VDH Food Safety at Farmers Markets
Objectives

• Overview of the VDH-VDACS MOU
• VDH Requirements at the Market
• Permit to operate
• Operational requirements for VDH permitted food establishments
VDH-VDACS MOU (January 2022)

Purpose:
• Clarify VDH permit and inspection procedures for food vendors operating at a farmers market.
• Promote the highest level of public health and safety protection.
• Ensure efficient use of state resources.
• MOU can be found at on the VDH Food Safety webpage under the VDH VDACS Partnership and MOU Agreements
VDH-VDACS MOU

• Does not rescind VDH’s authority to permit and inspect any food service facility otherwise subject to VDH regulation.

Under the Code of Virginia:

VDACS is responsible for inspecting all establishments which manufacture, sell, expose, or offer food and drink products for sale.

VDH is responsible for inspecting any place where food is served to the public, whether on or off premises, and any place where food is served.
VDH-VDACS MOU

Vendors that are NOT inspected by VDH

Vendors selling food items from approved sources including manufacturers inspected by VDACS.

Vendors selling packaged food items that are exempt from VDACS inspection as specified in CoV 3.2-5130A (3-5) can sell these foods at a farmers market and do not require a VDH permit to serve or sample these foods.
VDH-VDACS MOU

Vendors that are regulated by VDH

Vendors with a valid food establishment permit from VDH may offer food for sale at the farmers market without obtaining an additional VDH permit.

Vendors preparing food at the farmers market by cooking, steaming, and including those providing beverage service, etc. or vendors that do not fall into the categories on the previous slide are under the authority of VDH and must obtain a Food Establishment permit.
Products exempt from VDH inspection under CoV §35.1-14

Vendors offering their own farm-produced products directly to consumers for their personal use.

At the Farmers Market these farmers may offer:
• sliced fruits and vegetables,
• cooked fruits and vegetables,
• cooked and prepared meat, poultry, eggs.

Adding their farm-produced products to other ingredients, putting on pizza, sandwich, etc. is not allowed under this exemption.
Vendors Regulated by VDH at the Market

Permitted Food Establishments
Mobile Units
Temporary Food Establishments
Food Safety - VDH Regulated

Permitted food establishment that prepares and serves the same types of foods at the market as it prepares and serves at the permitted location.

This vendor may be inspected by VDH at the market.
A copy of the food establishment permit should be posted at the TFE.
Food Safety - VDH Regulated

**Mobile food unit:**
- Food establishment on wheels or readily movable at all times.
- Permit issued by the LHD in which the commissary is located or in the locality in which the operator resides, if a commissary is not required.
- Annual permit that is valid statewide.
Food Safety - VDH Regulated

Mobile food unit:
• Inspections are conducted based on risk category.

• Permit is a sticker that is adhered to the mobile unit.
Food Safety - VDH Regulated

Temporary food establishment:
• A food establishment that operates for a period of no more than 14 consecutive days in conjunction with a single event or celebration.

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Food Safety - VDH Regulated

Temporary food establishment:
• All food preparation must occur at the TFE.
Food Safety

Temporary food establishment:
An application for a TFE permit must be submitted at least 10 days prior to the event.

• Permit may be issued for multiple occurrences of an event for up to one year.
• Permit must be posted where visible to the public.
• A food establishment with a valid VDH permit can operate as a TFE without an additional VDH permit and must post a copy of the permit.
Risk Categorization of Food Establishments

# of Complete Trips thru Danger Zone

- 0 trips
- 1 trip
- 2 or more trips

Process 1
No Cook

Process 2
Same day prep

Process 3
Complex

135°F
41°F
Food Safety

Temporary food establishment:
• Inspections are conducted based on risk category.
• **Risk Category 1**: Non-TCS or commercially packaged TCS foods served in manufacture’s original package. *Examples*: Fried pork rinds, kettle corn
• **Risk Category 2**: Preparation of RTE food (no cook step), reheat commercially processed food for same-day-service. *Examples*: Tuna salad, BBQ sandwich, pre-cooked sausage with cooked peppers, pre-wrapped sandwiches or pizza.
• **Risk Category 3**: Complex food operation including cook, cool, reheat, hot hold or preparation of bulk quantities.
**Temporary Food Policy**

<table>
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<tr>
<th>Food Service Classification</th>
<th>Classification Guidelines</th>
<th>Minimal Risk Based Inspections</th>
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<tbody>
<tr>
<td><strong>Type 1</strong></td>
<td>Consist of food preparation of unpackaged non-TCS foods</td>
<td>Additional inspection beyond the preoperational inspection is not required; inspect during the permit period as necessary.</td>
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<td>Consist of commercially packaged TCS foods that are received, stored and held and served in the manufacture’s original package (Receive-Store-Hold-Serve)</td>
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<td><strong>Examples:</strong> Pre-packaged ice cream, shaved ice, kettle corn, cotton candy</td>
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<td><strong>Type 2</strong></td>
<td>Consist of food preparation with no cook step (Receive-Store-Prepare-Hold-Serve).</td>
<td>One additional inspection during the calendar year beyond the pre-operational inspection</td>
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<td>Consist of commercially packaged TCS foods for which Time as a Public Health Control is used onsite.</td>
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<td>Consist of reheating of a commercially processed food item (Receive-Store-Reheat-Hold-Serve) for immediate same-day service.</td>
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<td><strong>Examples:</strong> Tuna salad, coleslaw, hotdogs, BBQ sandwiches, pre-cooked hamburgers, pre-cooked Italian sausage with cooked green peppers and onions, pre-wrapped sandwiches or pizza.</td>
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<td><strong>Type 3</strong></td>
<td>Consist of preparation for same day service with no greater than one trip through temperature danger zone (Receive-Store-Prepare-Cook-Hold-Serve).</td>
<td>Two additional inspections during the calendar year beyond the pre-operational inspection.</td>
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<td>Consist of complex food preparation involving greater than one trip through the temperature danger zone (Receive-Store-Prepare-Cook-Cool-Reheat-Hot Hold-Serve).</td>
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<td>Consist of food prepared in bulk quantities of several gallons or pounds.</td>
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<td><strong>Example:</strong> Complex menu operations².</td>
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The above evaluation frequency schedules reflect minimum program requirements.
Food Safety

Why is Food Safety important at the Farmers Market?

The Centers for Disease Control estimates that, annually, there are:

48 million foodborne illnesses
that result in
128,000 hospitalizations
(Cost estimated at more than $3 billion)

and 3,000 deaths!
Food Safety

Operational Requirements for VDH Permitted establishments

1. Source of food(s)

2. Employee practices/personal hygiene
   a. Employee health
   b. Handwashing
   c. No bare hand contact with RTE food

3. Cooking of raw animal foods

4. Holding temperatures of TCS food

5. Cleaned and sanitized wares and surfaces/no cross contamination
VDH Regulated Food Establishments

Person in Charge (PIC)
   Required for each food establishment.

Certified Food Protection Manager (CFPM)
   Required for each food establishment
   except those that serve only non-Time/Temperature Control for Safety (TCS) food or only store and prepare food by reheating or cold holding commercially processed, fully cooked TCS food.
CFPM Credential

VDH recognizes the following Food Protection Manager Certification Programs accredited through ANSI and recognized by the Conference of Food Protection (CFP):

• **NRFSP: National Registry of Food Safety Professionals** - Food Protection Manager Certification Program, International Certified Food Safety Manager

• **National Restaurant Association** - ServSafe Food Protection Manager Certification Program

• **The Always Food Safe Company, LLC** - Food Protection Manager Certification
CFPM Credential

ANSI-CFP Accredited Programs (cont.)

• 1 AAA Food Manager/AAAFoodHandler.com - Certified Food Protection Manager Exam
• 360training.com, Inc. - Learn2Serve Food Protection Manager Certification Program
• Above Training/StateFoodSafety.com - Certified Food Protection Manager Exam
• Prometric is no longer issuing certificates. Certificates are valid until expiration date.
What is a TCS food?

Food that must be held under time and/or temperature control to limit growth of pathogens (organisms that cause foodborne illness) or toxin formation by pathogens in the food.

Based on food characteristics such as:

- pH
- Water activity ($a_w$)
- pH and $a_w$ interaction
- Heat treatment
- Packaging
What is a TCS food?

Examples:

Animal food that is raw or heat treated
What is a TCS food?

Examples:
Animal food that is raw or heat treated
Plant food that is heat treated
What is a TCS food?

Examples:

- Animal food that is raw or heat treated
- Plant food that is heat treated
- Raw seed sprouts
What is a TCS food?

Examples:
- Animal food that is raw or heat treated
- Plant food that is heat treated
- Raw seed sprouts
- Cut melons
What is a TCS food?

Examples:
- Animal food that is raw or heat treated
- Plant food that is heat treated
- Raw seed sprouts
- Cut melons
- Cut tomatoes (including mixtures containing raw tomatoes)
What is a TCS food?

Examples:
Animal food that is raw or heat treated
Plant food that is heat treated
Raw seed sprouts
Cut melons
Cut tomatoes (including mixtures containing raw tomatoes)
Cut leafy greens (excluding herbs)
What is a TCS food?

Examples:
- Animal food that is raw or heat treated
- Plant food that is heat treated
- Raw seed sprouts
- Cut melons
- Cut tomatoes (including mixtures containing raw tomatoes)
- Cut leafy greens (excluding herbs)
- Garlic-in-oil mixtures
What is **NOT** a TCS food?

Commercially canned foods
What is NOT a TCS food?

An air cooled hard-boiled egg or an egg that has been pasteurized
What is NOT a TCS food?

A food that has undergone a product assessment that demonstrates that the growth or toxin formation of pathogenic microorganisms that are most likely to occur in that food is precluded.

This is typically accomplished by submitting the food/recipe to a recognized subject matter expert who conducts a validation study.
Operational Requirements

1. Approved source of food(s)

Food shall be obtained from sources that comply with law.
Operational Requirements

2. Employee practices/personal hygiene

- Employee Health
- Handwashing
- No barehand w/ RTE foods
Personal Hygiene
Employee Health - PIC’s Responsibilities

Educate employees on their responsibility to report information about their health and activities as they relate to diseases that are transmissible through food.
Personal Hygiene
Employee Health - Employee’s Responsibilities

Employees must report:

• Symptoms: Vomiting
  Diarrhea
  Jaundice
  Sore Throat + Fever
  Lesion with pus
• Diagnosed with reportable illness
• Reportable past illness
• Reportable history of exposure
Personal Hygiene
Employee Health – Reportable Illnesses

Foodsense.org

6 Reportable Illnesses
• Typhoid fever (caused by *Salmonella typhi*)
• *Salmonella* (nontyphoidal)
• *Shigella* spp.
• Shiga toxin-producing *Escherichia coli* (STEC)
• Hepatitis A virus
• Norovirus
Personal Hygiene
Employee Health

Office of Environmental Health Services

Guide to Employee Health in Food Establishments

February 2017

VDH VIRGINIA DEPARTMENT OF HEALTH
Personal Hygiene

Good Hygienic Practices

Avoid these hand-to-mouth activities while working.
Personal Hygiene

Handwashing

Handwashing is an important public health intervention to prevent the transmission of disease.
Personal Hygiene

Handwashing

When should hands be washed?
Personal Hygiene
Handwashing
Personal Hygiene

TFE Handwashing
Personal Hygiene
No bare hands on ready-to-eat foods

NO

Yes
Operational Requirements

3. Adequate cooking of raw animal foods
   • Know the cooking requirement(s) for the food(s) that you are cooking.
     145°F
     155°F
     165°F
   • Use a cleaned and sanitized thermometer to verify cooking temperatures are met.
Operational Requirements

3. Adequate cooking of raw animal foods

145°F for 15 seconds - intact meats, fish, eggs for immediate service

155°F for 17 seconds - non intact meats, comminuted fish, game (commercially raised), eggs not for immediate service, ratites

165°F - poultry, stuffed meats, fish, etc.
stuffing containing meats, fish etc.

NOTE: Tables for roasts and exception for whole muscle beef steak.
Operational Requirements

4. Proper holding temperatures of TCS food
Operational Requirements

4. Proper holding temperatures of TCS food

On drained ice
Operational Requirements

5. Clean/sanitized wares and surfaces
Operational Requirements

Test kit provided for testing sanitizer concentration

- Many brands/styles available.
Water Source

Water pipes, hoses and connections.
Transport vehicles.
Water containers.
Wastewater Disposal
Animals at the market

Live animals are not allowed on the premises of permitted food establishments. A few exceptions:

- Patrol dogs accompanying police
- Service dog under the control of a disabled employee in areas not used for food preparation.
- Dogs may be allowed in outdoor dining areas.
  - Post requirements
  - Identify area where dogs are allowed
  - Dogs on a leash/in carrier and under the control of an adult
Animals at the market

Expectation at the market:

Avoid handling animals while working.
Make sure food is protected from customers walking by/shopping with an animal.
Wash your hands if you do handle an animal.
Avoid feeding animals at the vending site.
Farmers Markets Working with the LHD

LHDs would like to know when and where markets will operate.
• Some LHDs have local ordinances with requirements more stringent than the State requirements.
• Provide a list of vendors and info on permit status. Some districts have Event Coordinator forms.
• Contact EH in your locality to find out what information and forms they require
Find your Local Health District

[Image of the VDH website interface]

HEALTH DEPARTMENT LOCATOR

Enter Your Address or Zip Code
Search radius 25 mi Results 25

[Search button]
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