in a regulated facility and the water activity monitored.

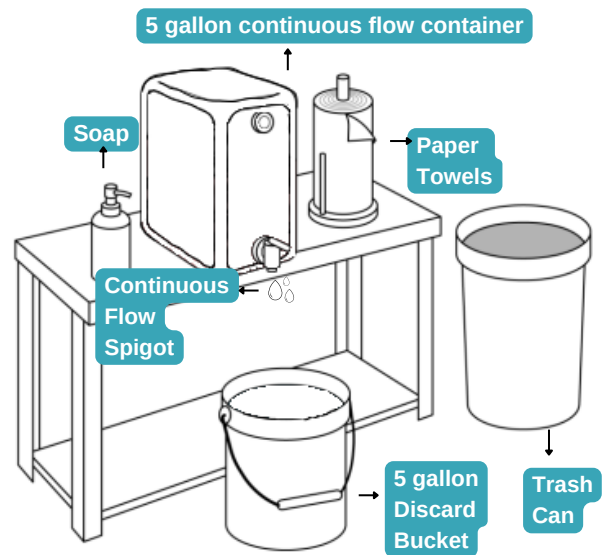
Any product with a water activity above .85 would be considered a low acid or acidified food, which cannot be made in a home kitchen. The manufacturer of this product would need to attend a Better Process Control School and have the product evaluated by a process authority.





## Basic sampling requirements

- Self-service samples are not permitted unless sneeze guards or similar counter protection is provided.
- Bare hand contact with ready to eat food is prohibited. Serving must be done in a manner that protects the sample from any bare hand contact. The use of gloves, single service utensils, napkins or tissues, or toothpicks may be used to sample.
- Potable water must be utilized for all food service uses.
- Minimum requirements will include immediate access to hand washing facilities. If a permanent pressurized hand washing facility is not available, a container with a spigot could be allowed. The container must allow water to flow until physically turned off - no pushbutton spigots. A container must be provided to collect wastewater. Liquid soap and paper towels must be available.
- Overhead protection is required. Fans or screens may be required on a case-by-case basis.



- Eating, drinking and tobacco use is prohibited in any food preparation area.
- Single-service or disposable utensils or dishware is required unless a 3-compartment dishwashing station is provided and utilized correctly, including the use of test strips for determining the proper sanitizer concentration.

## Sample requirements - fresh fruits and vegetables

- All food preparation (cutting fresh fruits and vegetables) must be done on site.
- All fruits and vegetables must be rinsed thoroughly in clean water. If cutlery is not disposable or single use, the 3-compartment dishwashing station must be used.
- Fruits and vegetable sample servings must be protected from contamination at all times.

## Sample requirements - meats

- All meats must come from inspected approved sources. Vendors must be able to show proof of the approved source.
- Meats must be in pre-formed patties or pre-cut portions not requiring preparation. Meat items may be served directly from a covered grill using sanitary methods, such as toothpicks or tissues. If foods are cooked and held, the meat must remain above the minimum hot holding temperature of 135°F. If time is used as a public health control, it must be declared in writing and unserved foods shall be disposed of immediately after 4 hours.
- Foods must be protected from contamination and flies at all times.
- If condiments are used, they must be available in single service packets.



# What is a potentially hazardous food?

An animal food that is raw or heat-treated; a plant food that is heat-treated or consists of raw seed sprouts; cut melons; cut leafy greens; cut tomatoes or mixtures of cut tomatoes that are not modified in a way so that they are unable to support pathogenic microorganism growth or toxin formation; and garlic-in-oil mixtures that are not modified in a way so that they are unable to support pathogenic microorganism growth or toxin formation.

## Potentially hazardous food does not include

- (a) An air-cooled hard-boiled EGG with shell intact;
- (b) A food with an Aw value of eighty-five one-hundredth (0.85) or less;
- (c) A food with a PH level of four and six-tenths (4.6) or below when measured at seventy-five degrees Fahrenheit (75°F);
- (d) A food, in an unopened hermetically sealed container, that is commercially processed to achieve and maintain commercial sterility under conditions of non-refrigerated storage and distribution; and
- (e) A food for which laboratory evidence demonstrates that the rapid and progressive growth of infectious or toxigenic microorganisms or the growth of *S. Enteritidis* in eggs or *C. botulinum* cannot occur, such as a food that has an Aw value above eighty-five one-hundredths (0.85) and a PH level above four and six-tenths (4.6) when measured at seventy-five degrees Fahrenheit (75°F) and that may contain a preservative, other barrier to the growth of microorganisms, or a combination of barriers that inhibit the growth of microorganisms.
- (f) A food that does not support the growth of microorganisms as specified under Paragraph 1 of this definition even though the food may contain an infectious or toxigenic microorganism or chemical or physical contaminant at a level sufficient to cause illness.

## Salsa, pickling, and fermenting

- Making salsa, pickling items and fermenting foods falls into the category of foods that are considered low-acid canned foods, acid foods or acidified foods.
- Certain food items, such as pickled products, relishes, salsas, salad dressings, and fermented items have additional requirements because of the nature of the food item. If you wish to produce these types of food items, you must file a copy of your process with the Missouri Department of Health and Senior Services (MDHSS) and the Food and Drug Administration (FDA). You will also be required to attend a Better Process School course. See the contact information for the MDHSS and the FDA for more information.
- RCHD may also require a food analysis of any food item that is to be sold non-refrigerated. This includes food items preserved in vinegars. The analysis may include equilibrium pH and/or water activity readings for a determination of product safety. Please contact the Public Health and Human Services for information on how to obtain a food product analysis.
- Unless the food product is an exempt item, the processing operation must take place in an approved kitchen separate from the home kitchen. An adequate, sanitary supply of hot and cold running water under pressure must be available. Unless connected to public sewer, the facility must have an adequate, approved, properly functioning onsite wastewater system. A wastewater lagoon cannot be used for a commercial operation unless permitted by the Department of Natural Resources.





## Contact Information

Randolph County Health Department  
660-263-6643 x 214  
[randolphcountyhealth.org/farmersmarket](http://randolphcountyhealth.org/farmersmarket)

### City of Moberly

101 W Reed St. Moberly  
660-269-8705  
<https://www.cityofmoberly.com/395/Business-License-Application-PDF>

### Meat and Poultry Inspection

Missouri Department of Agriculture Division  
of Animal Health  
(573) 751-3377  
[www.mda.mo.gov](http://www.mda.mo.gov)

### Egg Licenses and Certified Scales

Missouri Department of Agriculture  
Weights and Measures  
P.O. Box 630 Jefferson City, MO 65102  
(573) 751-5639

### Wild Mushroom Certification

Missouri Mycology Society  
[www.momyco.org](http://www.momyco.org)

### Dairy Products

Missouri State Milk Board  
(573) 751-3830  
[www.mda.state.mo.us](http://www.mda.state.mo.us)

### Department of Agriculture

Division of Weights and Measures  
(573) 751-5639

### Missouri Department of Health and Senior

**Services** - Environmental Public Health  
(866) 628-9891  
FAQs: <http://health.mo.gov/safety/foodsafety/industryfoods/retailfoods/faqs.php#4>

### Department of Natural Resources

Northeast Regional Office  
660-385-8000

### FDA (Food and Drug Administration)

888-723-3366  
<http://www.fda.gov>

### Sales/Use Tax

P.O. Box 840  
Jefferson City, MO 65105-0840  
General Inquiry Phone: (573) 751-2836 Balance  
Due Phone: (573) 751-7200  
Fax: (573) 522-1160  
[salesuse@dor.mo.gov](mailto:salesuse@dor.mo.gov)

### Business Tax Registration

P.O. Box 3300  
Jefferson City, MO 65105-3300  
Phone: (573) 751-5860 Fax: (573) 522-1722  
[businesstaxregister@dor.mo.gov](mailto:businesstaxregister@dor.mo.gov)

### AgriMissouri

Rachel Heimericks  
Marketing Specialist Office: (573) 751-7794 Cell:  
(573) 418-5514 Fax: (573) 751-2868 Email:  
[Rachel.Heimericks@mda.mo.gov](mailto:Rachel.Heimericks@mda.mo.gov)  
<http://agrimissouri.com/pdf/fmhandbook.pdf>

### Canned or Jarred Products

#### Missouri Department of Health and Senior Services

930 Wildwood Drive Jefferson City, MO 65102-0570  
Telephone: (573) 751-6400 Email:  
[info@health.mo.gov](mailto:info@health.mo.gov)

### Acidified (pickled) Foods Section for

Environmental Public Health (SEPH) (866) 628-9891

