



## Farmers Market Guidelines

**What items can be sold with a retail permit?** Fresh produce, meat, poultry, eggs, game animals, and commercial bakeries items.

**What items can be sold without a retail permit?** Bottled or canned beverages, pre-packaged snack items, fresh drinks such as lemonade, iced tea and coffee using water from an approved source. "NO SUN TEA". **Non-potentially hazardous foods\***; bread, cookies, and fruit pies, jams and jellies, honey, apple butter, and syrups made with sugar. The consumer must be informed by a clearly visible placard stating: "This food was not prepared in a licensed or inspected commercial facility". Whole, uncut fresh produce may be sold under the Farmers Market Umbrella Permit. \*A common definition of non-potentially hazardous is any food that doesn't contain protein and has both a pH level of below 4.6 OR a water activity level (Aw) of below 0.85. This means that the food either needs to be acidic or have a low moisture content (usually foods with a low pH have a low moisture content, but not always).

**What items can NOT be sold?** Home canned products such as green beans, tomatoes, and fruits; raw milk; cheese and meats from unapproved sources; cream filled pies, cheesecakes, sugar free or low sugar pies, pumpkin pies, pecan pies, Herb vinegars, oils, mustards, salsa, pickles, or dressings.

### **Requirements for specific items:**

1. **Red Meat:** Must be slaughtered, processed, and packaged under USDA inspection (not a custom-exempt plant). Must be packaged and be labeled with USDA Est. #, name of product, address of producer, packer or distributor, and net weight. Must be maintained refrigerated at 45°F or below or frozen. Seller must have a permit.
2. **Poultry (if of own raising):** May be slaughtered and processed in a USDA facility or a facility under state inspection. Must be packaged with USDA Exemption Statement (PL 90-492), name of product, address of producer, packer or distributor, and net weight. Must be maintained refrigerated at 45°F or frozen. Seller must have a permit.
3. **Poultry (if not of own raising):** Must be slaughtered and processed in a USDA facility. Must be packaged with USDA Est. #, name of product, address of producer, packer or distributor, and net weight. Must be maintained refrigerated at 45°F or below or frozen. Seller must have a permit.
4. **Game animals** (includes rabbits, fish, buffalo, pheasants, etc.): May be slaughtered and processed in a USDA facility or a facility under state inspection. Must be packaged with name of product, address of producer, packer or distributor, and net weight. Must be maintained refrigerated at 45°F or below or frozen. Seller must have a permit.
5. **Eggs:** From own flock, must be clean, candled for quality, have Nebraska (or other state's) Egg Code Number and be kept refrigerated at 45°F or below.
6. These processed food require approval by the food processing authority (UNL) and permitted by Nebraska Dept of Agriculture or Douglas County Health Dept as a food processor.

Douglas County Health Dept (402)-444-7480  
Nebraska Dept of Agriculture (402)-471-2536  
UNL Food Processing Center (402)-472-2819