

Application for a Certified Farmers' Market

A Certified Farmers' Market (CFM) is a location that is certified by the State of California and the county agricultural commissioner. A CFM is a food facility, as defined by the California Retail Food Code. A food facility is required to have an Environmental Health Permit before it may open for business.

A CFM consists of farmers and producers that grow their own certified items and then sell it to the consumer. A CFM may also have a Community Event attached to it. The Community Event is the location where cooked food, non-certified items, and non-food items are sold. The Community Event is required to have an Environmental Health Permit before it may be open for business.

This document will explain the California Retail Food Code regulations for the operation of a CFM. The application of a Community Event is included with this document.

How do I obtain a permit for a CFM?

- Read the attached information.
- Complete and sign the forms, including the community event application <https://kernpublichealth.com/wp-content/uploads/2022/04/Community-Event-Application-2022.pdf>
- At least two weeks prior to the event, submit the forms to Environmental Health.
- Pay the fees, fees must be received before the permit can be issued.

The completed application can be emailed to EH@kerncounty.com and you can pay the fee with a credit card or you may mail the forms and payment to Environmental Health Division, 2700 M Street, Suite 300 Bakersfield, CA 93301 and attached a check.

There are several important definitions for operating a CFM.

Definitions
Agricultural products mean certified and non-certifiable agricultural products, as defined by the California Department of Food and Agriculture (CCR 1392.2(k)) Food and Agricultural Code, Direct Marketing.
Approved Source means a food from a source that complies with all applicable laws.
Certified Agricultural Products means agricultural products, which are certified under the jurisdiction of the county agricultural commissioner relative to inspection and verification of compliance with the provisions of the Direct Marketing regulations. They include fresh fruits, nuts, vegetables, shell eggs, honey, flowers, and nursery stock. See Appendix A

Non-Certifiable agricultural products means certified agricultural products that have been processed, including but not limited to products from any tree, vine, or plant and their flowers (including processed products), livestock (including rabbits) and livestock products, and fish and shellfish produced under controlled conditions in waters or ponds located in California. (CCR 1392.2 (m)) These include dried fruits and vegetables, processed nuts, juices, jams, pickled or smoked agricultural products, live animals, livestock, aquaculture, and viticulture. See Appendix A

Potentially hazardous food means a food that is natural or synthetic and that requires temperature control because it is in a form capable of supporting the rapid and progressive growth of infectious or toxigenic microorganisms. Potentially hazardous food include food of animal origin, a food of plant origin that is heat-treated, raw seed sprouts, cut melons, and garlic-in-oil mixtures that are not acidified.

Produce means any whole fruit or vegetable in its raw and natural state.

Forms and Documents

1.	Check with the County or City Planning Department to see if the site is zoned for a CFM
2.	Application for Environmental Health Permit
3.	Restroom Authorization
4.	Copy of certification from the Kern County Department of Agriculture
5.	List of certified farmers – Vendors selling processed products must provide the Facility Identification Number of the approved processing facility as issued on the Kern County Environmental Health Permit.
6.	Diagram of CFM layout
7.	Application for a Community Event – if non-agricultural products will be sold
8.	Diagram of event layout

Operational Guidelines

1. An Environmental Health Permit shall be posted in a conspicuous place at the Certified Farmers' Market (CFM).
2. Only agricultural products, as defined, may be sold or offered for sale at a CFM. See Appendix A- Certified and Non-Certifiable Agricultural Products
3. Processed foods must be produced and stored in a facility approved by the Environmental Health Division or the appropriate state agency. All processed foods shall be properly packaged and labeled. The vendor must display his Environmental Health permit.
4. Prepackaged foods shall be labeled. Labeling shall include the common name of the product, an ingredients list by order of weight, a statement of quantity (e.g. net weight, volume or count) and the name, address and zip code of the producer.
5. Foods sold in bulk, like coffee beans, dried beans, lentils, granola, whole grains, dried fruit, etc., may be sold bulk if hand-washing is available. There can be no bare hand contact with ready to eat bulk foods. Items may not be self-serve.

6.	All food shall be stored at least six inches off the floor or ground or under any other conditions that are approved. Tents, canopies, or other overhead coverings are not required for fresh whole produce sales displays or storage.
7.	<p>Food preparation is prohibited at a CFM with the exception of food samples. See Appendix B Sampling and Sanitation Guidelines</p> <ol style="list-style-type: none"> a. Samples shall be kept in clean, nonabsorbent, and covered containers intended by the manufacturer for use with foods. Any cutting or distribution of samples shall only occur under a tent, canopy, or any other overhead covering. b. All food samples shall be distributed by the producer in a manner that is sanitary and in which each sample is distributed without the possibility of a consumer touching the remaining samples. c. Clean, disposable plastic gloves shall be used when cutting food samples. d. Food intended for sampling shall be washed or cleaned of any soil or other material by potable water in order that it is wholesome and safe for consumption. e. Potable water shall be available for handwashing and sanitizing as approved by the enforcement officer. f. Potentially hazardous food samples shall be maintained at or below 45 degrees F and shall be disposed of within two hours after cutting. g. Wastewater shall be disposed of in a facility connected to the public sewer system or in a manner approved by the enforcement agency. h. Utensils and cutting surfaces shall be smooth, nonabsorbent, and easily cleanable or single-use articles shall be utilized. i. Each booth shall have facilities for washing utensils, cleaning equipment and for general purpose cleaning.
8.	Approved toilet and handwashing facilities shall be available with 200 feet travel distance of the premises of the CFM or as approved by the enforcement officer.
9.	No live animals, birds, or fowl shall be kept or allowed. No individual shall bring a live animal, bird, or fowl within 20 feet of any area where food is stored or held for sale within a certified farmers' market.
10.	Mobile Food Facilities selling food under the jurisdiction and management of a CFM may store, display, and sell from a table or display fixture apart from the mobile food facility in a manner approved by the enforcement agency.
11	Smoking of cigarettes, cigars, pipe tobacco, and other nicotine products shall not be permitted within 25 feet of the common commerce area comprised of sales personnel and shopping customers of the certified farmers' market.
12.	Mobile Food Facilities and Temporary Food Facilities selling non-agricultural food products are required to have a valid Environmental Health Permit and are not considered part of the CFM. Non-agricultural products are food items other than certified agricultural products or non-certifiable agricultural products, such as bakery products, cooked meals or ice cream. See Appendix C – Community Event Packet
13.	<p>Raw eggs may be stored and displayed without refrigeration if all of the following conditions are met:</p> <ol style="list-style-type: none"> a. The eggs were produced by poultry owned by the seller and collected on the seller's property. b. The eggs are not placed in direct sunlight during storage or display.

- c. Retail egg containers are prominently labeled “refrigerate after purchase’ or the seller posts a conspicuous sign advising consumers that the eggs are to be refrigerated as soon as practical after purchase.
- d. Retail egg containers are conspicuously identified as to the date of the pack.
- e. The eggs have been cleaned and sanitized.
- f. The eggs are not checked, cracked, or broken.
- g. Any eggs that are stored and displayed at temperatures of 90 F° or below that are unsold after four days from the date of pack shall be stored and displayed at an ambient temperature of 45 F° or below, diverted to pasteurization, or destroyed in a manner approved by the enforcement agency.
- h. Any eggs that are stored and displayed at temperatures above 90 F° that are unsold after four days from the date of pack shall be diverted to pasteurization or destroyed in a manner approved by the enforcement agency.

14. Dispensing methods for bulk sales of ready-to-eat, non-certifiable agricultural products such as dried fruit and shelled nuts shall be approved by the local enforcement agency. See Appendix B - Sampling and Sanitation Guidelines

15. Potentially hazardous shall be stored and displayed at or below 41°F at all times.

16. Uninspected, processed red meat, poultry, fowl, or rabbits may not be sold.

Appendix A

Certified and Non-Certifiable Agricultural Products

Certified and Non-Certifiable Agricultural Products

Agricultural products mean **certified** and **non-certifiable agricultural products**, as defined by the California Department of Food and Agriculture (CCR 1392.2(k)) Food & Agricultural Code, Direct Marketing.

Certified Agricultural Products are agricultural products certified by the county agricultural commissioner and meet the Direct Marketing regulations. Certified agricultural products include:

- ▶ fresh fruits
- ▶ nuts
- ▶ vegetables
- ▶ shell eggs
- ▶ honey
- ▶ flowers
- ▶ nursery stock

Non-Certifiable agricultural products are certified agricultural products that have been processed

These products may be dried, ground, roasted, juiced, smoked or otherwise altered by adding a limited number of ingredients or additives, which act only as preservative or are essential in the preparation of the product. Foods must be processed in a facility approved by the Kern County Environmental Health Division or the California Department of Public Health. Products in this category must have been grown, bred, raised, cultivated or collected upon land, which the producer controls. Non-certifiable agricultural products include but are not limited to:

- ▶ dried fruits
- ▶ dried vegetables
- ▶ processed nuts
- ▶ juices
- ▶ jams and jellies (only pectin and sugar added)
- ▶ pickled or agricultural products (such as pickles and cucumbers in a brine or vinegar solution)
- ▶ smoked agricultural products (natural smoking of meat or poultry for drying)
- ▶ olive oil
- ▶ wine
- ▶ products from any tree, vine, or plant and their flowers
- ▶ livestock (including rabbits)
- ▶ livestock products
- ▶ and fish and shellfish produced under controlled conditions in waters or ponds located in California

Nonagricultural products are Items that require multiple steps to process or are made from items that have not have been grown, bred, raised, cultivated or collected upon land, which the producer controls are non-agricultural products. Non-agricultural products may only be sold from a Temporary Food Facility at a Community Event adjacent to the Certified Farmers' Market. Examples of these items include but are not limited to:

- ▶ baked goods such as pies, bread or cookies
- ▶ cooked meals
- ▶ bottled water or sodas
- ▶ ice cream or yogurt

Appendix B

Sampling and Sanitation Guidelines

GUIDELINES FOR SAMPLING AT FARMERS' MARKET EVENTS

Providing samples at Certified Farmers' Markets allows customers to try a product before purchasing it. However, unsafe sampling methods can adulterate or contaminate food and can result in food borne illness. The California Retail Food Code (CAL CODE) requires that basic sanitation practices be followed when samples are dispensed at farmers' markets. Marin County's Environmental Health Services (EHS) interprets the state law as follows to ensure that the public's health is protected. Follow these basic sanitation practices for healthy and legal sampling.

1. Produce intended for sampling must be washed. Washing is to remove dirt, soil, and any other contaminants. An antiseptic vegetable wash product is strongly recommended.
2. Set up the hand washing and utensil washing stations **FIRST**. Thoroughly wash hands before the farmers market. Food handling at the farmers market requires a hand washing station. If money is handled, hands must be rewashed.
3. A hand washing station consists of:
 - A 5 to 7 gallon container of water with a hands free dispensing valve
 - A 5 gallon catch basin
 - Potable water, preferably at 100 degrees Fahrenheit
 - Liquid hand washing soap in pump or squeeze bottle
 - Paper towel supply for the entire day.
4. A utensil washing station consists of:
 - 3 five-gallon containers
 - One of the containers holds soapy water for washing
 - One of the containers holds clean water for rinsing
 - One of the containers holds bleach in water for sanitizing (use one-tablespoon bleach per gallon of water to provide a solution of 100-ppm chlorine).
5. Provide containers with sneeze and handling protection.
6. Use disposable gloves when cutting or handling products. Do not reuse gloves after touching contaminated surfaces, or money.
7. Use tooth picks, wax paper, paper sampling cups, or disposable utensils to distribute samples. The idea is to prevent customers' hands or fingers from touching the samples or contaminating the food.
8. Use only sanitized knives and cutting boards for cutting samples.
9. Use a plastic bag lined wastebasket for sampling preparation and distribution waste disposal.
10. Do not dump wastewater on ground or pavement.

Required items for proper sampling



Bottom left to right: disposable single use utensils, covered sampling container, tongs, knife and cutting board

Top left to right: Wastebasket with liner, disposable latex or plastic gloves

Examples of Sampling Set-up – Hinged Container

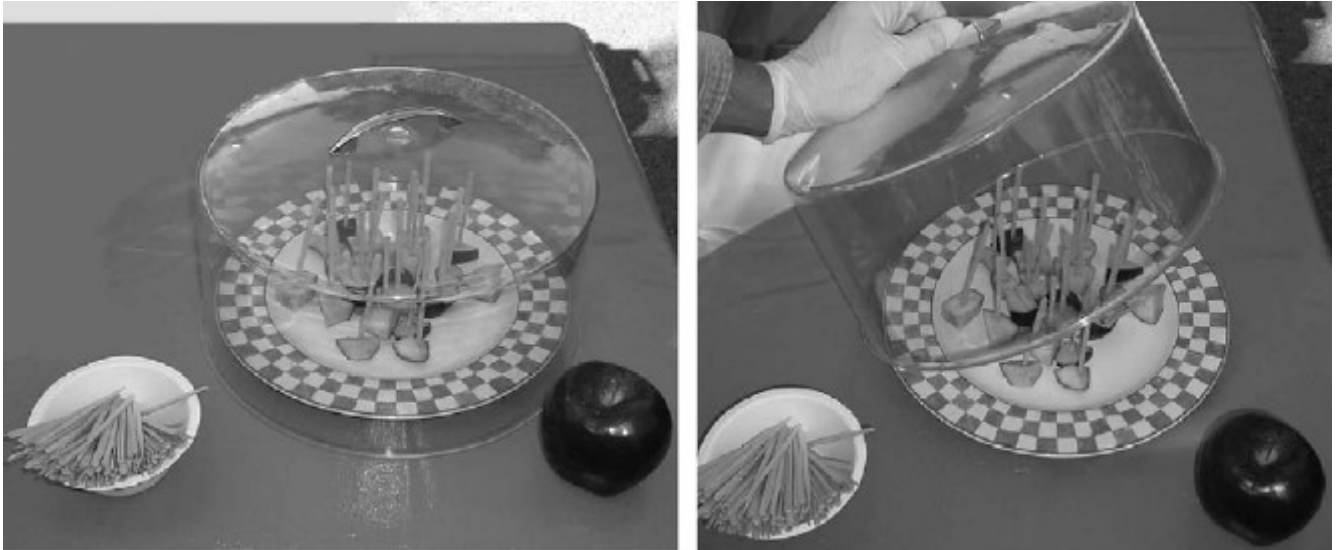


Provide containers with hinged covers to prevent food contamination.



Use tongs to give out sample. This keeps the food samples from being contaminated. Vendor is in complete control of the sampling process.

Examples of Sampling Set-up – Covered



Notice the samples have toothpicks already so customer does not have to touch the sample. Cake cover acts as a sneeze guard.



Example of sample container to use for sampling nuts. Nuts are shaken into the samplers' hand.

ENVIRONMENTAL HEALTH PERMIT APPLICATION FORM
 Environmental Health Division of Public Health Services Department
 2700 "M" Street, Suite 300, Bakersfield, CA 93301

<input type="checkbox"/> New Business	<input type="checkbox"/> Ownership Change Date: _____	<input type="checkbox"/> Information Change	Date: _____
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Type of Ownership: Sole Proprietor Partnership Corporation Other: _____

Check all that apply:	<input type="checkbox"/> Food Facility	<input type="checkbox"/> Swimming Pool	<input type="checkbox"/> Hotel/Motel: Total Number of Rooms _____
	<input type="checkbox"/> Commissary	<input type="checkbox"/> Wading Pool	
	<input type="checkbox"/> Water System-Food Facility	<input type="checkbox"/> Spa Pool	<input type="checkbox"/> Tobacco Retailer: BOE# _____

OWNER/ OPERATOR INFORMATION

Owner/Operator Name:			
City:		State:	Zip:
Phone:	()	Cell Phone:	Fax: ()
E-Mail Address(s):			
Mailing Address:			
City:		State:	Zip:
Partner(s)/Corp Name			
City:		State:	Zip:
Phone:	()	Cell Phone:	Fax: ()

FACILITY/BUSINESS INFORMATION

Facility Name (DBA):			
Address:			
City:		State:	Zip:
Phone:	()	Alternate phone:	Fax: ()
Care Of:		E-Mail Address:	
Mailing Address:			
City:		State:	Zip:
Water Provider			

BILLING INFORMATION

Mailing Address for invoice to renew annual permit: Business Mailing Address Owner Address Other

If you checked other, what is the address? _____

Care of: _____

Approval of this application and issuance of an Environmental Health Permit is required before commencing operation. Failure to obtain both may result in a misdemeanor citation and/or closure. The undersigned applicant agrees to operate in accordance with all applicable state laws and local ordinances.

Signature of Applicant	Print Name	Date
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PERMIT(S) AND FEE(S) ARE NOT TRANSFERABLE.
PERMIT FEE(S) MUST BE SUBMITTED WITH PERMIT APPLICATION.

TOBACCO RETAIL TRAINING	FOR OFFICIAL USE ONLY			
	Program ID	PE	Date Mailed	Facility ID
	Previous Owner ID	New Owner ID	Map #	Service Request #
	Total Fees Paid	Received By	Date Paid	Accounting ID

Authorization for Use of Restroom Facilities

(Certified Farmers' Market and Temporary Food Facility)

Certified Farmers' Markets and Temporary Food Facilities shall be operated within 200 feet travel distance of approved and readily available toilet and handwashing facilities .

This form is to be completed and signed by the owner/operator of the business providing the restroom facilities.

<i>Business Name</i>		<i>Health Permit</i>
<i>Business Address</i>	<i>City, State, Zip</i>	<i>Telephone</i>
<i>Days of Operation</i>	<i>Hours of Operation</i>	

Your signature on the line below indicates that you agree to allow the food facility known as:

Name of Food Facility	
Name of Food Facility Operator	
Address of Food Facility Operator	

to use your restroom facilities. The restroom has a hand washing sink equipped with hot and cold running water, a self-mixing faucet, and is supplied as needed with soap and single service towels in permanently mounted dispensers.

Signature of Owner/Manager _____ Print Name _____

Signature of Food Facility Operator _____ Print Name _____ Date _____

Grounded in Health