



Virginia Department of Health

FARMER'S
Market

Permitting and Food Safety 101

Presented By:

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Acronyms Used Throughout the Presentation:

CFPM = Certified Food Protection Manager

FDA = Food and Drug Administration

LHD = Local Health District (35 total in Virginia)

MOU = Memorandum of Understanding

PIC = Person-in-Charge

TCS Food = Time-Temperature Control for Safety Food

TFE = Temporary Food Establishment

VDACS = Virginia Department of Agriculture and Consumer Services

VDH = Virginia Department of Health

What's the Difference Between a VDH Vendor and a Farm Vendor?

VDH Vendor

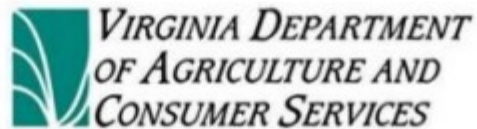
- Requires a VDH food establishment permit
- Food service establishment preparing food for sale e.g., concessions direct to consumer
- Examples are permitted food establishment, mobile unit, or TFE vendor
- Food preparation occurs in VDH food establishment, mobile unit, or onsite at the market

Farm Vendor

- Farmers selling their-own farm produced products direct to consumer at their farm or farmers' market
- Includes farmers, growers, producers
- Firms permitted by VDACS
- Firms exempt by VDACS under VA “cottage law”
- May provide a sample of product w/o VDH permit

Vendors Not Inspected by VDH at the Farmers Market

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.

Products Exempt from VDH Inspection under CoV §35.1-14

“Farmers offering their own farm-produced products directly to consumers for their personal use,...”

At the farmers market, these farmers may offer samples of their farm-produced products, e.g.,:

- sliced fruits and vegetables
- cooked fruits and vegetables
- cooked and prepared meat, poultry, seafood, eggs



Food Service v. Sampling at a Farmers' Market

Food Service

- Sold to the consumer
- Can be a meal or single entrée such as sandwich or slice of pizza
- Food is prepared at a permitted food establishment (includes onsite as a TFE vendor)



Samples

- Free
- Bite-size portion
- Showcases a food produced by farmer, producer, grower
- Prepared in a VDACS approved kitchen or onsite



Vendors Inspected by VDH at the Farmers' Market

- Permitted Food Establishments
- Mobile Units
- Temporary Food Establishments



**Temporary Food
Establishments**

Permitted Food Establishments:

- Prepares and serves the same types of food at the market that is prepared and served at the permitted location e.g., restaurant setting up a booth at the farmers' market
- A copy of the permit must be posted
- Inspected by VDH based on risk category

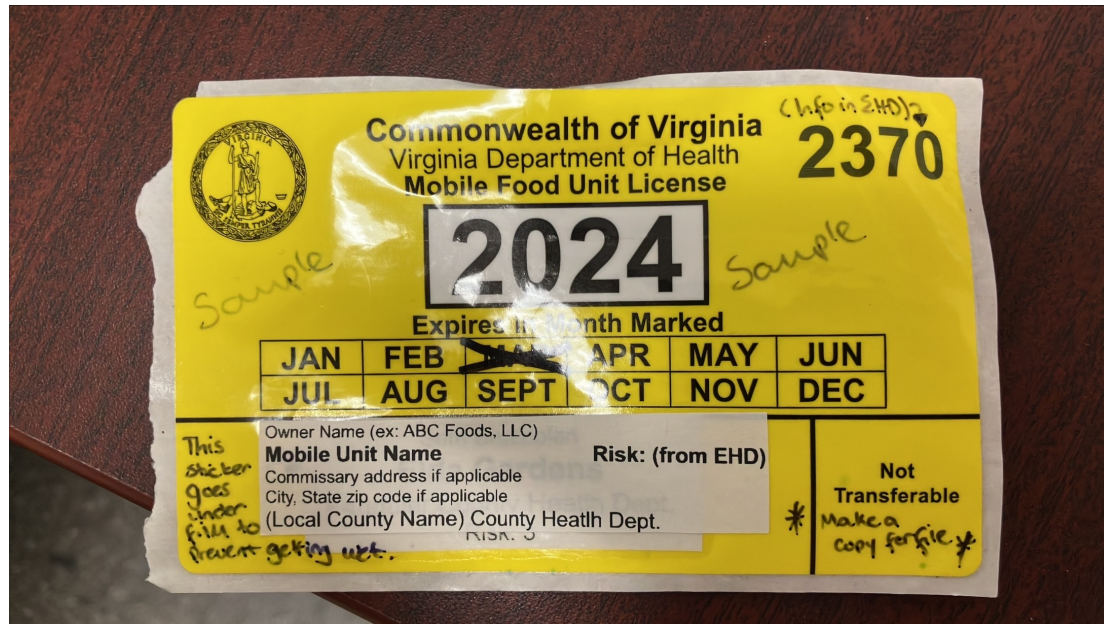
Mobile food unit:

- Food establishment on wheels or readily movable at all times also known as “food truck” or “hot dog cart”
- Permit issued by the LHD where 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.



Mobile food unit:

- Inspections are conducted based on risk category.
- Permit is a sticker that is adhered to the mobile unit.



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.
- Inspections are conducted based on risk category



mon	tue	wed	thu	fri	sat	sun
.....	1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26



An application for a TFE permit must be submitted at least **10 days** prior to the event.

- We recommend you check with the local health department where the market is taking place prior to participating in the market since there may be additional local codes.
- 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.

- All food preparation must occur onsite at the TFE



Most VDH Restaurant and TFE Permits look like this



COMMONWEALTH OF VIRGINIA
VIRGINIA DEPARTMENT OF HEALTH


CERTIFIES THAT:
Pierce Promotions & Event Management, LLC
178 Middle Street
Portland, ME 04101

TRADING AS:
LIDL MOBILE FOODS


*is hereby granted a permit/license to operate in the Commonwealth of Virginia
in association with any event or celebration as a
TEMPORARY FOOD ESTABLISHMENT
in accordance with the regulations of the Board of Health
of the Commonwealth of Virginia.*


Health Official
Danville City Health Department

Facility Type: Truck, Category 3
Valid from August 21, 2017 - August 20, 2018

Operator and dba name 

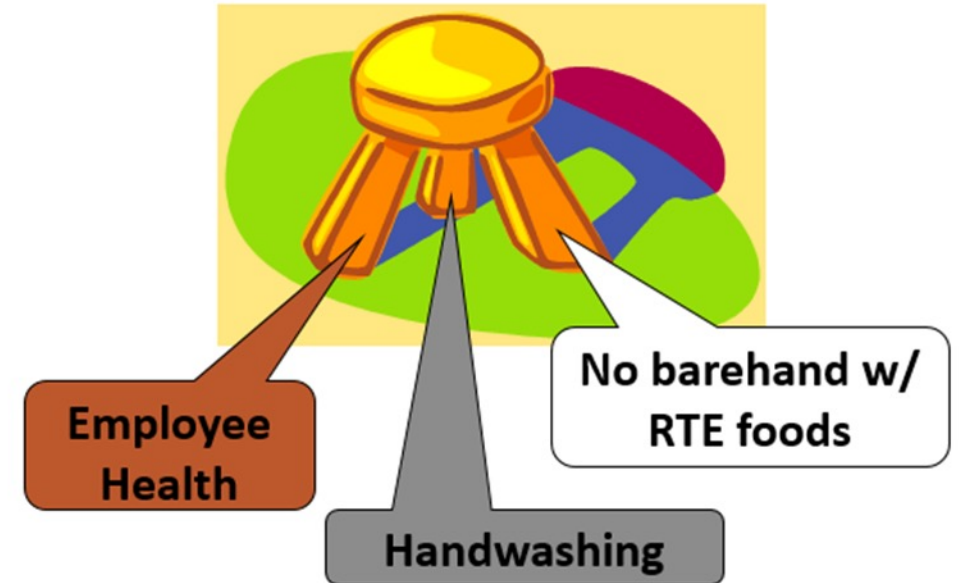
Type of Permit 

Signature of LHD who issued the permit and the locality name 

Risk Category and Expiration Date 

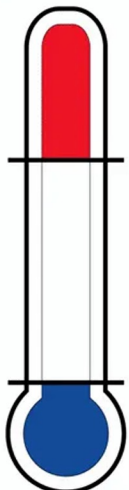
Operational Requirements for VDH Permitted Establishments

- 1) Person-in-Charge (PIC)
- 2) Certified Food Protection Manager (CFPM)
- 3) Food and water obtained from approved sources—No Home Prepared Food
- 4) Employee practices/personal hygiene
 - a. Employee health
 - b. Handwashing
 - c. No bare hand contact with RTE food
- 5) Cooking of raw animal foods-Use a thermometer
- 6) Holding temperatures of TCS food-**cold food $\leq 41^{\circ}\text{F}$** , **hot food $\geq 135^{\circ}\text{F}$**
- 7) Clean/sanitized wares and surfaces



Examples of TFE Handwashing





PROPER HOLDING TEMPERATURES

KEEP HOT FOODS HOT

KEEP COLD FOODS COLD

135 °F
57 °C

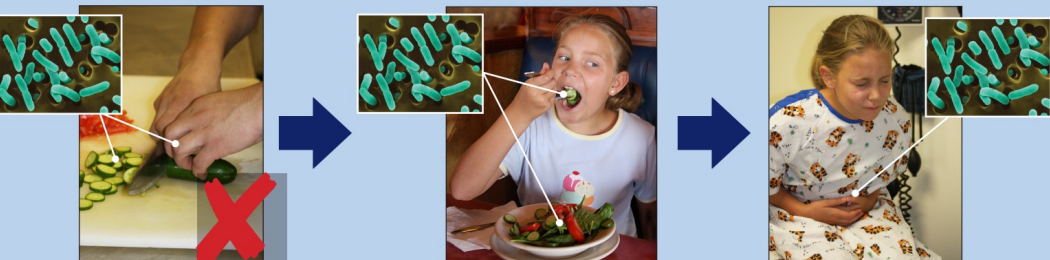
41 °F
5 °C




U.S. INSPECTED AND PASSED BY DEPARTMENT OF AGRICULTURE EST. 38



If you wear gloves or use utensils when handling ready-to-eat foods, you keep the food and your customers safe.




On drained ice

Protect people from getting sick. Always wear gloves or use utensils when handling ready-to-eat foods.



Wastewater Disposal



TFE Permitting Process Scenario #1

Whitney wants to sell tacos at his local farmers market. What does he need to do?

- Contact the LHD—they will provide him with the TFE application and walk Whitney through the process
- Complete the TFE application and pay \$40 state fee (local fees may apply) **at least 10 days** prior to participating in a farmers' market
- Keep the receipt of the \$40 state fee payment

Here are some tips for Whitney when filling out his application:

- Know the name and location of the farmers market
- Know who the Market Coordinator is and have their contact information (**i.e., name, phone number, email**)
- Know the dates of the farmers market (**This is the date range which you plan to operate**)
- Know what foods will be on his menu (**Any food for sale must be on the menu**)
- Have a copy of his (or his staff's) CFPM certificate available (**They must be on site at the farmers market during operation**)

TFE Permitting Process Scenario #2

Whitney obtained a TFE permit for selling tacos last month from Richmond City Health Department (HD) and has decided he would like to participate in a farmers' market in Virginia Beach. What does he need to do?

If the permit has not expired:

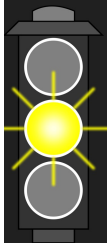
- Contact the Virginia Beach HD, provide them with a copy of his TFE permit issued by Richmond City HD, his most recent VDH inspection report, and let them know he is planning to participate in a farmers' market in Virginia Beach.
- Virginia Beach HD will determine if any additional steps are needed.

If the permit is expired:

- Contact Virginia Beach HD, they will provide him with the TFE application and walk him through the process again. He should also provide a copy of his receipt from Richmond City HD to avoid any additional state fees if it's within the calendar year.

VDH Received Frequently Asked Questions:

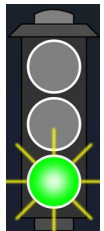
Do I need a permit to sample food?



If you fall under VDH, you need to have a permit to sample any type of food. Food samples must be prepared in the permitted food establishment or onsite.

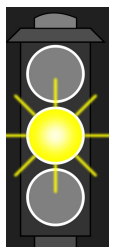
If you are farm producer and providing a sample of your farm-produced item, you do not need a VDH TFE permit.

Can farm vendors offer samples of their farm-produced fruit and/or vegetables?



If you are farmer or grower, you can offer samples of your product and do not require a VDH TFE permit.

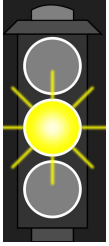
Can vendors offer samples of farm-raised, cooked meat such as sausages?



If you produced the meat from animals on your farm you do not require a VDH TFE permit.

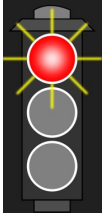
If you produced the meat from animals on your farm and want to sell it as a sandwich or meal, a VDH TFE permit is required.

Can a vendor selling oysters at a farmers' market provide a shucked or cooked sample to a customer?



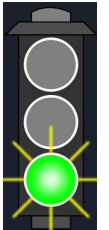
Yes, as long as the vendor is a certified dealer (must have a Certificate of Inspection from VDH Division of Shellfish AND is listed on the Interstate Certified Shellfish Shippers List).

Can I prepare food at home to bring to the farmers' market if I am a VDH permitted vendor?



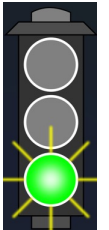
No. Food must come from approved sources and suppliers and be prepared in a VDH permitted establishment. There are some exceptions if you fall under VDACS inspection and permit.

Do I need a permit to prepare beverages such as coffee, Thai tea, lemonade?



Yes. Ice and beverages are considered food. Ice and water must come from an approved sources and beverages must be prepared onsite.

Do I need a handwash station if I am wearing gloves?



Yes. You need to provide a hand wash station at your booth.

To Our Market Managers and Coordinators

We are here to help you have a successful market! Here are some points to consider:

- Some localities have local ordinances with more stringent requirements than the State Food Regulations
- Some localities have local Event Coordinator forms to complete
- Do not hesitate to contact us with your questions

How can you help us?

Work with the local health department when organizing your market:

- Let us know when and where the market will open in advance. Keep in mind VDH TFE vendors need to apply for a permit at least 10 days prior to their participation in the farmers' market
- Provide your list of vendors so we can determine who is exempt, who needs permitting, and who requires a CFPM
- Request the vendor or farmer to provide you with a copy of their VDH or VDACS permit

How can we help you?

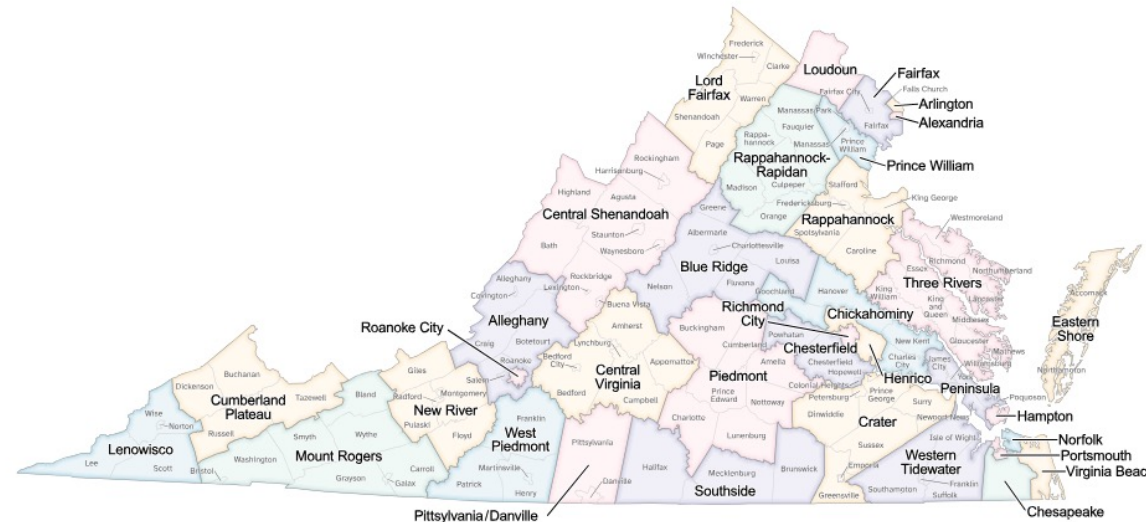
- Do not hesitate to contact us for any questions you may have
- Refer to our resources slide at the end of this presentation



Local Health Districts

- District Directors
- District Directory
- Localities by Health District

Email this page



- Alexandria
- Alleghany
- Arlington
- Blue Ridge
- Central Shenandoah
- Central Virginia
- Chesapeake
- Chesterfield
- Chickahominy
- Crater
- Cumberland Plateau
- Eastern Shore
- Fairfax
- Hampton
- Henrico
- Lenowisco
- Lord Fairfax
- Loudoun
- Mount Rogers
- New River
- Norfolk
- Peninsula
- Piedmont
- Pittsylvania/Danville
- Portsmouth
- Prince William
- Rappahannock
- Rappahannock/Rapidan
- Richmond
- Roanoke
- Southside
- Three Rivers
- Virginia Beach
- West Piedmont
- Western Tidewater

Commonwealth of Virginia

*List of Localities with Local Requirements for Special Use Permits, City Operated Markets, Temporary Food Event, and/or Mobile Units
v.1 2/14/2024*

Locality	Health District (HD)	Requirements	Phone	Email
City of Alexandria	Alexandria	Contact HD	703-746-4910	alexehhealth@vdh.virginia.gov
Arlington County	Arlington	Contact HD	703-228-7400	ehealth@arlingtonva.us
Fairfax City, Fairfax County, and Falls Church	Fairfax	Contact HD	703-246-2201	hdehd@fairfaxcounty.gov
City of Hampton	Hampton-Peninsula	Special Events permit with City and City Mobile Unit requirements	757-727-2570	HHD-Environmental@vdh.virginia.gov
Henrico County	Henrico	Mobile Units and zoning	804-501-4529	HenricoEH@vdh.virginia.gov
James City County	Hampton-Peninsula	Special Events	757-603-4277	peninsula.eh@vdh.virginia.gov
King George County	Rappahannock	Contact HD	540-775-3111	
Loudon County	Loudon	Contact HD	703-777-0234	health@loudoun.gov

Food Safety in Virginia - Environmental HealthFood Establishment

https://www.vdh.virginia.gov/environmental-health/food-safety-in-virginia/



- Bedding and Upholstered Furniture Program
- Childhood Lead Poisoning Prevention
- Food Safety in Virginia
- Marina Program
- Migrant Labor Camps
- Public Health Toxicology
- Shellfish Safety
- Tourist Establishment Regulation
- Waterborne Hazards Control
- Onsite Water and Wastewater Services

Email this page

Food Safety in Virginia

The Virginia Department of Health works with food establishment owners and consumers throughout the Commonwealth to prevent and address foodborne illness. Learn more about food safety services and resources below.

I want to...



Report a Foodborne Illness



Operate a Food Establishment



Read Virginia's Food Regulations



View a Restaurant Inspection Report

I want to learn more about...



VDH and Food Safety



Food Allergens



Milk Safety



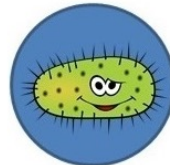
Food Safety Basics



Food Recalls



VDH and VDACS Partnership



Foodborne Diseases and Outbreaks



Safe Dining Out Tips



Temporary Food Establishments

g/virginia.gov/environmental-health/foodborne-illness-report/

VDH List of Resources for Food Vendors

- ❖ Main Food Safety Landing Page: [Food Safety in Virginia - Environmental Health Food Establishment](#)
- ❖ [Operators Information - Environmental Health \(virginia.gov\)](#)
 - How to apply for food permit including mobile units and temporary food establishments (TFE)
 - Certified Food Protection Manager (CFPM) information
 - List of Localities that have local ordinances or additional requirements for TFEs
 - Employee Health
 - Food Regulations
 - Food Allergen Awareness
- ❖ VDH and VDACS Memorandum of Understanding: [VDH and VDACS Partnership and MOU Agreements - Environmental Health \(virginia.gov\)](#)
- ❖ Find your Local Health District:
Main Landing Page: [Local Health Districts - Virginia Department of Health](#)
Health Department locator: [Health Department Locator - LHD Locator \(virginia.gov\)](#)
- ❖ Contact us at: foodsafety@vdh.virginia.gov

Code of Virginia

VDACS:

[§ 3.2-5130. Inspections required to operate food establishment.](#)

VDH:

[§ 35.1-14. Regulations governing restaurants; advisory standards for exempt entities.](#)

Thank you!

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Questions?



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