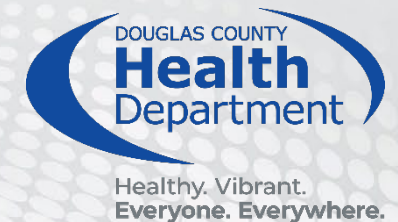




Farmers Market Review 2/20/2025

Adam Carlson, Dan Ludwig, and Sarah Pistillo
Food Safety and Compliance



Health Department Requirements

- Vendors offering food to the public for consumption in Douglas County must have a permit from or be registered with the Douglas County Health Department
 - Exceptions are:
 - Produce vendors offering raw agriculture products. These products include whole fruits and vegetables grown by the seller or a member of the seller's co-operative
 - Raw honey is a raw agriculture product and does not require a permit from Douglas County Health Dept.
 - If honey is infused or whipped it is no longer considered raw and would require a permit.
 - Microgreens which are harvest cut and Mushrooms are treated the same as any other produce and do not need a permit from Douglas County Health Department.
 - Sprouts are a Time and temperature control for safety product and are subject to the NE food code and CFR 110, requiring a permit

Different types of Permits/Registration in Douglas County

- Cottage Food Registration
- Annual No Fee Retail Permit
- Temporary Non-TCS Prepackaged Food/Food Sampling Permit
- Annual Retail Permit
- Temporary Vendor
- Annual Temporary Vendor at FARMERS MARKETS (not applicable to temporary events)

Cottage Food

Four steps to becoming a registered cottage food vendor in Douglas County:

Step 1:

Before operating as a cottage food vendor please take the time to read the Cottage Food Vendor Regulations. It's important to understand what is and is not allowed as a cottage food vendor. The regulations can be found at:

<https://nebraskalegislature.gov/FloorDocs/108/PDF/Final/LB262.pdf> pages 48-50.

Step 2:

After understanding the law, your next step is to complete a food safety course. Any ANSI certified food safety course is approved for this purpose. The list of classes can be found on their website:

<https://anabpd.ansi.org/accreditation/credentialing/certificate-issuers/AllDirectoryListing?prgID=212,238&statusID=4>.

Also, the UNL extension office offers a class:

<https://food.unl.edu/food-service-farmers-markets>

Step 3:

Once you have completed the food safety course register as a cottage food vendor with the Nebraska Department of Agriculture (NDA). The registration application can be found on their website at:

<https://nda.nebraska.gov/fscp/foods/cottagefood.html>

Step 4:

After you have completed the NDA registration, if you want to work in Douglas County (only required if you sell in DC) we require an additional registration. The registration application must be done annually and can also be found on the DCHD website at: <https://www.douglascountyhealth.com/food-safety-compliance?view=article&id=49:farmers-markets&catid=70:food-safety-compliance>

FOODS NOT ALLOWED as a cottage food vendor

- Any part of an animal, vertebrate or invertebrate, or animal by-product.
- Fluid milk or milk products as defined in the Grade A Pasteurized Milk Ordinance adopted by reference in the Nebraska Milk Act.
- Raw eggs.
- Unpasteurized juice.
- Infused oils or honey.
- Sprouts.
- Low-acid canned food and hermetically sealed acidified food.
- Tofu, tempeh, or similar meat substitutes. Kimchi, kombucha, or similar fermented foods.

Cottage Food Requirements

- All foods must be made and dished inside the producer's home.
 - Food cannot be prepared, distributed or dished up on-site. The food must not be worked with outside of the producer's home.
- The producer is required to properly hot (warmer than 135F) and cold hold (colder than 41F) Time and temperature control for safety foods at the events and during transport.
- Registrations must be turned into NDA and Douglas County Health Department before offering food to the public at an event in Douglas County.

Cottage Food – LABELING REQUIREMENTS

- The producer must label the food so that the name and address of the producer is provided to the consumer on the package or container label.
 - Address must be a physical address. It can not be a website. It can be a PO Box.
- Food that is time/temperature control for safety food shall also have labeling that includes all ingredients in descending order of predominance.
- At the point of sale there must be a clearly visible notification stating –
“Food was prepared in a kitchen not subject to regulation and inspection by a regulatory authority and may contain allergens.”
 - This label is required even if the cottage food producer is making allergen free products.

Annual No Fee Retail Permit

- Foods sold under this permit must be non-time and temperature control for safety foods.
 - Foods that do not require refrigeration for safety. Example: dry spices.
- Foods must be made in a licensed facility.
 - If the facility is not in Douglas County, DCHD will require a copy of the facility's permit and last inspection.
 - If the facility is within Douglas County, DCHD will already have copies of these records.
 - If a 3rd party co-packer is used. DCHD requires a copy of the retailer's registration/certification with the co-packer.
- Products sold to the public must be pre-packaged and labeled for retail sales.
- Vendors can offer Non-TCS and TCS samples to the public if following the sampling requirements.
- This permit is issued annually and can be used to attend any permitted Farmers Market or Temporary Event within Douglas County.
- **APPLICATIONS MUST BE TURNED INTO DCHD TWO WEEKS BEFORE OPERATING IN DOUGLAS COUNTY.**

Temporary, Non-TCS Prepackaged Food/Food Sampling Permit

- This permit allows the same activities and has the same requirements as the No Fee Retail Permit.
- The difference is this permit is issued for a two-week period.
- **APPLICATIONS MUST BE TURNED INTO DCHD TWO WEEKS BEFORE OPERATING IN DOUGLAS COUNTY.**

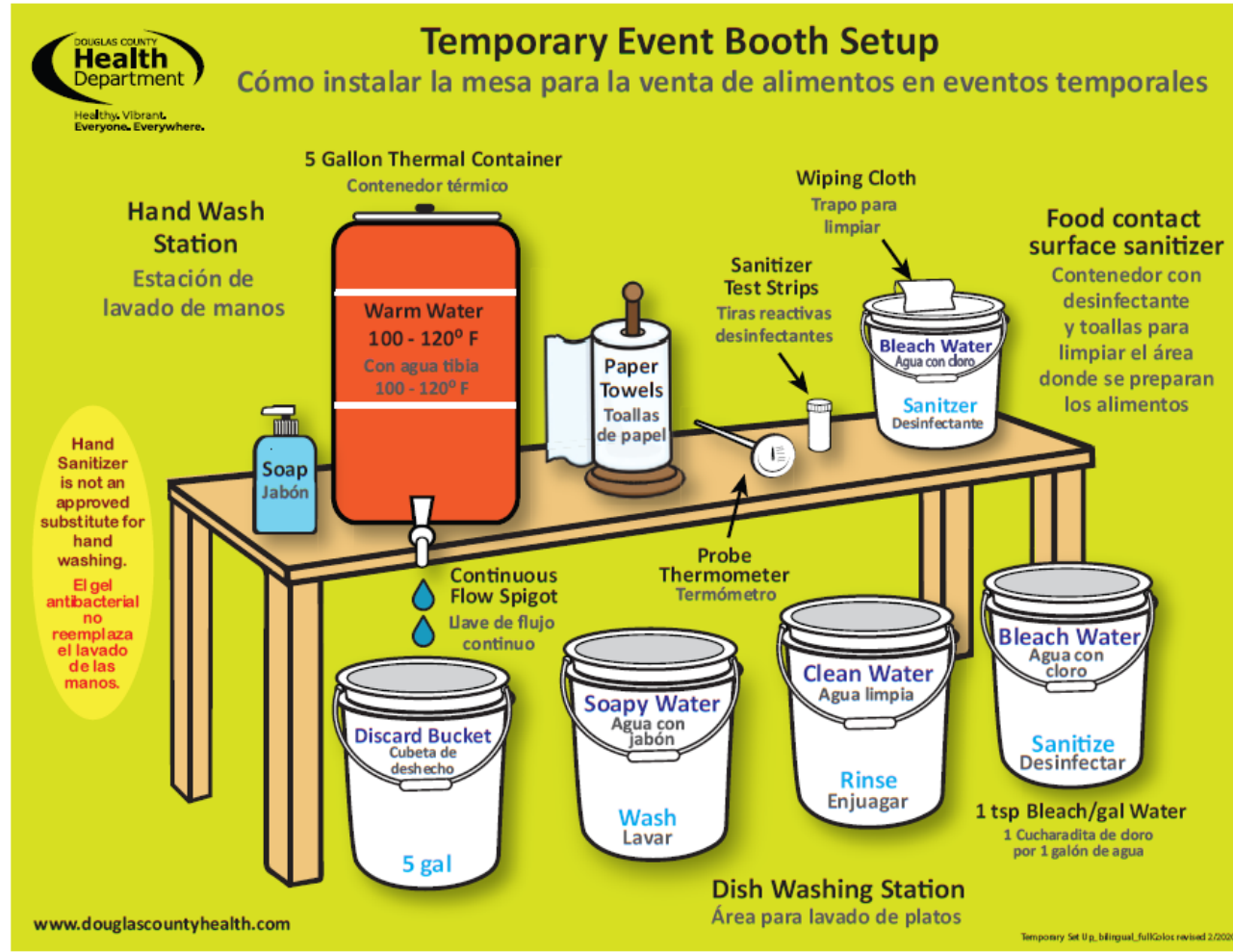
Annual Retail Permit

- Foods sold under this permit can be time and temperature control for safety foods.
 - This permit and an egg number from NDA is required to sell eggs.
- Foods must be made in a licensed facility.
 - If the facility is not in Douglas County, DCHD will require a copy of the facility's permit and last inspection.
 - If the facility is within Douglas County, DCHD will already have copies of these records.
 - If a 3rd party co-packer is used. DCHD requires a copy of the retailer's registration/certification with the co-packer.
- Products sold to the public must be pre-package and labeled for retail sales.
- Foods must be properly cold held (41F) or hot held (135F). Eggs cold held at 45F or less.
- Vendors can offer TCS samples to the public if following the sampling requirements.
- This permit is issued annually and can be used to attend any permitted Farmers Market or Temporary Event within Douglas County.
- **APPLICATIONS MUST BE TURNED INTO DCHD TWO WEEKS BEFORE OPERATING IN DOUGLAS COUNTY.**

Temporary Vendor

- Permit is issued in two-week periods.
- Allows all activities and has same requirements as an Annual Retail Permit.
- With this permit vendors can also prepare foods on-site when following the temporary booth set-up guidelines.
- **APPLICATIONS MUST BE TURNED INTO DCHD TWO WEEKS BEFORE OPERATING IN DOUGLAS COUNTY.**

Temporary booth set-up



Annual Temporary Vendor at Farmers Markets



- Permit is issued annually.
- Permit only applies to Farmers Markets.
- Does not apply to Temporary Events.
- Allows all activities and has same requirements as a Temporary Vendor.
- **APPLICATIONS MUST BE TURNED INTO DCHD TWO WEEKS BEFORE OPERATING IN DOUGLAS COUNTY.**

Sampling Guidelines

Retail Food Establishments:
Sampler Guidelines
douglascountyhealth.com 04/17/2023

DOUGLAS COUNTY
Health
Department
Healthy. Vibrant.
Everyone. Everywhere.

ALWAYS


Less than
 1" x 1"
 1 oz.


Food samples must be less than 1" by 1" if solid or less than 1 oz. if liquid

Samples are not regulated by the local health authority

An 8"x11" orange placard must be placed in an easily viewable area that reads "Samples not regulated by the local health authority"

IF NOT PRE-PACKAGED

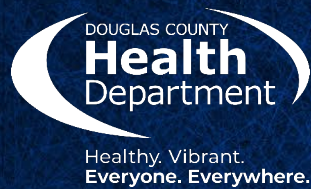
 A temporary hand washing set up is required

 No bare hand contact is allowed

Additional copies of this handout can be found at <https://www.douglascountyhealth.com/food-safety-compliance>.

Frequently asked Questions

- Can Farmers Market Permits/Registrations be used at more than one Market?
 - Cottage food registrations, Annual No Fee Retail Permit, Temporary Non-TCS Prepackaged Food/Food Sampling Permit, Annual Retail Permit, and Annual Temporary Vendor at Farmers Markets can be used at multiple markets if the events are not at the same time.
 - If multiple booths are operating simultaneously a separate permit is required for each.
 - Temporary Vendor permits are location specific.
- If I have questions, who should I call:
 - Call or email:
 - Sarah: 402.444.7231, Sarah.Pistillo@douglascounty-ne.gov
 - Dan at 402.444.3347 Daniel.Ludwig@douglascounty-ne.gov



Thank you.

www.douglascountyhealth.com

