

# Requirements for Foods Sold at a Farmers Market

## Home-Canned Food Products: Wisconsin Act 101 "Pickle Bill"

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- Home-canned fruits and vegetables that are naturally acidic or have been acidified by pickling or fermenting (pH of 4.6 or lower)
- Allowable products: pickled fruits and vegetables, salsas and chutneys, sauerkraut and kimchi, fruit-based jams and jellies, cherries, peaches, applesauce, and other fruit
- Sign at point of sale "These canned goods are homemade and not subject to state inspection."
- Product label: name and address of person who canned the product, date of canning, statement "This product was made in a private home not subject to state licensing or inspection.", all ingredients in descending order of predominance with allergens identified
- No more than \$5,000 sales permitted per person per year
- Sales NOT permitted out of your home, by resale by someone else, via internet, or out of state

## Apple Cider

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- No license required
- Cider must be pressed and bottled by the producer/seller
- Cider must be fully labeled with the product name, ingredients, business name & address, net volume, and approved warning statement:
  - "This product has not been pasteurized and, therefore, may contain harmful bacteria that can cause serious illness in children, the elderly, and persons with weakened immune systems."

## Honey

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- License is required for honey that has added color, flavors, or ingredients, including air incorporated by whipping
- Must be handled in a way that assures food safety
- Must be fully labeled with product name, ingredients, business name & address, net weight or volume, and grade or labeled "ungraded"

## Maple Syrup

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- No license required to produce and sell your own maple syrup
- License required if you:
  - obtain maple syrup from others for bottling, packaging or processing, or
  - add color, flavors or other ingredients, or
  - have annual wholesale sales exceed \$5,000
- Must be handled in a way that assures food safety
- Must be fully labeled with product name, ingredients, business name & address, and net volume

## Fruit or Vegetables – Raw, uncut

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- No license required

## Fruit or Vegetables – Cut or Frozen

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- Finished product must come from a licensed facility
- Finished product must be fully labeled
- Frozen fruit or vegetables must be kept frozen
- Mobile retail food establishment license required for products that require refrigeration for safety—keep at 41°F or below

## Bakery Items

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- Finished product must come from a licensed facility
- Mobile retail food establishment license required for bakery products that require refrigeration for safety—keep at 41°F or below
- Must be fully labeled

## Cooking Oils, Salad Dressings, Condiments, Sauces, Pesto

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- Finished product must come from a licensed facility
- Finished product must be fully labeled
- In order to be considered shelf stable, the product must undergo a product assessment by a commercial food testing lab
- Mobile retail food establishment license required for products that require refrigeration for safety—keep at 41°F or below

## Dry Food Mixes

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- Finished product must come from a licensed facility
- Mobile retail food establishment license required for unpackaged product sales

## Dairy – butter, cream, flavored milk, ice cream, kefir, sour cream, yogurt, and fluid milk (pasteurized products)

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- Mobile retail food establishment license required
- Dairy products must be maintained and delivered at internal temperature of 41°F or below using any effective method (freezer, dry ice, cooler, etc.)
- Dairy products must be fully labeled



## **Cheese made from raw milk**

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- Mobile retail food establishment license required
- Cheese must be maintained and delivered at internal temperature of 41°F or below using any effective method (freezer, dry ice, cooler, etc.)
- Dairy products must be fully labeled and aged for 60 days

## **Eggs – small scale producers (150 birds or fewer)**

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- Mobile retail food establishment license required
- Eggs must be stored at 41°F during storage and transportation
- Eggs must be packaged in a carton that is labeled with the producer's name and address, the date the eggs were packed into the carton, a sell-by date within 30 days, and a statement indicating that the eggs in the package are ungraded or uninspected.

## **Aquaculture – farmed fish and seafood**

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- Mobile retail food establishment license required
- Frozen fish must be maintained frozen
- Unfrozen fish products must be maintained and delivered at an internal temperature of 41°F or below using any effective method (freezer, dry ice, cooler, etc.)
- Packaged fish must be fully labeled

## **Meat – Captive Game/Exotics (pheasants, deer, bison)**

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- Mobile retail food establishment license required
- Livestock must be processed at a state or federally inspected facility

- Product storage must be used exclusively to store meat sold to customers
- Product storage must be located in a clean area (house or shed allowed)
- Frozen meat must be maintained frozen
- Unfrozen meat products must be maintained and delivered at internal temperature of 41°F or below using any effective method (freezer, dry ice, cooler, etc.)
- Meat must be fully labeled

## **Meat – Cattle, Swine, Sheep, Goats, Ratites**

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- Mobile retail food establishment license required
- Livestock must be processed at a state or federally inspected facility
- Meat may be weighed on-farm with approved scale or weighed by package at processor
- Product storage must be used exclusively to store meat sold to customers
- Product storage must be located in a clean area (house or shed allowed)
- Frozen meat must be maintained frozen
- Unfrozen meat products must be maintained and delivered at internal temperature of 41°F or below using any effective method (freezer, dry ice, cooler, etc.)
- Meat must be fully labeled

## **Poultry – Less than 1000 birds per year (farm-raised chickens, ducks, geese, guinea hens, squab, turkeys)**

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- All birds must be slaughtered and processed at a meat licensed facility
- Birds are labeled "not inspected" and have the name

and address of producer, and net weight

- A mobile retail food license is required
- Frozen poultry must be maintained frozen
- Unfrozen poultry products must be maintained and delivered at internal temperature of 41°F or below using an effective method (freezer, dry ice, cooler, etc.)

## **Poultry – More than 1000 birds per year (farm-raised chickens, ducks, geese, guinea hens, squab, turkeys)**

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- Bird-by-bird inspection required at a state or USDA licensed facility
- Birds are fully labeled
- Producer must have a retail food establishment license and local ordinances may apply
- NOTE: If the product is sold over state lines, the processing facility must be under USDA inspection.

## **Rabbits**

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- Mobile retail food establishment license required
- Rabbits must be processed at a licensed food or meat processing facility
- Frozen meat must be maintained frozen
- Meat must be fully labeled including "Not inspected"
- Unfrozen meat products must be maintained and delivered at internal temperature of 41 F or below using any effective method (freezer, dry ice, cooler, etc.)

