



WARREN COUNTY COMBINED HEALTH DISTRICT

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Public Health
Prevent. Promote. Protect.

Farm Markets

Chapter 901:3-6 Farm Markets and Auctions

A farm market is a producer operated facility where fresh fruits and vegetables and other food items are offered for sale.

Are all farm markets exempt from a Retail Food Establishment (RFE) license?

No, the exemption to an RFE license is based upon the types of foods being offered for sale at the farm market and registration with the Ohio Department of Agriculture's Division of Food Safety.

What types of foods may the farm market offer for sale and still be exempt from the RFE license?

A farm market that only offers for sale the following types of food items is exempt from the RFE license:

- fresh unprocessed fruits or vegetables;
- maple syrup, sorghum, or honey [properly labeled];
- properly labeled products of a cottage food production operation;
- cider and other juices manufactured on site at the farm market [properly labeled];
- eggs on the condition that the farm market operator is selling eggs from his own flock of five hundred or fewer birds;
- poultry on the condition that the farm market operator offering to sell the poultry annually slaughters one thousand or fewer chickens of his own raising;
- non-amenable meats (rabbit, bison, etc.) on the condition that the non-amenable meats that farm market operator is offering to sell are raised by him; and
- Commercially prepackaged food that is not potentially hazardous, on the condition that the food is contained in displays, the total space of which equals less than one hundred cubic feet on the premises where the person conducts business at the farm market;

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Is a farm market prohibited from offering other foods for sale such as milk and cheese?

No. The farm market operator, however, will lose exemption status and will need to become licensed by their local health department as an RFE.

Is a farm market that is listed in the Ohio Farmers' Market Directory exempt from the RFE license?

Not necessarily. The exemption from the RFE license is based upon the types of foods being offered for sale at the farm market. The Ohio Farmers' Market Directory is a state directory of farm markets that sell a variety of foods. Some of those listed in the directory may be exempt based upon the foods being offered for sale, while others may not be exempt.

If a farm market is NOT exempt, how is it regulated?

A farm market that is not exempt because of the types of food it is selling is licensed and regulated by the local health department that has jurisdiction. It will be regulated under Chapter 3717 of the Revised Code as an RFE. The local health department will apply the Ohio Uniform Food Safety Code rules.

Who regulates exempt farm markets?

The Ohio Department of Agriculture's Division of Food Safety inspects farm markets that are exempt from the RFE license and that are registered with that division.

How does a farm market register with the Ohio Department of Agriculture's Division of Food Safety?

A farm market operator may contact the Division of Food Safety at 1-800-282-1955 to obtain registration information, or e- mail: foodsafety@agri.ohio.gov