



Guidelines for Farmers’ Market Establishment (FFM) Permit

The Farmers’ Market Establishment Permit is available to vendors operating at a Farmers’ Market, offering with or without charge, pre-packaged potentially hazardous food (PHF) items, such as frozen meats, fresh cheese, and whole shell eggs (other than domestic chicken eggs). The permit will be valid for one (1) calendar year, expiring on the 15th of the month in which it was approved.

The establishment may also offer samples of potentially hazardous food items at a Farmers’ Market, with or without charge, provided sampling is conducted in a sanitary manner.

The following chart may be helpful in determining what items can be sold by an establishment under this permit:

Food Type/Operation	Is This Permit Required?	Special Instructions
Sale of Whole Shell Eggs (domestic chicken)	No (No permit required by the Local Health Department)	Requirements for sale are only from the Indiana Egg Board, Per Indiana Senate Enrolled Act 179.
Sale of Whole Shell Eggs – other (such as turkey, duck, and quail)	Yes	Labeling requirements must be met, and temperature maintained at 41F or below.
Sale of Freezer Meats (commercially processed)	Yes	Items must all be pre-packaged at a permitted and inspected establishment, with the inspection seal on the package. Items must remain frozen throughout storage, transport, and sale. Storage of these items must always be at a permitted and inspected establishment.
Sale of Poultry (processed on-site at poultry farm, per Indiana Senate Enrolled Act 179)	Yes	Items must be packaged at the poultry farm, and frozen within seventy-two (72) hours of processing. Items must remain frozen throughout storage, transport, and sale. Storage of these items must always be at a permitted and inspected establishment.
Sale of Fresh Cheese	Yes	Items must be pre-packaged at a permitted and inspected establishment. Labeling requirements must be met, and temperature maintained at 41F or below. Storage of these items must always be at a permitted and inspected establishment.
Sampling of PHF Items	Yes	Temporary handwashing facilities must be provided; temporary warewashing facilities are only required if necessary (based on dishware utilized). Proper sanitizer (chlorine bleach, quaternary ammonia, iodine) and test strips must be provided.

CONSIDERATIONS FOR OPERATING UNDER THIS PERMIT ARE:

Home Based Vendors (HBVs) following the allowances and definitions under HEA 1309: While HBVs are allowed to sell their products at Farmers' Markets, they cannot commingle their products with any other food items, including any of the pre-packaged potentially hazardous food items that are allowed to be sold under this Farmers' Market permit. For example, if a HBV wants to sell both types of products (their exempt HBV products **and** any other commercially processed food products that are not exempt) – a permit may need to be obtained for the non-exempt products. The two types of products also must be physically separated into separate booths/areas for sale.

Temperature Control: Potentially hazardous food must be maintained at the proper temperature required in 410 IAC 7-24, and remain under temperature control at all times. Thermometers must be provided to monitor food temperatures as well as the ambient temperatures of coolers and refrigerators.

Overhead protection must be provided over all food storage, preparation, servicing, warewashing, and handwashing areas, as applicable. Food samples must be covered/shielded and protected from contamination by consumers.

Frozen, raw, pre-packaged meat, rabbit, and poultry items must remain frozen at all times during storage, transport, and sale. All products must be processed in a state or federally inspected processing plant and the proper inspection seal must be affixed on the package, except for poultry that is raised, slaughtered, and processed on a poultry farm (as allowed under SEA 179). Meat and poultry cannot be processed under "custom exempt" processing guidelines, but rather must be processed at an establishment inspected by the Indiana State Board of Animal Health (BOAH) or the United States Department of Agriculture (USDA). Rabbit products must be processed at a facility that is inspected by a state or federal agency. State meat inspection laws allow BOAH to provide that required inspection (referenced in the prior sentence) for rabbits upon request, for a fee. Packaged raw, uncooked meat and poultry offered for sale must be labeled with safe handling instructions. If the meat, poultry, or rabbit items are stored at a location other than a commercial meat locker, then the location must be under permit and inspected by a regulatory authority, such as the local health department. Farmers' market vendors obtaining this type of permit must provide a copy of the current local health department permit or receipts from the meat locker (wherever the items are stored, if applicable) to the Fort Wayne-Allen County Department of Health with the Farmers' Market Establishment Permit application.

Whole, clean, packaged shell eggs: Domestic chicken eggs are exempt from permitting requirements in accordance with SEA 179. All other shell eggs (such as turkey, duck, quail, and others) require this permit and must meet all other applicable rules to be allowed to be sold at Farmers' Markets. Eggs are required to be properly labeled (either on the packaging or with a placard) with the name and address of the producer, as well as either a date of production/packaging or a "Use By" date. Eggs must be stored at 41°F or lower in accordance with 410 IAC 7-24. If using ice to control egg temperature at the Farmers' Market, use caution to assure that the water from melting ice does not get into the egg (as egg shells are permeable) or destroy the package label information. The ice cooler must be self draining and the thawed ice water must be properly disposed of at the Farmers' Market. Sealed ice packs can also be used as a refrigerant option for whole shell eggs.

If open food sampling is offered by the establishment, then the establishment must have proper handwashing facilities at their booth, as well as dishwashing facilities if soiled utensils are generated during the sampling preparation/dispensing process. Sanitizing solution and the appropriate test kit must be provided. Sanitizing solution must be maintained at proper concentrations per the manufacturer's guidelines. If the samples are to be handled, proper utensils such as tongs, deli tissue, toothpicks, or single-use plastic gloves must be provided and used. Effective hair restraints must be used by the food handlers preparing and serving the food samples.