



# 2024 2025

**KENTUCKY FARMERS' MARKET  
MANUAL AND RESOURCE GUIDE**



**KENTUCKY  
DEPARTMENT OF  
AGRICULTURE**

Quail  
eggs  
\$6.00  
dozen

Boquets  
\$7.00 ea

Cabbage  
.99/lb

More Cabbage  
\$1.50

tosca

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**KENTUCKY  
DEPARTMENT OF  
AGRICULTURE**

Jonathan Shell, Commissioner

## **A Message from Commissioner of Agriculture Jonathan Shell**

Dear Kentucky producer,

Farmers' markets are a vital part of our community, allowing families the opportunity to have fresh and locally produced food on their kitchen tables. In 2023, we had 170 registered markets with more than 2,650 vendors.

The Kentucky Farmers' Market Manual serves as an in-depth guide for Kentucky farmers' market managers and vendors. This manual combines resources from the Kentucky Department of Agriculture, the Kentucky Department for Public Health, and the University of Kentucky College of Agriculture, Food and Environment to help make your farmers' market experience a success.



As a farmer myself, I know the hard work you put in daily to supply the best produce to your consumers. Kentuckians across the commonwealth reap the rewards of your work with the ability to buy nutritious local foods at an affordable price. Farmers' markets provide a great opportunity for Kentuckians to associate a face and a name with the produce they purchase.

At the Kentucky Department of Agriculture, we want to be the resource on which producers can count as you continue the important task of feeding your neighbors. Please, don't hesitate to reach out if we can be of any assistance to you.

Thank you,

Jonathan Shell  
Commissioner of Agriculture

# Kentucky Department of Agriculture

## Office of Agriculture Marketing

### Direct Farm Marketing Division

The Kentucky Department of Agriculture Office of Agriculture Marketing assists farmers, agricultural businesses, and commodity groups in promoting and marketing their products by expanding existing markets, as well as developing domestic and international markets.

#### KDA'S Role with Kentucky Farmers' Markets

Direct marketing of farm products through farmers' markets has become an increasingly important sales outlet for agriculture producers. This is mostly due to growing interest among consumers in understanding where their food comes from. Farmers' markets allow consumers to have access to locally produced, farm-fresh food and the opportunity to personally interact with the individuals that produced the food.

Each farmers' market in Kentucky is an independent entity that sets its own rules and guidelines. Vendors are recruited to maintain product diversity to meet their customers' needs while making it a profitable marketplace for the farmers. All foods marketed at Kentucky's farmers' markets, however, are subject to pertinent federal, state, and local food safety rules and markets must follow all applicable laws regarding trade. In general, the Kentucky Department for Public Health and local health departments are primarily responsible for the regulatory oversight of food safety at Kentucky's farmers' markets. However, depending upon the food products being marketed, other agencies such as the Food and Drug Administration (FDA) or the United States Department of Agriculture (USDA) – Food Safety and Inspection Service (FSIS) may also have regulatory oversight.

With the exception of the use of scales and the sales of eggs, the Kentucky Department of Agriculture does not regulate either the use of the term farmers' markets or the operation of the markets. Markets are free to organize themselves as they see fit, and sometimes businesses with no farmers connected to them may term themselves a farmers' market. KDA will not register any market that does not meet its minimum definition set by KDA and USDA.

#### KDA Farmers' Market Definition and Registration Requirements

For the purposes of KDA, a farmers' market is defined as a prescribed location(s) where two or more farmer-producers gather on set days and times to sell products (fruits & vegetables, meat, fish, poultry, dairy, and grains) that they grow or produce directly to consumers. Though the market may allow other types of sales, the sale of agriculture products grown or produced by the farmer/vendor, or their family should be the primary business of the market.

A market can register with KDA at any time during the year but, to be included in all the listings and take full advantage of all opportunities, the market should register each year by March 31<sup>st</sup>. At the beginning of each year, markets will be required to go online to the

Kentucky Proud website and update their market information. There is no fee in becoming a registered Kentucky Proud farmers' market.

Markets will be required to update their information or register as a new market on-line through the Kentucky Proud webpage, [www.kyproud.com](http://www.kyproud.com). For new markets, please click sign up on the website and answer all questions. When you register your market, please remember to forward any market membership applications, rule and regulations to our office via email to [Kate.Hamilton@ky.gov](mailto:Kate.Hamilton@ky.gov).

Only registered markets are:

- Designated as Kentucky Proud;
- Approved locations by the Kentucky Department of Public Health for the sale of value-added food items under Home-based Microprocessor program;
- Approved locations to offer samples under the KDA Farmers' Market Sampling Certificate;
- Approved locations by the Kentucky Department for Public Health for the "farmers' market temporary food-service permit";
- Eligible to participate in the Senior Farmers' Market Nutrition Program (SFMNP) if qualified and funding allows;
- Eligible to participate in the WIC Farmers' Market Program if qualified and funding allows;
- Eligible to participate in the Supplemental Nutrition Assistance Program (SNAP), (formally known as Food Stamps);
- Approved locations for the sale of Kentucky-produced alcoholic beverages (providing other requirements are met)'
- Eligible to apply for advertising and market development cost share programs;
- Eligible to buy at-cost Kentucky Proud promotional items such as banners, shopping bags, stickers, price cards, etc.; and,
- Informed with all information on changing regulations and news pertaining to markets.

### Kentucky Farmers' Markets Offer a Range of Products

All KDA registered farmers' markets offer vegetables and fruit products, but many offer a wider variety of items: certified organic products, cheese, eggs, baked goods, wine, value-added products, meat (beef, goat, lamb, pork, and poultry), arts and crafts, candles, lotions, soaps, honey, mushrooms, fresh cut flowers, nursery/greenhouse products, wool products, and pet treats.

It's a benefit to the market as well as the customers to provide a diverse range of products at the markets.

## Farmers' Market Data Collecting and Gross Sales Reporting

There are several reasons why a market might want to collect data, including providing a baseline from which to measure future change, identifying trends, answering key questions, informing decisions and showing the impact of your market. Data provides relevant information that can help your market assess its business and plan for the future.

Markets collect data in a variety of ways. You may consider collecting some of your vendor data as part of the vendor application process. Daily sales data can be collected via paper slips after the end of the market day or week.

Markets may also want to consider the following items when collecting data:

- number of vendors per day
- different type of products available
- average distance food travels to get the market (vendor location)
- number of acres of land in agriculture supported by the market
- vendor and customer demographics
- number of jobs supported by the businesses at your market
- economic impact of your market on the community
- total sales for nutritional programs showing support for food access within your community

Farmers' Markets are asked to update their market information every year in Kentucky Proud. This provides our office with the most current information for the markets, showing market opening and closing for the season, locations, days and time of operation. Along with this information, KDA would like to have information regarding market membership fees, number of vendors from the past year and upcoming market year, gross sales for the entire market and other information as needed. The data supplied on the registration forms can be valuable information for funding opportunities on a local, state and national level.

Here's a sample that other markets have used that could come in useful for tracking your market sales. For the gross sales recording forms, please visit KDA's website

[www.kyagr.com/marketing/farmers-market.html](http://www.kyagr.com/marketing/farmers-market.html)

Example: Table for Recording Market Information

Date	Agriculture Sales	Food Sales	Crafts Sales	Total Gross Sales	Number of Ag Vendors	Number of Food Vendors	Number of Craft Vendors	Total Number of Vendors	Weather Conditions	Attendance

Example: Vendor Gross Sales Reporting Slip

VENDOR GROSS SALES - TRACKING SLIP	
DATE: _____	GROSS SALES: _____
BREAKDOWN OF TOTAL GROSS SALES:	
AGRICULTURAL:	_____
VALUE-ADDED FOODS:	_____
CRAFTS:	_____

Note: More than one market has accessed grants or fought detrimental changes by showing their economic impact on the community. Without knowing your gross sales, especially over time, the market does not have any way to show its importance to the economic health of their community or to gauge if a promotional campaign is working.

### **Kentucky Proud®**

For generations, Kentucky farmers have bred the best racehorses, grown grains and corn to make the world’s greatest bourbon, and kept families fed here at home and across the country. Farming isn’t easy, but it is essential. Here at Kentucky Proud, we’re all about the continued promotion of agricultural products sourced from Kentucky farms.

Introduced by the Kentucky Department of Agriculture in 2002, the Kentucky Proud brand (which was originally launched as Kentucky Fresh) was created as a central platform to raise awareness of the Commonwealth’s ever-expanding agricultural efforts and to promote Kentucky’s farmers, farm families and farm impact products. In 2008, Kentucky Proud officially became the Commonwealth of Kentucky’s agricultural marketing brand by legislative action, and the rest, as they say, is history!

The Kentucky Proud Program is funded through the generosity of the Kentucky Agricultural Development Fund. Directed by the Kentucky Agricultural Development Board and administered by the Kentucky Office of Agricultural Policy, the fund is a product of the 1998 Master Tobacco Settlement between cigarette manufacturers and 46 states, including Kentucky.

Kentucky Proud promotes locally grown food, farmers’ markets, farm stands, agritourism sites and many other products and destinations with roots in Kentucky soil.

Kentucky Proud products are raised, grown, or processed in Kentucky by Kentuckians. You can serve Kentucky Proud foods or purchase Kentucky Proud products with the confidence that they came from your friends and neighbors just down the road, not from thousands of miles away.

Kentucky Proud offers seasonal promotions, grants, marketing assistance, and so much more. If you own a business and are interested in becoming a Kentucky Proud member, apply for membership now! Visit the Kentucky Proud website to sign up as a member, [www.kyproud.com](http://www.kyproud.com).

Kentucky Proud membership comes with tons of great resources and benefits to help you grow your farm or agri-business, including:

- Increased market visibility through your affiliation with a well-established and widely recognized brand.
- Assistance from the Kentucky Department of Agriculture's team of agricultural marketing specialists.
- Grant opportunities available exclusively to Kentucky Proud members.
- Ready-to-use apparel, stickers, bags and banners available at cost.
- Additional premiums for animals enrolled in the Kentucky Proud Livestock Tag Program.
- Listing of Kentucky Proud website search tool and campaign pages.
- Participation in various promotions from the Kentucky Department of Agriculture.
- Media campaigns to promote Kentucky Proud products and businesses.
- Export and trade assistance.
- USDA meat grading services at approved facilities.

## **Kentucky Proud® Homegrown by Heroes**

They've gone from military service to farmers and became our homegrown heroes. They're Kentucky's solidier farmers and we believe they deserve to be recognized. So, that's just what we did. Look for the distinctive Homegrown by Heroes logo on labels wherever you shop. From the grocery shelf to farmers' markets to online retail, purchasing products with the easy-to-recognize Homegrown by Heroes label means you're supporting Kentucky Proud veterans and active-duty farmers.



Homegrown by Heroes was founded by the Kentucky Department of Agriculture in partnership with the Farmer Veteran Coalition in January 2013. The new marketing initiative aimed to highlight farmers and agricultural producers located in the Commonwealth who serve or have served in any of the branches of the United States Military.

The program proved so popular that on Veterans Day of the very same year, it was announced that the Farmer Veteran Coalition would administer Homegrown by Heroes nationally. Since then, the program has expanded to include more than 2,000 members in all 50 states plus Puerto Rico. Homegrown by Heroes is the official farmer veteran branding program of America and it all started right here in Kentucky.

Who is eligible to join? Any veteran or active-duty soldier of the United States Military in good standing, regardless of when, where, or how they served who has a farming operation

or agribusiness located in the Commonwealth of Kentucky, is eligible to participate in the Homegrown by Heroes program.

In order to participate in the Homegrown by Heroes program you must be a Kentucky Proud member and provide documentation verifying your active duty, reservists, National Guard or veteran status. For veterans, this is done by providing a copy of your DD214.

For more information, please visit [www.kyproud.com/programs/homegrown-by-heroes](http://www.kyproud.com/programs/homegrown-by-heroes).

## **Kentucky Proud® Appalachia Proud**

First introduced by Kentucky Proud in 2014, the Appalachia Program brand celebrates the innovation and entrepreneurial spirit of Kentucky’s Appalachian farmers while honoring the region’s rich agricultural traditions.

Historically, the unique landscape of this region required different approaches to agricultural practices compared to other areas of the state. Unlike the horse farms dotting the gently rolling hills of the Bluegrass Region or the larger farms laid out across the rich river flatlands of Western Kentucky, the mountainous terrain that makes up much of the Appalachian region in Kentucky has traditionally facilitated smaller scale production with a focus on a large variety of crops and animals. In other words, grow and raise as much as you can in the space provided.



For generations, coal has been the lifeline to much of Eastern Kentucky. While coal continues to be an impactful industry, significant efforts have been made in recent years to introduce new job opportunities and promote a diversification of industries to Kentucky’s Appalachian region. We think there’s no better way to look to the future than to build from the past. Appalachia Proud promotes agricultural efforts and quality farm products from a region steeped in history with Mountains of Potential.

To be eligible for Appalachia Proud, an applicant must be located in any of the following counties:

Adair	Bath	Bell	Boyd	Breathitt	Carter
Casey	Clark	Clay	Clinton	Cumberland	Edmonson
Elliott	Estill	Fleming	Floyd	Garrard	Green
Greenup	Harlan	Hart	Jackson	Johnson	Knott
Knox	Laurel	Lawrence	Lee	Leslie	Letcher
Lewis	Lincoln	Madison	Magoffin	Martin	Menifee
Metcalf	McCreary	Monroe	Montgomery	Morgan	Nicholas
Owsley	Perry	Pike	Powell	Pulaski	Robertson
Rockcastle	Rowan	Russell	Wayne	Whitley	Wolfe

For more information, please visit [www.kyproud.com/programs/appalachia-proud](http://www.kyproud.com/programs/appalachia-proud).

## **Kentucky Proud® Buy Local Program**

Restaurants and other foodservice operations in Kentucky are a great venue to sell your products. Many restaurants are striving to increase the amount of locally grown or raised products and have shown interest in promoting individual farmers and products.

The Kentucky Department of Agriculture administers a program that offers incentives to restaurants and food service entities that purchase products sourced directly from Kentucky farms to further enhance their menus. The Buy Local program offers a reimbursement to enrolled food service entities of 15% of the value of their qualifying Kentucky grown or raised food purchases, up to \$8,000 per year.



To view program details, please visit: [www.kyproud.com/buylocal](http://www.kyproud.com/buylocal) or contact Grace Ragain at (502) 782-4110 or by email at [Grace.Ragain@ky.gov](mailto:Grace.Ragain@ky.gov).

## **Kentucky Proud® Promotional Grant Program**

The Point of Purchase (POP) grant provides Kentucky Proud members who have direct Kentucky farm impact the opportunity to receive up to 50% reimbursement for eligible advertising and marketing expenses.

Direct Kentucky farm impact is defined as the dollar value of agricultural products bought, sold, grown, raised, produced, and sourced from Kentucky farms. There are minimum size requirements for the Kentucky Proud logo, which must be met for an eligible expense to be reimbursed.

Grants for matching funds cannot exceed 10 percent of the applicant's reported direct Kentucky farm impact. The maximum award per calendar year is \$8,000, with a lifetime cap of \$36,000. Applicants have six months from their application's approval to be reimbursed 50 percent of their eligible expenses. The application is available online at [www.kyproud.com](http://www.kyproud.com).

## **Kentucky Proud® Farm to Fork Program**

The Kentucky Proud® Farm to Fork program increases the awareness of the local food movement by collaborating with organizations to benefit a charity in their community. These organizations can host dinners that will highlight local farms, farmers, producers and promoting the Kentucky Proud® program and products. These events can also assist and provide educational and promotion opportunities for local Agritourism businesses and a connection for locally produced foods and products. For additional information, please visit

[www.kyproud.com/programs/farm-to-fork](http://www.kyproud.com/programs/farm-to-fork)



## **Kentucky Proud® At-Cost Promotional Program**

Due to a statute establishing a special promotional fund (KRS 246.245), the Kentucky Department of Agriculture can purchase in volume promotional and marketing items. These items are then offered for sale to Kentucky Proud members at cost.

There are two ways to order Kentucky Proud At-Cost Items - by mail or scheduling a pickup at our Marketing Office in Frankfort ***(Appointment Encouraged)***. For mail orders, please make sure to visit our website at the time of your order, the prices can vary on items. The order should be mailed to Michelle Hansford with a check or money order payable to the *"Kentucky State Treasurer."* ***If orders are to be mailed, please make sure to including shipping expenses.*** For pick-up orders, call Michelle Hansford at (502)-782-4136 to schedule an appointment. Appointments are necessary to ensure someone is available to assist you and that your product(s) are available upon your arrival.

To view the items available and a price listing, please visit our website at [www.kyagr.com](http://www.kyagr.com) click Promotional Programs and then select Kentucky Proud® At-Cost Information.



## **Kentucky Proud® Farm to School Program**

What is Farm to School?

Farm to School brings fresh local products grown by local farmers into school cafeterias, but that's just the beginning. Effective Farm to School programs also bring education and firsthand experiences into classroom learning environments, increasing children's consumption of healthy food and providing them with food literacy that teaches them where their food comes from. Farm to School also creates partnerships that help the community understand and connect to local producers.



By bringing locally raised food into the cafeteria, Farm to School programs support healthy children, farms, communities and local economies. Kentucky schools serve over 130 million meals a year and spend tens of millions of dollars on food. These are dollars that can be kept in the Kentucky economy. Schools are a natural market for Kentucky producers and their products. Serving Kentucky grown food in Kentucky schools is just good common sense. Currently 85 district School Food Service Directors are members of Kentucky Proud and many participate in the Buy Local program. As more schools and farmers learn how to work together, we predict Kentucky Farm to School will continue to grow and flourish.



For information you may contact the Farm to School Program Coordinator, Tina Garland. Tina can be reached at 502-382-7505 or by email at [tina.garland@ky.gov](mailto:tina.garland@ky.gov). Also visit the KDA website at [www.kyagr.com](http://www.kyagr.com) and look under Promotional for the Farm to School tab.

## **Kentucky Department of Agriculture, Farm to School Junior Chef Program**

The Farm to School Junior Chef Program is a statewide cooking competition for Grade students from 8<sup>th</sup> through 12<sup>th</sup> grades designed to offer the opportunity for students to learn valuable skills in recipe development, food preparation, marketing, organization, teamwork, public speaking and community involvement.

Additional intentions for the Junior Chef Program are to stimulate interest in local agriculture, create an additional market for Kentucky producers, increase quality of products available to school cafeterias, and ultimately increase consumption of produce by Kentucky's students and their families.



The Kentucky Department of Agriculture and Kentucky Farmers encourage you to put a team together and come join the fun!

A full copy of rules and information can be found on our website at [www.kyagr.com/junior-chef/](http://www.kyagr.com/junior-chef/). I encourage you to put a team together and come join the fun! [Deadline for entry is April 15th](#), of the program year. Contact either Chef Rebecca Shepherd-Smith at [Rebecca.Shepherd-Smith@ky.gov](mailto:Rebecca.Shepherd-Smith@ky.gov) or Tina Garland at [tina.garland@ky.gov](mailto:tina.garland@ky.gov) for more information.



Congratulations to the 2023 Junior Chef Team Winner from Bath County

## **Kentucky Department of Agriculture, Farm to School Chefs in Schools**

The Chefs in Schools program reaches across Kentucky to all schools participating in NSLP (National School Lunch Program). Chefs in Schools will increase support of the Farm to School movement by administering technical assistance to the Food Service Directors (FSD) and their staff, it will improve the integrity, efficiency and effectiveness of the Child Nutrition Programs (CNP). By providing such necessary training, school nutrition staff would be more equipped and skilled to incorporate fresh local foods into their menus that would encourage increased participation and help eradicate hunger in Kentucky. Contact either Chef Rebecca Shepherd-Smith at [Rebecca-.Shepherd-Smith@ky.gov](mailto:Rebecca-.Shepherd-Smith@ky.gov) or Tina Garland at [tina.garland@ky.gov](mailto:tina.garland@ky.gov) for more information.

## **Kentucky Agritourism**

They call it agritourism – and if you’ve ever visited a pumpkin patch or toured a Kentucky Horse Farm, you’ve experienced it. Agritourism is defined as “*The act of visiting a working farm or any agricultural, horticultural, or agribusiness operation for the purpose of enjoyment, education, or active involvement in the activities of the farm or operation.*” That’s quite a mouthful, so we just like to say – Kentucky Farms Are Fun! Farm tourism is a terrific way to explore Kentucky while supporting our hardworking farm families.

### **Why is Agritourism important to Kentucky farmers?**

Agritourism gives Kentucky farmers an opportunity to generate additional income by inviting the public to their farms. It provides educational opportunities while helping to keep the family farm for the next generation. As a growing industry in the United States, agritourism presents a number of opportunities for Kentucky farmers.

### **Why is Agritourism important to local tourism?**

Simply stated, Agritourism could be thought of as the crossroads of tourism and agriculture.

Agritourism presents a unique opportunity to combine aspects of the tourism and agriculture industries to provide several financial, educational, and social benefits to tourists, producers, and communities.

### **Why is Agritourism important to all Kentucky citizens?**

Today many Kentuckians have no direct connection to farm life, even in rural areas. Agritourism gives people an opportunity to better understand the skill and hard work that goes into producing the food, fiber, and more we all enjoy.

Busy schedules and travel costs can limit the number of big weekend getaways a family can take. A visit to the farm is most often a day trip and can provide a fun experience for the whole family.

### **Where can I find information on joining Kentucky Proud or locate a business in my community?**

On the Kentucky Proud website, [www.kyproud.com](http://www.kyproud.com)

## **KENTUCKY RESOURCES**

In this section, you will find a listing of valuable Kentucky resources and contact information to assist you in resolving any problems or questions that your market or vendors may have or need.

Listed below you will find the program contacts at the Kentucky Department of Agriculture

<b>KDA Staff</b>	<b>Email</b>	<b>Phone Number</b>	<b>Specialty Area(s)</b>
Angela Caporelli	<a href="mailto:angela.caporelli@ky.gov">angela.caporelli@ky.gov</a>	502-782-4104	Aquaculture Farmers' Markets Sampling/Cooking Demonstrations
Lori Durham	<a href="mailto:lori.durham@ky.gov">lori.durham@ky.gov</a>	502-782-9211	Egg Regulations
DeAnne Elmore	<a href="mailto:deanne.elmore@ky.gov">deanne.elmore@ky.gov</a>	502-782-4124	Farm to Retail Liaison
Alex Floyd	<a href="mailto:alex.floyd@ky.gov">alex.floyd@ky.gov</a>	502-782-4129	KY Proud Membership
Jesse Frye	<a href="mailto:jesse.frye@ky.gov">jesse.frye@ky.gov</a>	502-382-7458(mobile)	Senior Farmers' Market Nutrition Program (SFMNP)
Tina Garland	<a href="mailto:tina.garland@ky.gov">tina.garland@ky.gov</a>	502-782-9212 502-382-7505(mobile)	Farm to School Program, KY Junior Chef and Chefs in School Program and Senior Farmers' Market Nutrition Program (SFMNP)
Abigale George	<a href="mailto:abigale.george@ky.gov">abigale.george@ky.gov</a>	502-782-4112	Organic Program Manger
Tyler Goodlett	<a href="mailto:tyler.goodlett@ky.gov">tyler.goodlett@ky.gov</a>	502-782-7811	Produce Safety Program, FSMA
Doris Hamilton	<a href="mailto:Doris.hamilton@ky.gov">Doris.hamilton@ky.gov</a>	502-782-4113	FSMA Produce Safety, Organic Certification, Horticulture, Ginseng, Hay and Forage, Hemp Licensing and Specialty Crop Block Grant
Kate Hamilton	<a href="mailto:kate.hamilton@ky.gov">kate.hamilton@ky.gov</a>	502-782-4133	Farmers' Markets, Community Supported Agriculture (CSA) and Farmers' Markets Samplings Certificates
Michelle Hansford	<a href="mailto:michelle.hansford@ky.gov">michelle.hansford@ky.gov</a>	502-782-4136	Agritourism Liability Sign Orders, Farm Name Registration Program, KY Proud At-Cost orders and Farmers' Markets Sampling Certificates
Heath Higdon	<a href="mailto:heath.higdon@ky.gov">heath.higdon@ky.gov</a>	502-782-9233 270-589-7740(mobile) 270-230-2888(mobile)	Weights and Measures – Market Scales
Ryan Mairs	<a href="mailto:ryan.mairs@ky.gov">ryan.mairs@ky.gov</a>	502-229-2130(mobile)	Produce Safety Program, FSMA
Pam McNabb	<a href="mailto:pamela.mcnabb@ky.gov">pamela.mcnabb@ky.gov</a>	502-782-4118	Issues PBPT Diplomas and reprints
Brett McQueary	<a href="mailto:brett.mcqueary@ky.gov">brett.mcqueary@ky.gov</a>	502-782-4114	Specialty Crop Block Grant Program Coordinator
Alisha Morris	<a href="mailto:alisha.morris@ky.gov">alisha.morris@ky.gov</a>	502-782-4119	Farm to Fork Program
Grace Ragain	<a href="mailto:grace.ragain@ky.gov">grace.ragain@ky.gov</a>	502-782-4110	Buy Local Program
Alexis Smith	<a href="mailto:Alexis.smith@ky.gov">Alexis.smith@ky.gov</a>	502-782-9251	Creative Marketing Manager for Kentucky Proud and Grape & Wine Marketing Program
Sharon Spencer	<a href="mailto:sharon.spencer@ky.gov">sharon.spencer@ky.gov</a>	502-782-4127	Direct Farm Marketing, Agritourism, CSAs, Farm to Fork, Farmers' Markets
Jonathan Van Balen	<a href="mailto:jonathan.vanbalen@ky.gov">jonathan.vanbalen@ky.gov</a>	502-782-4132	KY Proud Promotional "POP" Grant

Additional Information and details regarding KDA Staff and Programs:

Angela Caporelli: Aquaculture Coordinator and Marketing Specialist

Email: [angela.caporelli@ky.gov](mailto:angela.caporelli@ky.gov) Office Phone: 502-782-4104

Angela Caporelli is the Aquaculture Coordinator and Marketing specialist with the Kentucky Department of Agriculture. She works with several of the fish farmers in the state and has helped them create HACCP plans in order to process and sell Kentucky grown fish products direct to consumers. Angela has extensive food safety training and conducts cooking and sampling demonstrations at Farmers' Markets throughout the state to help promote products available at the markets and promote the necessary protocols for sampling at the markets.

Lori Durham: Division of Regulation and Inspection – Eggs

Email: [lori.durham@ky.gov](mailto:lori.durham@ky.gov) Office Phone: 502-782-9211

The KDA Division of Regulation and Inspection regulates the sale of eggs within the Commonwealth. Lori can work with you to make sure you meet all the requirements for selling eggs on a retail level.

DeAnne Elmore: Farm to Retail Liaison

Email: [deanne.elmore@ky.gov](mailto:deanne.elmore@ky.gov) Office Phone: 502-782-4124

As the Retail Liaison for the Kentucky Proud Program, DeAnne works with retail outlets of all sizes who are selling and seeking wholesale Kentucky Proud items. She further assists producers who sell to those outlets. She has experience in package design, promotion, public relations, and advertising to assist on both sides of the equation.

Alex Floyd: KY Proud Membership Coordinator

Email: [alex.floyd@ky.gov](mailto:alex.floyd@ky.gov) Office Phone: 502-782-4129

Alex oversees the KY Proud membership and database. He can assist with membership questions, updating your KY Proud membership and troubleshooting online account issues to include resetting passwords.

Jesse Frye: Program Coordinator, Senior Farmers' Market Nutrition Program (SFMNP)

Email: [jesse.frye@ky.gov](mailto:jesse.frye@ky.gov) Cell Phone: 502-382-7458

The Kentucky Department of Agriculture Division of Food Distribution serves as the lead agency for the Senior Farmers Market Nutrition Program. Jesse Frye is the Western Kentucky Program Coordinator along with Stephanie Stefanic as the Eastern Kentucky Program Coordinator. They assist with market access for farmers as well as improving nutrition for low-income senior families by providing them with better access to fresh fruits and vegetables. Funding for the SFMNP program comes from federal and state resources. The eligible low-income seniors are provided with \$50 applied on a debit card type or device application to purchase fresh, unprocessed, locally grown fruits, honey, vegetables, and cooking herbs at State-approved Kentucky Proud farmers' markets.

Tina Garland: Administrative Branch Manager - Farm to School Program and Senior Farmers' Market Nutrition Program (SFMNP), Farm to School Chefs in Schools and Junior Chef Coordinator

Email: [tina.garland@ky.gov](mailto:tina.garland@ky.gov) Cell Phone: 502-382-7505

The Kentucky Department of Agriculture's Farm to School program is housed within the Division of Food Distribution. Tina Garland is the Administrative Branch Manager who aids in creating a non-traditional market for Kentucky Producers. She connects local producers to local School Food Service Authorities enabling them to purchase fresh local products and integrate them into their school menus for our students to enjoy.

Abigale George: Organic Program Manager

Email: [Abigale.George@ky.gov](mailto:Abigale.George@ky.gov) Office Phone: 502-782-4112

The Organic Program provides certification services to producers who wish to offer all types of certified organic products. For additional information, please refer to the Organic section in this manual.

Tyler Goodlett : Produce Safety Program Manager

Email: [tyler.goodlett@ky.gov](mailto:tyler.goodlett@ky.gov) Office Phone: 502-782-7809

The Produce Safety Program, housed in the Office of Agricultural Marketing-Plant Division, is a new regulatory program at the Kentucky Department of Agriculture. The program started in 2018 following the passage of the federal Food Safety Modernization Act (FSMA) and FDA's Produce Safety Rule. Mark Reed and the Produce Safety Team will be assisting Kentucky's produce growers comply with the new rules through outreach, scheduling Produce Safety Alliance Grower Training Courses across the state, and conducting On Farm Readiness Reviews upon request. Additionally, the KDA Produce Safety Team is available to assist growers in determining if their operations are "covered" under the new rules and subject to inspection, or whether an operation may be considered exempt. For additional information, visit our website at: <https://www.kyagr.com/marketing/produce-safety.html>

Doris Hamilton: Division Director, Plant Division

Email: [doris.hamilton@ky.gov](mailto:doris.hamilton@ky.gov) Office Phone: 502-782-4113

As the Director of the Plant Division, Doris oversees the FSMA Produce Safety Program, Organic Certification Program, horticulture, ginseng, hay and forage, Hemp Licensing Program and the Specialty Crop Block Grant.

Kate Hamilton: Program Coordinator – Farmers' Markets, CSAs and Sampling Program

Email: [Kate.Hamilton@ky.gov](mailto:Kate.Hamilton@ky.gov) Office Phone: 502-782-4133

Kate works very closely with the farmers' markets and the Community Supported Agriculture (CSA) programs. Kate provides support and assistance for educational training, market development, research, planning and promotional activities for our active farmers' markets.

Kate is a valuable resource to provide guidance for potential markets, managers, vendors and for new CSA programs.

Michelle Hansford: Administrative Specialist

Email: [michelle.hansford@ky.gov](mailto:michelle.hansford@ky.gov) Office Phone: 502-782-4136

Michelle helps our Kentucky Proud members with any Kentucky Proud At-Cost orders either for mailouts or office pickup. We do ask for any orders to be picked up, please schedule in advance. Michelle is also the coordinator for the Farm Name Registration Program. She also provides support for the Farmers' Market Sampling application process and fills orders for all Agritourism Liability Warning signs.

Heath Higdon: Administrative Branch Manager - Division of Regulation and Inspection, Weights and Measures - Scales

Email: [heath.higdon@ky.gov](mailto:heath.higdon@ky.gov) Office Phone: 502-782-9233

Cell Phone: 270-589-7740 or 270-230-2888

The KDA regulates weights and measures across the state. All scales used for commercial sales, including farmers' markets, must be legal for trade and accurate. Heath can be reached at (502) 782-9233 or [heath.higdon@ky.gov](mailto:heath.higdon@ky.gov)

Pam McNabb: PBPT Diplomas

Email: [pamela.mcnabb@ky.gov](mailto:pamela.mcnabb@ky.gov) Office Phone: 502-782-4118

Once your name is submitted to KDA after attending the PBPT class, Pam updates the database, processes and mails PBPT Diplomas. If you need a duplicate diploma, please email Pam and a new one can be issued.

Alisha Morris: Program Coordinator – Farm to Fork Program

Email: [Alisha.morris@ky.gov](mailto:Alisha.morris@ky.gov) Office Phone: 502-782-4119

The Kentucky Proud Farm to Fork program partners with local organizations to increase awareness of Kentucky Proud foods and benefit a charity in their community. Under the program, participating organizations host dinners that serve dishes made with local foods to highlight local farms, farmers, producers, and Kentucky Proud products. Alisha can provide assistance for resourcing Kentucky Proud products.

Grace Ragain: Buy Local Program

Email: [grace.ragain@ky.gov](mailto:grace.ragain@ky.gov) Office Phone: 502-782-4110

Grace oversees the KY Proud Buy Local (previously Restaurant Rewards) program which offers reimbursement to restaurants and other foodservice businesses that procure Kentucky Proud farm fresh ingredients to further enhance their menu offerings. Grace can assist with Buy Local enrollment and guidelines and assist producers who wish to sell these entities, with program eligibility questions.

Alexis Smith: Creative Marketing Manager for Kentucky Proud and Grape & Wine Marketing Program

Email: [alexis.smith@ky.gov](mailto:alexis.smith@ky.gov) Office Phone: 502-782-9251

Alexis manages the branding and advertising of the Kentucky Department of Agriculture with emphasis on the Kentucky Proud program and the Grape and Wine Program. Her goal is to elevate the story of the Kentucky producer and their availability of farm fresh offerings through various marketing and communication strategies.

Sharon Spencer: Division Director, Direct Farm Marketing

Email: [sharon.spencer@ky.gov](mailto:sharon.spencer@ky.gov) Office Phone: 502-782-4127

Direct Farm Marketing is all about connecting consumers to Kentucky agricultural producers. Through Farmers' Markets and Community Supported Agriculture (CSA), producers can maximize profits while offering consumers a direct path to procure the freshest local products.

Agritourism offers the opportunity to build relationships between the agricultural community and the local tourism industry by incorporating education and enjoyable activities on working farms or agribusiness operations. Farm to Fork and Community Gardens can be a great way for the community to come together and provide support for a charitable program while educating the consumers and supporting our Kentucky producers. Sharon is here to assist existing markets as well as working with new groups.

Jonathan Van Balen: KY Proud Promotional Grant

Email: [jonathan.vanbalen@ky.gov](mailto:jonathan.vanbalen@ky.gov) Office Phone: 502-782-4132

Jonathan administers and oversees the KY Proud Promotional "POP" Grant. He can assist with application questions, review drafts of proposed promotional items, answer questions about reimbursement payments and any other questions you may have regarding the grant.

Office of State Veterinarian

Office Phone: 502-573-0282, option 3

The Office of State Veterinarian protects the health and welfare of Kentucky livestock, poultry and agricultural industries. The office promotes an environment that enhances the economic and recreational opportunities and prosperity of Kentucky agriculture. For any questions concerning animal health permits or the sale of live animals at markets, please contact their office.

## **Kentucky Cabinet for Health and Family Services**

### **Department for Public Health, Food Safety Branch**

The Kentucky Department for Public Health Food Safety Branch is a major partner with the Kentucky Department of Agriculture in Kentucky's farmers' market program. The Food Safety Branch is responsible for ensuring the safety and wholesomeness of all food products

marketed in Kentucky and permitting home-based microprocessors and home-based processors.

For questions regarding the home-based microprocessor and home-based processor programs as well as permit status, please contact the Department for Public Health, Food Safety Branch in Frankfort at 502-564-7181. More information can also be found at <https://chfs.ky.gov/agencies/dph/dphps/fsb/Pages/default.aspx>.

Any questions regarding on-site food preparation should be directed to the local health department in your county or the county where the market is held. This includes questions about the requirements for temporary food vendors and mobile retail sales permits. A complete listing of local county health departments is located on this site: <https://chfs.ky.gov/agencies/dph/dafm/LHDInfo/AlphaLHDListing.pdf>.

## **University of Kentucky, College of Agriculture, Food and Environment Cooperative Extension Service**

The University of Kentucky College of Agriculture, Food and Environment, Cooperative Extension Service maintains an office in each county in Kentucky where one may obtain useful and valuable information on marketing and production. Local agents and specialists at the University of Kentucky can connect the public with the latest research. To locate a UK Extension Office in each Kentucky County, please visit: <https://extension.ca.uky.edu/county>



The chart below will provide you with valuable resources for the University of Kentucky, College of Agriculture.

Name	Email	Phone Number	Specialty Area(s)
Courtney Bartlett	<a href="mailto:Courtney.Bartlett@uky.edu">Courtney.Bartlett@uky.edu</a>	859-200-2926	Extension Associate, Third Party Food Safety Audits, Wholesale Readiness Support
Brandi Button-Johnson	<a href="mailto:brandi.buttonjohnson@uky.edu">brandi.buttonjohnson@uky.edu</a>	270-670-6913	West Kentucky Value Chain Coordinator, UK Food Connection
Daniel Becker	<a href="mailto:Daniel.becker@uky.edu">Daniel.becker@uky.edu</a>	859-562-1305	Fruit and Vegetable Extension Associate UKREC, Princeton
Ric Bessin	<a href="mailto:rbessin@uky.edu">rbessin@uky.edu</a>	859-257-7456	Extension Entomologist, Pesticide Education
Bryan Brady	<a href="mailto:bryan.brady@uky.edu">bryan.brady@uky.edu</a>	859-323-0417	Senior Extension Associate, Third Party Food Safety Audits, Wholesale Readiness Support

Savannah Columbia	<a href="mailto:Savannah.columbia@uky.edu">Savannah.columbia@uky.edu</a>	859-218-4383	Market Ready Program
Camille Dant	<a href="mailto:Camille.dant@uky.edu">Camille.dant@uky.edu</a>	859-257-3482	Value Added Dairy, MarketReady, Center for Crop Diversification
Nicole Gauthier	<a href="mailto:nicole.ward@uky.edu">nicole.ward@uky.edu</a>	859-218-0720	Extension Specialist for Plant Pathology (fruit, ornamentals and hemp)
Heather Graham	<a href="mailto:heather.graham@uky.edu">heather.graham@uky.edu</a>	606-495-1026	East Kentucky Value Chain Coordinator, UK Food Connection
Alan Harrison	<a href="mailto:alan.harrison@uky.edu">alan.harrison@uky.edu</a>	859-257-5887	Feed Program Coordinator – pet treats
Joshua Knight	<a href="mailto:joshua.knight@uky.edu">joshua.knight@uky.edu</a>	859-257-1273	Center for Crop Diversification, Horticulture
Faye Kuosman	<a href="mailto:Faye.Kuosman@uky.edu">Faye.Kuosman@uky.edu</a>	859-608-7978	Central Kentucky Value Chain Coordinator, UK Food Connection
Annhall Norris	<a href="mailto:annhall.norris@uky.edu">annhall.norris@uky.edu</a>	859-257-1812	Home-based Processing and Home-based Micro-processing Food Preservation Extension Specialist
Gregg Rentfrow	<a href="mailto:gkrent2@uky.edu">gkrent2@uky.edu</a>	859-257-7550	Extension Meat Marketing Specialist and Associate Professor
Rachel Rudolph	<a href="mailto:Rachel.rudolph@uky.edu">Rachel.rudolph@uky.edu</a>	859-257-3374	Extension Vegetable Specialist, Coordinator KY Fruit and Vegetable Conference
Delia Scott	<a href="mailto:delia.scott@uky.edu">delia.scott@uky.edu</a>	859-257-8605	Extension Associate, Beginning Farmers, Fruit and Vegetable Production
Arundathi Sharma	<a href="mailto:Arundathi.Sharma@uky.edu">Arundathi.Sharma@uky.edu</a>	859-257-8605	Extension Associate, Floriculture & Controlled Environment Horticulture
Emily Spencer	<a href="mailto:Emily.spencer@uky.edu">Emily.spencer@uky.edu</a>	859-218-5212	Center for Crop Diversification, Direct Marketing
Matthew Springer	<a href="mailto:mattspringer@uky.edu">mattspringer@uky.edu</a>	859-257-7597	Extension Wildlife Specialist
Kandice Williams	<a href="mailto:fsic@uky.edu">fsic@uky.edu</a>	859-218-4387	Food Systems Innovation Center (FSIC) Coordinator Nutritional Labeling Assistance
Patsy Wilson	<a href="mailto:patsy.wilson@uky.edu">patsy.wilson@uky.edu</a>	859-257-1332	Extension Viticulture Specialist
Brett Wolff	<a href="mailto:Brett.wolff@uky.edu">Brett.wolff@uky.edu</a>	859-218-4384	Center for Crop Diversification, SARE
Paul Vijayakumar	<a href="mailto:Paul.v@uky.edu">Paul.v@uky.edu</a>	859-257-1546	Extension Food Science/Safety Specialist Process Authority
Tim Woods	<a href="mailto:tim.woods@uky.edu">tim.woods@uky.edu</a>	859-257-7270	Extension Marketing and Agribusiness Specialist
Shawn Wright	<a href="mailto:shawn.wright@uky.edu">shawn.wright@uky.edu</a>	606-666-2438 ext. 234	Small fruit, vegetable, hops, medicinal and ginseng crops

## **The University of Kentucky Center for Crop Diversification**

The CCD is a specialty crop Cooperative Extension outreach group at the University of Kentucky. The Center works with partners throughout the state and region to produce resources for specialty crop growers like:

- farmers' market and produce auction price reports
- more than 200 Crop and Market profile publications
- small and large scale crop enterprise budgets (2023 updates)
- produce food safety resources
- in-person and online production or marketing trainings
- monthly newsletter



Check out our award-winning marketing training *Marketing for All*. More information on all of this is available at [www.uky.edu/ccd](http://www.uky.edu/ccd).

## **The University of Kentucky Food Systems Innovation Center**

The FSIC provides technical services, marketing intelligence, business services and training components to aid in developing the food industry of Kentucky.



- Food Chemistry Testing
- Nutrition Labeling
- Analytical Services
- Microbiological Testing
- Sensory Evaluation

Visit [www.uky.edu/fsic/](http://www.uky.edu/fsic/) for more information.

## **University of Kentucky - MarketReady Producer Training Program**

### **What is MarketReady?**

MarketReady is a training program that helps growers and producers prepare themselves to sell in larger markets such as restaurants, schools, grocery and retail outlets, wholesale distribution, etc. It is important for growers and producers to be prepared to meet the needs of buyers in these marketplaces because their needs and requirements can differ from the needs of customers in the direct-to-consumer marketplace -- so we are here to help with that! Buyers in these markets need their suppliers [that's you -- growers and producers!] to manage their own food safety, insurance, product quality, traceability, and much, much more. MarketReady addresses these needs and seeks to educate Kentucky's growers and producers about how to succeed in these types of marketplaces.

Our training is based on the *best business practices* identified by buyers in these market channels who are actively seeking to engage local food suppliers. MarketReady helps growers and producers selling fruits and vegetables, dairy products, meat cuts, value-added products, etc. create a successful business strategy and explore these types of marketplaces.

### **What Does the MarketReady Training Cover?**

During the MarketReady Training Program, we work our way through key *business functions*. We discuss the differing needs and requirements of restaurants, schools, grocery and retail stores, wholesale distributors, and other larger-scale business outlets. The MarketReady Training Program also addresses the market development, risks, and relationships growers and producers must manage as they seek to develop relationships with these types of local food buyers and in these types of marketplaces. MarketReady will provide you with professional marketing education to take the next step in your farm's business plan.

### **Is MarketReady for Me?**

The MarketReady Training Program is for growers and producers interested in selling to larger volume markets such as restaurants, schools, grocery and retail outlets, wholesale distribution, etc. Our program can be beneficial to those who are just thinking about the idea and to those who are already establishing relationships with buyers in these marketplaces. Our training is provided free of charge so we can be accessible to all the growers and producers in Kentucky.

For more information and to check out our upcoming events and educational resources, please visit <https://marketready.uky.edu/> or email Savannah Columbia at [savannah.columbia@uky.edu](mailto:savannah.columbia@uky.edu).

## **Community Farm Alliance**



CFA's mission is to organize and encourage cooperation among farmers, rural, and urban citizens, through leadership development and grassroots democratic processes, to ensure an essential, prosperous place for family-scale agriculture in our economies and communities. CFA believes that Kentucky farmers' markets are an important component of community development, providing an opportunity for all members of the community to interact socially and economically. CFA offers the Farmers' Market Support Program (FMSP) that provides resources, technical support and capitalization for farmers' markets. There are several grant programs under the FMSP that serve Kentucky farmers markets including the Kentucky Double Dollars, the Market Manager Cost Share, and the Farmers Market Resiliency Programs. Grants are awarded annually and require an application in order to be accepted into one of these programs.

## **Kentucky Double Dollars Program**

Kentucky Double Dollars (KDD) is intended to increase access to fresh local food for low-income Kentuckians while also increasing the sales and income of Kentucky farmers.

KDD offers financial incentives for individuals participating in the Supplemental Nutrition Assistance Program (SNAP), the Special Supplemental Nutrition Program for Women, Infants, & Children (WIC) Farmers Market Nutrition Program (WIC FMNP), and the Senior Farmers Market Nutrition Program (SFMNP) to purchase Kentucky-grown produce and other agricultural products at participating farmers markets and retail sites. Kentucky Double Dollars offers incentive funds for both the purchase of KY-grown fruits and vegetables (available with SNAP, WIC FMNP, and Senior FMNP) and KY-farmed meat, eggs, and dairy (available with SNAP only).

Farmers markets can apply annually for funding to offer KDD incentives. CFA provides for the administration and marketing of the KDD program, and awards funding to individual markets to offer incentives to customers. For participating markets, CFA will reimburse 75% of the KDD incentives that are redeemed at the market. Markets must reapply annually and complete monthly reports in order to receive funds, and must be approved to participate in SNAP, WIC FMNP, and/or SFMNP in order to offer KDD incentives for the programs.

Visit the program webpage for more information at: <https://kentuckydoubledollars.org>

## **Market Manager Cost-Share Program**

CFA's Market Manager Cost-Share Program helps farmers' markets who are planning to employ a paid market manager to implement or manage Kentucky Double Dollars (KDD) to increase food access at their markets. CFA will provide markets with a 1:1 match up to a max total of \$2000 that is reflective of the administrative oversight required for the implementation of each of these programs. Successful applicants will be chosen based on their demonstrated ability to implement KDD programs. CFA recognizes that it takes time for markets to build the capacity to implement KDD programs and will continue to provide a limited number of new and beginning markets with a market manager cost-share that falls outside of the above criteria.

## **Farmers Market Resiliency Program**

The Farmers Market Resiliency Program (FMRP) is a customized training and support program for board members, market managers, and farmers' market vendors to increase long-term resiliency at Kentucky farmers' market. It is geared towards markets that are hiring or planning to hire a new market manager to help markets build their capacity for long-term

sustainability. It will support markets in hiring and training a new market manager or training an existing market manager to be a skilled and effective leader. It is also excellent for markets that are in their first five years of operation as well as markets that have struggled with the implementation of or reporting for Kentucky Double Dollars (KDD) or Market Manager Cost Share (MMCS) grants.

Farmers Markets participating in any one of CFA's grant programs will also receive:

- One-to-one technical assistance.
- Networking spaces to connect with other KY farmers' markets.
- Regular communication about issues related to farmers' markets.
- Farmers' Market mini grants as they become available.

Visit their website for additional information at [www.cfaky.org](http://www.cfaky.org).

## **Feeding Kentucky**

Feeding Kentucky's Farms to Food Banks program is a statewide program that provides fresh, healthy produce to Kentuckians in need while reducing losses for Kentucky farmers. The Program Director is Sarah Vaughn. She connects local producers to area food banks, giving them an additional market opportunity for their surplus and Number 2 grade produce (perfectly edible but not saleable on the retail market). For additional information, visit [www.feedingky.org](http://www.feedingky.org) and look under "Programs" for the "Farms to Food Banks" tab.



How It Works:

- Any Kentucky farmer who grows the 28 crops included in the program may participate.
- Maximum prices per unit are set each growing season in consultation with specialists from the University of Kentucky. The goal of the price caps is to help farmers recover losses while also providing as much healthy food as possible to struggling Kentuckians.
- Produce auction and cooperative managers arrange for the purchase of Kentucky-grown produce from farmers and covers its delivery to food banks.
- Kentucky farmers can make direct sales to Feeding Kentucky and will be responsible for delivering their products to the closest food bank warehouse.
- Foodbank warehouse staff will forward the Bill of Lading (invoice) provided by the farmer with the delivery to the Feeding Kentucky. Feeding Kentucky will process payment to the farmer within 2 weeks.

For more information, contact Sarah Vaughn, Programs Director 502-699-2656 x 103 by phone or [sarah@feedingky.org](mailto:sarah@feedingky.org) by email.

## **Grow Appalachia Berea College**

Grow Appalachia partners with organizations, communities, and families in Appalachia to create healthy, resilient, and economically viable food systems.



### **Beginning Farmer Series**

- Free educational opportunity for producers with 0-9 years of farming experience
- Mentorship opportunities on Kentucky farms
- Beginner and intermediate tracks
- Serves Lexington, Louisville, and Eastern KY
  - Course Topics: Whole Farm Planning, Production Planning, Crop and Livestock Management, Protected Agriculture, Harvesting Techniques, Marketing, Resource Development

### **Free Technical Assistance for Eastern Kentucky Farmers**

Available for any farmer generating revenue in an “Appalachian Proud” county designated by Kentucky Proud

- Free soil tests
- On-farm consultation and advising
- Production planning
- Connection to other agencies offering financial, business and agricultural support
- Funding opportunities for equipment and installation support

### **Free Technical Assistance for Recipients of NRCS High Tunnel Funding**

- On farm one-on-one technical support and assessment of practices
- Recommendations for improving high tunnel soil health
- Assistance with site selection and design
- Installation support for high tunnels, accompanying water catchment and drip irrigation systems

### **NRCS Conservation Plans for Organic Transition for Kentucky Farmers**

- Development of a Conservation Activity Plan for your farm
- Soil testing and detailed analysis
- Guidance through the development of your Organic System Plan (OSP)

For more information, visit [www.growappalachia.berea.edu](http://www.growappalachia.berea.edu) or you may reach out to the Grow Appalachia Staff for more information on these programs.

- Mark Walden, Associate Director of Production Programming, [waldenm@berea.edu](mailto:waldenm@berea.edu)
- Chris McKenzie, Farmer Development Coordinator, [mckenziec@berea.edu](mailto:mckenziec@berea.edu)
- Storey Slone, Small Farm Production Advisor, [slones@berea.edu](mailto:slones@berea.edu)
- Kayla Preston, Social Enterprise Manager, [prestonk@berea.edu](mailto:prestonk@berea.edu)
- Steph Hamborsky, Program Support Specialist, [hamborskys@berea.edu](mailto:hamborskys@berea.edu)

## **Kentucky Office of Agricultural Policy**

The Kentucky Office of Agricultural Policy (KOAP) provides a direct link between the Commonwealth of Kentucky and one of the state's most important industries, agriculture. The office provides staff support to the Kentucky Agricultural Development Board (KADB) and the Kentucky Agricultural Finance Corporation (KAFC).



More than \$6.2 million in state and county Kentucky Agricultural Development Funds (KADF) have been invested in farmers' markets in 72 counties across the Commonwealth to date. Funding opportunities are available to markets and to individual farmers through the KADF.

For information on grant and loan opportunities through the KADF and KAFC, contact the Kentucky Office of Agricultural Policy at (502) 573-0282 or visit their website at [www.kyagr.com/agpolicy](http://www.kyagr.com/agpolicy).

## **Kentucky Center for Agriculture and Rural Development**

The Kentucky Center for Agriculture and Rural Development is a nonprofit organization that provides technical assistance to Kentucky producers and agribusinesses with business planning, marketing, educational resources, and evaluation of new opportunities. It is funded in part by the Kentucky Agricultural Development Board and the US Department of Agriculture. In addition to its work with individual businesses and cooperatives, KCARD also works with several farmers' markets around the state to help them organize, address issues that may arise, and provide business and marketing plan assistance. KCARD also offers training for a market's board of directors to help them work more effectively, understanding the critical role that each person plays in the organization, and how good boards can lead to good markets for producers. For more information, check out [www.kcard.info](http://www.kcard.info) or call 859-550-3972.



## **Kentucky Farm Bureau Federation Certified Farm Market Program**

Kentucky Farm Bureau is a grassroots organization dedicated to serving our membership family and their communities. As the Voice of Agriculture, we identify problems, develop solutions, promote economic success, and enhance the quality of life for all. For over one hundred years, the Kentucky Farm Bureau has represented the interests of agricultural producers and rural communities. Kentucky Farm Bureau Certified Farm Market program was launched in 1996 to help farmers directly market to consumers across the Commonwealth.



The program proudly supports farm market operations that are committed to providing customers with locally grown, quality products and services. Markets in our program include the following: greenhouses, landscape nurseries, fruit and vegetable markets, orchards, u-pick/u-cut, organic, grapes/wine, sorghum, maple syrup, Christmas trees, Kentucky meats and cheeses, and a variety of agritourism destinations.

Markets certified through this program have a reputation for meeting the highest standards of quality, freshness and market appeal. Look for the Certified Farm Market logo for our participating market members.

Benefits of being a member of the Certified Farm Market Program include credibility, advertisements, discounts, a member network, resources, visibility and advocacy on their behalf. Requirements to participate in the program include current Kentucky Farm Bureau Federation membership; a permanent structure for the market; quality products at a fair price, a clean and safe market; support and promote the Certified Farm Market Program; prominently display our Certified Farm Market sign and promotional materials in their market; be farm-oriented with locally grown products and/or agritourism activities; and sell a majority of items that are grown, produced or raised by the owner.

The program focuses on farm direct markets and does not include farmers' markets. Many of our Certified Farm Market members participate in farmers' markets as well as sell directly off the farm. For more information, contact Kentucky Farm Bureau Federation at (502) 495-5000 or visit their website at <http://www.kyfb.com/certified>.

## **Kentucky Office of the State Entomologist**

The Kentucky Office of the State Entomologist requires that every resident nursery or dealer selling nursery stock in the state obtain a nursery license through the State Entomologist office (KRS Chapter 249). Information on how to obtain a nursery license or for additional information, please contact the State Entomologist office at 859-257-5838 or visit their website at <https://ose.uky.edu>. A Class A permit would be required for anyone selling trees (including fruit trees), shrubs, roses, perennial flowers or perennial herbs. Contact Joe Collins

for information regarding permits or questions on products sold. Mr. Collins can be reached at 859-218-3341 or by email at [joe.collins@uky.edu](mailto:joe.collins@uky.edu).

## **Kentucky State University Small Farms Program**

Kentucky State University offers excellent services to small farms through educational opportunities and research. Kentucky State Cooperative Extension provides one-on-one education through agents and small farm or horticulture assistants. A well-received effort is Third Thursday Thing. Held on the third Thursday of each month (January through November), these free sustainable agriculture workshops cover topics such as small ruminants, aquaculture, horticulture, and organics. Another well-received effort is the annual Small, Limited-Resource, Minority Farmers Conference, held in the third week of November. To find out more about Third Thursday Thing or other opportunities at KSU, contact Savanna Frye at [savanna.frye1@kysu.edu](mailto:savanna.frye1@kysu.edu) or sign up for the Small Farms Email List at <https://bit.ly/kysuemail>.



Kentucky State University's Center for Sustainability of Farms and Families has grant funding opportunities for producers through the Small-Scale Farm Grant Program. For additional information, contact Joni Nelson, Manager of the Center for Sustainability of Farms and Families, at 502-597-6831 or [joni.nelson@kysu.edu](mailto:joni.nelson@kysu.edu). The grant application can be found at [www.kysu.edu/ssfg](http://www.kysu.edu/ssfg).

## **Organic Association of Kentucky**

The Organic Association of Kentucky (OAK) is a membership nonprofit organization that promotes organic agriculture among farmers and consumers. OAK works to provide resources, tools and trainings to farmers through its annual conference, year-round field days and organic transition consultation. OAK provides "transition trainers", one-on-one advisors, who can assist farmers in becoming certified organic. Transition trainers help with paperwork, farm planning, resources and marketing. For more information about OAK's programs visit: [www.oak-ky.org](http://www.oak-ky.org) or email us at: [info@oak-ky.org](mailto:info@oak-ky.org).



## **The Kentucky Horticulture Council**

The Kentucky Horticulture Council (KHC) is a coalition of member organizations that provides a unified voice for the respective horticulture industry segments of Kentucky. KHC's purpose is to support the state horticulture industry and be a resource for information and education for growers, business owners, and the public to promote a



thriving industry. KHC organizes educational programs, coordinates research initiatives, promotes development of markets, and influences policy to benefit new and existing specialty crop growers and green industry business owners in Kentucky. Visit their website at <https://kyhortcouncil.org/> for more information.

## **The Kentucky State Horticultural Society**

The Kentucky State Horticultural Society (KSHS) is the oldest agricultural organization in Kentucky and is a state-wide professional member group for produce growers. KSHS was organized in 1856 as a nonprofit organization to bring together growers, researchers, and individuals across the state who are interested in fruit production. The goals of KSHS are to educate growers and individuals in fruit production practices; help promote Kentucky-grown produce; support and direct research activities at the University of Kentucky; educate and encourage young people to work in the fruit industry; and present a unified voice for the Kentucky fruit industry. KSHS is a co-host of the annual Kentucky Fruit and Vegetable Conference.

## **The Kentucky Vegetable Growers Association**

The Kentucky Vegetable Growers Association (KVGA) is a state-wide professional member organization for produce growers. KVGA was established in 1970 as a nonprofit organization to bring together individuals interested in vegetable production. KVGA's mission is to: promote Kentucky-grown produce; support research activities at Kentucky universities; encourage young people to work in the vegetable industry; and to present a unified voice for Kentucky vegetable growers. KVGA is a co-host of the annual Kentucky Fruit and Vegetable Conference.



## **United States Department of Agriculture, Rural Development**

USDA offers a wide variety of loans, grants, and technical assistance to assist rural areas. Visit the website at <https://www.rd.usda.gov/ky> for information and contact information.

## **Farmers' Market Nutrition Programs**

### **Senior Farmers' Market Nutrition Program (SFMNP)**

What is the Senior Farmers' Market Nutrition Program?

The Senior Farmers' Market Nutrition Program (SFMNP) provides fresh, locally grown fruits, vegetables, cut cooking herbs, and honey from Kentucky farmers' markets to the dinner tables of low-income seniors who are nutritionally at-risk. The obesity epidemic in the United States has caused increases in heart disease, cancer, diabetes, and high blood pressure. The SFMNP was constructed to help fight against diseases and help targeted groups to achieve a diet that is nutritionally sound. The program also provides farmers with additional revenue at Kentucky farmers' markets.

How is it structured in Kentucky?

More than 115 farmers' markets participate in the Senior Farmers' Market Nutrition Program. There is more of a demand for the program than a supply of funding. Each year, the Kentucky Department of Agriculture completes a grant application for SFMNP and sends it to the USDA for approval. Once the grant is approved, USDA grants Kentucky a particular amount of funding.

Criteria for a Market to Accept Farmers' Market Nutrition Program Vouchers

- Adhering to USDA CFR 249.2 definitions, Farmers' Market means an association of local farmers who assemble at a defined location for the purpose of selling their produce directly to consumers.
- The market must be an organized market. To be considered "organized" the market must have an established contact person/decision maker and meet at a named location at least once a week with specified days and operating times.
- The market must experience one full growing season as a registered KDA market before application in SFMNP.
- The market must be registered with the Kentucky Department of Agriculture and approved as a Kentucky Proud member.
- The market must sell Kentucky-grown fresh produce.

How do markets apply?

Farmers' markets that are interested in applying for the Senior Farmers' Market Nutrition Program can call Jesse Frye at (502) 382-7458 or find the application on the Kentucky Department of Agriculture's website [www.kyagr.com/consumer/senior-farmer-market.html](http://www.kyagr.com/consumer/senior-farmer-market.html).

The applications are competitive and must be received no later than December 31st for next year's season. Participating markets do not need to apply, however annual renewal and training is required. The amount of federal dollars that are received for the Senior Farmers' Market Nutrition Program determines the number of new farmers' markets that are included in the program. Counties with the highest poverty levels will be considered as a priority within the program.

## **WIC Farmers' Market Nutrition Program (WIC FMNP)**

The WIC Farmers' Market Nutrition Program receives funding through a grant from the United States Department of Agriculture (USDA), Food and Nutrition Services (FNS); and is administered through the Nutrition Services Branch within the Kentucky Department of Public Health.

- The WIC Farmers' Market Nutrition Program (WIC FMNP) began as a pilot program in 1992. The intent of the program is to bring locally grown fresh fruits and vegetables into the homes of the WIC participants and to help promote the local farmers' market.
- WIC FMNP assists with meeting the goals of the Healthy People 2010 objectives which are to increase to at least 40% the proportion of people aged two (2) and older who meet the Dietary Guideline minimum average daily goal of at least five (5) servings of fruits and vegetables.
- In Kentucky, each eligible WIC participant in the household receives electronic food instruments (FIs) each summer to purchase locally grown fruits, vegetables, or fresh cut herbs. Local Health Departments (LHDs) issue the FMNP FIs.
- WIC FMNP serves WIC eligible women and children in 47 local agencies with 100 Farmers' Markets.
- LHDs that issue the Farmers' Market FIs provide nutrition education to participants emphasizing the importance of including fruits and vegetables in the diet daily.
- Authorized Farmers' Markets and farmers have contracts with the WIC Program to provide fresh fruits and vegetables. WIC provides monitoring for the farmers and markets.
- The University of Kentucky Cooperative Extension Services cooperates with some agencies for nutrition education and market promotion.

The WIC FMNP Program provides electronic food instruments for locally grown fresh fruits and vegetables and nutrition education to women who are pregnant, postpartum, or breastfeeding, infants (5 months and older) and children up to the age of five (5) who meet income and health risk guidelines for the WIC Program. The electronic food instruments (FIs) are redeemed by the participant and accepted by a WIC authorized Farmer at a WIC approved WIC Farmers' Market.

Don't forget special outreach for the Farmers' Market Nutrition Program WIC recipients (if your market is in the program) to increase your redemption rate. Alan Peck, the Kentucky WIC FMNP Coordinator, can be reached at 502-545-9438 or by email [Alan.Peck@ky.gov](mailto:Alan.Peck@ky.gov).

## **Supplemental Nutrition Assistance Program (SNAP)**

The Supplemental Nutrition Assistance Program (SNAP) is the Nation's largest nutritional assistance program and the cornerstone of Federal Government efforts to alleviate hunger in the United States and its territories. SNAP benefits are funded by the United States Department of Agriculture's Food and Nutrition Service (FNS).

America's Direct Marketing Farmers and Farmers' Markets (DMFs/FMs) are great source of fresh fruits, vegetables, and other healthy foods. FNS is committed to expanding access to these foods by SNAP recipients while supporting economic opportunities for farmers and producers.

Farmers' Markets that are not currently participating in the SNAP program can apply to be an approved location with USDA FNS office to be eligible to accept SNAP at the market location. Once approved by USDA FNS office, the market may contact the State SNAP office in Kentucky to apply for lease electronic balance transfer (EBT) terminal at no cost to the market. There are numerous things for a market to consider before accepting the SNAP program. For example:

- Who will be responsible for operating the machine each time the market is open?
- Does the market have a bank account?
- How will the payments be processed?
- What type of script (wooden tokens) will be used for payments?
- How will vendors be reimbursed for transactions?
- What type of record keeping will be required?

If the farmers' market decides accepting the SNAP program is not an option for their market, a direct marketing producer selling at a farmers' market can apply to accept SNAP benefits and follow the same application steps. First, apply with USDA FNS for an approved account to be eligible to accept. Once approved by USDA, then the producer can contact the State SNAP office in Kentucky to apply for leased EBT equipment.

With the Farmers' Market or a Direct Marketing Farmer offering to accept SNAP benefits, it becomes a win-win for everyone. The markets and/or producers are building their customer base, which will generate more sales and customers in the communities will be able to access fresh fruits, vegetable and other healthy foods.



To access the online application and get approval for a FNS Account with USDA, please visit: <https://www.fns.usda.gov/snap/apply-to-accept> and follow the directions.

After USDA has approved and assigned your FNS account number, the market and/or direct marketing producer may contact the State SNAP office in Kentucky for details on obtaining equipment to use at the market to process SNAP benefits.

For additional information and instructions for the SNAP program, please contact Sharon Spencer with the Kentucky Department of Agriculture at 502-782-4127 or by email [sharon.spencer@ky.gov](mailto:sharon.spencer@ky.gov).

## **Kentucky Department of Agriculture's Organic Certification Program**

### **What is Organic Agriculture?**

The specific definition of organic agriculture is a system that integrates cultural, biological, and mechanical practices that foster cycling of resources, promote ecological balance and conserve biodiversity. The USDA National Organic Program (NOP) sets the standards and regulations that must be followed for agriculture products to be labeled and sold as certified organic.

### **What is CERTIFIED ORGANIC?**

Agricultural products can only be labeled CERTIFIED ORGANIC after the operation becomes certified through the USDA NOP by an accredited certifier, such as the Kentucky Department of Agriculture. A certifier will require an applicant to submit an application and Organic System Plan (OSP) of their operation and then inspect all aspects of the operation to determine if the production methods and inputs are allowed for organic production.



### **What is unique about CERTIFIED ORGANIC production?**

Generally speaking, synthetic fertilizers, synthetic pesticides, and any other synthetic products, sewage sludge, irradiation, and genetic engineering (GMO) can NOT be used to produce organic products.

### **Why be Certified?**

Marketing: many consumers specifically look to purchase certified organic products. Once certified, a producer can use the USDA Organic seal and market their products as organic. In some markets this might allow a producer to charge a premium for the product over a conventional product of equal quality.

Certified organic products can be viewed with confidence as the standards are codified into federal law and adherence to the regulations is monitored by a third party, a USDA accredited certifier such as KDA. Other labeling terms, such as “All Natural”, “Naturally Grown”, etc. may not have formal standards or an independent verification process to protect the consumer. The USDA accredited certifier is itself monitored and audited to verify it is correctly applying the regulations by the USDA National Organic Program.

### **Who needs to be certified?**

Producers who sell at least \$5,000 (gross receipts) of organic products are required to be certified. Producers selling less than \$5,000 worth of product are not required to be certified but are required to register with the Kentucky Department of Agriculture (KDA) Organic Certification Program in order to label their products as “organic” (must not say “certified”). There is no charge for registration of organic producers selling less than \$5,000. Registered producers also must adhere to the NOP guidelines for production, the same as certified producers.

### **When do I become certified if I wish to sell certified organic products?**

Certification must be obtained before selling any CERTIFIED ORGANIC products, or when you expect to exceed \$5,000 in gross sales. The certification process typically takes a few months, so contact the KDA Organic Certification Program well in advance of your needed certification. Each year in late winter applications is available and the earlier we receive the application the sooner we can begin the process.

### **How do I become certified?**

1. Select a certifier - KDA is the only accredited certifier located in Kentucky, but you can choose to use another certifier.
2. Complete the application process – For those wishing to apply for certification with the KDA, Applications and Organic System Plan templates can be obtained from the KDA organic website and can also be mailed to interested parties. These materials must be completed when submitted to KDA or delays may occur in the process.

3. Pass an inspection – If all necessary materials are received in the application process an inspector is assigned. The inspector will conduct an on-farm inspection of facilities, growing crops, all fields, etc. to collect information regarding compliance with the regulations.
4. Be granted certification – After the completion of the inspection another member of the organic program will review the information and determine eligibility for certification and an official “Organic Certification Certificate” will be mailed to you if you are deemed in compliance with the organic regulations.
5. Recertify annually – Steps 2 through 4 are repeated annually for all certified organic operations.

### **What is included in the application?**

An application and Organic System Plan include: a detailed description of the operation, a history of substances applied to the land in the previous 3 years, a list of products to be sold, and many details pertaining to production.

### **What products can be certified?**

Any agriculture product can be certified. The four areas of certification are: Crop, Wild Crop, Livestock and Handling/Processing. Any producer who is raising fruits, vegetables and other plants would complete a Crop Application. If that same producer also wanted to raise certified organic livestock, that would require both a Crop Application and a Livestock Application as livestock must be raised on certified organic ground.

### **How much does it cost?**

If you select the Kentucky Department of Agriculture (KDA) as your certifier, the prices are as follows: \$250 for the first Scope (crop, livestock, wild crop, or handling/processing), plus another \$125 for each additional scope.

There are additional fees for handling/processing if certified organic product sales exceed \$100,000.

Producers are also able to participate in the National Organic Certification Cost Share Program (NOCCSP). KDA will reimburse the applicant for 75% of the cost of each certification category, up to a maximum of \$750 for each certification category. So, a crop producer would receive a reimbursement of \$187.50 and a Livestock producer would receive a reimbursement of \$281.25.

Examples of KDA certification costs:

\$250 for Crops only (including fruits, vegetables and all crops/plants grown)

\$375 for Crops and Livestock combined (\$250 crops + \$125 Livestock)

\$375 for Crops and Handling/Processing (\$250 crops for fruit trees + \$125

Handling/Processing if making and selling jams and jelly)

### **Where can I market my CERTIFIED ORGANIC products?**

Anywhere. Most certified organic producers in Kentucky market direct to the consumers through farmers markets, CSAs or on-farm markets.

Wholesale opportunities also exist.

### **Does KDA assist with marketing?**

KDA promotes all agriculture products through Kentucky Proud.

### **What do these labels mean?**

- 100% Organic - All ingredients certified organic except water and salt which cannot be certified.
- Organic - 95% of the product must be certified organic ingredients. The remaining 5% cannot have prohibited substances or GMOs.
- Made with Organic Ingredients - 70% of the product must be certified organic and major certified organic ingredients must be identified in the ingredients statement.
- This USDA Organic Seal can only be used by Certified Organic producers on products that are 100% Organic or Organic.

### **Where can I learn more about organic agriculture production and organic certification?**

For more information about organic agriculture and KDA's Organic Certification Program visit our website at [www.kyagr.com/marketing/organic-marketing.html](http://www.kyagr.com/marketing/organic-marketing.html) On the website you will find links to applications, the fee schedule, and other resources. You may also contact the Organic Program by calling Abigale George at (502) 782-4112. You may also email the program at [organic@ky.gov](mailto:organic@ky.gov).

## **Kentucky Department of Agriculture Produce Safety Program and FDA's Produce Safety Rule**

### **What is the FSMA Produce Safety Rule?**

As part of the Food and Drug Administration's Food Safety Modernization Act (FSMA), new federal requirements known as the Produce Safety Rule were established for non-exempt farms which grow, harvest, pack or hold on a farm, produce that is covered by the rules. The new FDA rules became effective on January 26, 2016. More information on the Produce Safety Rule can be found by clicking here: <https://www.fda.gov/food/food-safety-modernization-act-fsma/fsma-final-rule-produce-safety>.

In 2020, through state legislation/regulation, the Kentucky Department for Agriculture became the lead state agency for administering these new rules. Though there are some exemptions, all Kentucky Produce growers need to be aware of the rules as there are some Kentucky-specific requirements that apply to all growers.

### **What types of produce are covered under the Produce Safety Rule?**

Commodities covered under the new rule include produce that is commonly consumed raw. This includes all of the following:

Fruits and vegetables such as almonds, apples, apricots, apriums, Artichokes-globe-type, Asian pears, avocados, babacos, bananas, Belgian endive, blackberries, blueberries, boysenberries, brazil nuts, broad beans, broccoli, Brussels sprouts, burdock, cabbages, Chinese cabbages (Bok Choy, mustard, and Napa), cantaloupes, carambolas, carrots, cauliflower, celeriac, celery, chayote fruit, cherries (sweet), chestnuts, chicory (roots and tops), citrus (such as clementine, grapefruit, lemons, limes, mandarin, oranges, tangerines, tangors, and unqi fruit), cowpea beans, cress-garden, cucumbers, curly endive, currants, dandelion leaves, fennel-Florence, garlic, genip, gooseberries, grapes, green beans, guavas, herbs (such as basil, chives, cilantro, oregano, and parsley), honeydew, huckleberries, Jerusalem artichokes, kale, kiwifruit, kohlrabi, kumquats, leek, lettuce, lychees, macadamia nuts, mangos, other melons (such as Canary, Crenshaw and Persian), mulberries, mushrooms, mustard greens, nectarines, onions, papayas, parsnips, passion fruit, peaches, pears, peas, peas-pigeon, peppers (such as bell and hot), pine nuts, pineapples, plantains, plums, plumcots, quince, radishes, raspberries, rhubarb, rutabagas, scallions, shallots, snow peas, soursop, spinach, sprouts (such as alfalfa and mung bean), strawberries, summer squash (such as patty pan, yellow and zucchini), sweetsop, Swiss chard, taro, tomatoes, turmeric, turnips (roots and tops), walnuts, watercress, watermelons, and yams; and mixes of intact fruits and vegetables (such as fruit baskets).

### **Are there any exemptions?**

The new rule does not apply to the following produce commodities that FDA has identified as rarely consumed raw, including the following:

- Asparagus; black beans, great Northern beans, kidney beans, lima beans, navy beans, and pinto beans; garden beets (roots and tops) and sugar beets; cashews; sour cherries; chickpeas; cocoa beans; coffee beans; collards; sweet corn; cranberries; dates; dill (seeds and weed); eggplants; figs; ginger; horseradish; hazelnuts; lentils; okra; peanuts; pecans; peppermint; potatoes; pumpkins; winter squash; sweet potatoes; and water chestnuts
- Food grains, including barley, dent- or flint-corn, sorghum, oats, rice, rye, wheat, amaranth, quinoa, buckwheat, and oilseeds (e.g. cotton seed, flax seed, rapeseed, soybean, and sunflower seed)

Produce that is used for personal or on-farm consumption is considered exempt from the rule. Additionally, farms that have an average annual value of produce sold during the previous three-year period of \$25,000 (adjusted for inflation) or less are considered exempt.

### **What agency will implement the new rule? Are there any training requirements?**

The KDA is responsible for implementing federal Produce Safety Rule requirements in Kentucky. One Kentucky-specific requirement is that every farm who has an average annual of \$25,000 or more in produce sales have at least one person attend a Grower Training course provided by the Produce Safety Alliance (PSA). Grower training focuses on the following key provisions of the rule:

- Agriculture water
- Biological soil amendments
- Domesticated and wild animals
- Worker training and health and hygiene
- Equipment, tools, and buildings
- Sprouts

Currently, the Kentucky Department of Agriculture is partnering with the University of Kentucky to make this training available at no cost to Kentucky growers across the state. More information regarding this training, including dates for both remote (virtual) and in-person courses can be found by visiting the KDA Produce Safety Program website at <https://www.kyagr.com/marketing/produce-safety.html>.

Additionally, completion of the PSA Grower Training can be used to satisfy the requirements for Produce Best Practices Training (PBPT) for farmers' markets vendors conducting sampling activities.

### **How can KDA provide assistance to growers?**

The KDA Produce Safety Program also conducts no-cost On-Farm Readiness Reviews (OFRR), upon request. During an OFRR, KDA staff will visit a farm; assess the farm's produce production, harvest, and handling operations; and make recommendations to help the farm comply with the Produce Safety Rule.

Additionally, KDA staff are available to provide in-person presentations regarding the new rules to stakeholders, including grower associations and farmers' markets. For more information or to schedule a presentation, please contact Tyler Goodlett, Produce Safety Program Manager, by phone at (502) 782-7811, or by e-mail at [tyler.goodlett@ky.gov](mailto:tyler.goodlett@ky.gov).

### **How do I know if my farm operation is subject to the new federal/state rule?**

The first step in determining whether or not your farm is covered and subject to inspection is to complete the on-line Produce Farm Inventory Survey.

- Completion of the Produce Farm Inventory Survey is a requirement of Kentucky’s Produce Safety Regulation (302 KAR 60:010).
- This Kentucky-specific requirement pertains to all produce farms, regardless of farm size and/or sales volume.
- Completion of the Produce Farm Inventory Survey does not mean that your farm will be inspected. In fact, many Kentucky farms who have completed the survey fall into the exempt category because of sales and/or produce distribution. The KDA Produce Safety Program issues exemption certificates to all growers that meet exemption guidelines.
- There are no registration, permit, or inspection fees associated with the completion of this survey.
- Only one survey is required per farm.

This eight-question survey should take less than five minutes to complete. The image below contains all of the survey questions.

<b>KENTUCKY PRODUCE FARM SURVEY</b>	Farm Name:																
	Contact Name:																
	Mailing Address:																
	City:	State:	ZIP:														
	Email:	Phone: (     )															
	<b>1. Do you grow, pack, harvest or hold produce? (Check all that apply.)</b>																
	<input type="checkbox"/> Grow <input type="checkbox"/> Pack <input type="checkbox"/> Harvest <input type="checkbox"/> Hold (e.g., cooler, warehouse)																
	<b>2. List crops grown, packed, harvested or held on your farm.</b>																
	<b>3. What are your average annual produce sales? (Average previous 3 years.)</b>																
	<input type="checkbox"/> Less than \$25K/year <input type="checkbox"/> \$25K–\$250K/year <input type="checkbox"/> \$250K–\$500K/year <input type="checkbox"/> More than \$500K/year																
<b>4. What is your produce harvest season? (Circle all that apply.)</b>																	
Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec						
<b>5. Where do you sell your produce? (Check all that apply.)</b>																	
<input type="checkbox"/> Farmers’ Market/Roadside Stand			<input type="checkbox"/> Broker/Wholesaler			<input type="checkbox"/> Directly to a Restaurant			<input type="checkbox"/> U-Pick/On-Farm Store			<input type="checkbox"/> Retail Distribution Center			<input type="checkbox"/> Directly to a Grocery Store		
<input type="checkbox"/> Produce Auction			<input type="checkbox"/> Commercial Processor			<input type="checkbox"/> Other:											
<b>6. Which practices are utilized on your farm? (Check all that apply.)</b>																	
<input type="checkbox"/> Greenhouse/High Tunnel			<input type="checkbox"/> Drip Irrigation			<input type="checkbox"/> Irrigate From Lake/Pond			<input type="checkbox"/> Compost/Manure			<input type="checkbox"/> Overhead Irrigation			<input type="checkbox"/> Third-Party Audits (e.g., GAP)		
<b>7. Has someone on your farm completed the 8-hour Produce Safety Alliance (PSA) Grower Training?</b>																	
<input type="checkbox"/> Yes			<input type="checkbox"/> No														
<b>8. Would you be interested in scheduling an OFRR (On-Farm Readiness Review) with KDA?</b>																	
<input type="checkbox"/> Yes			<input type="checkbox"/> No														

If you have not already submitted this information to the KDA Produce Safety Program, please take a moment to do so while you are on this page. You can complete the survey on KDA’s on-line portal by clicking here: <https://www.kyagr.com/marketing/plant/fsma-survey.aspx>.

### Are there any specific requirements for Farmers’ Markets?

While there are no specific requirements for farmers’ markets, vendors may find that their farmers’ market manager or board may require each vendor to produce either a Certificate

of Exemption (if exempt under the rules) or a Certificate of Compliance (issued to farms that are subject to the rule and inspected) in order to ensure that vendors are in compliance.

### **Where can I learn more about the Produce Safety Rule?**

For more information on KDA's Produce Safety Program, FDA's Produce Safety Rule, the PSA Grower Training course, or OFRRs, please visit the KDA Produce Safety website at <https://www.kyagr.com/marketing/produce-safety.html> or feel free to contact the KDA Produce Safety Program, by phone at (502) 782-7811.

## **Market Rules**

### Introduction

The market members or the sponsoring entity should establish rules for the day-to-day operation of the market. Market rules contribute to the experience for the customer, the success of the farmers and keep conflicts to a minimum if they are enforced consistently.

Rules should reflect the purpose of the market and protect the credibility for the market in the eyes of the customer. Many markets operate successfully with a single page of 10 rules. Some choose to be more extensive and cover every detail of their market. Either way, you should make sure each member gets a copy of the rules and reads and understands them. Many markets require members to sign a copy of the rules as part of their membership agreement to ensure they are understood. In addition to the market rules, many markets distribute a copy of this manual and ask each vendor to sign a form where they have read and will follow the guidelines in the manual.

### How to get started

Decide basic information about how you want the market to work and make rules that ensure those basic items. Democracy is great, but getting everyone to agree on every rule will be difficult. It is best to appoint a committee and have the committee develop some working rules for the season for the market since not all rules will work for every market. Ask everyone to direct any comments, questions, or complaints to the committee so they can revisit the rules after a couple of months. Don't be hesitant to make the necessary changes; but don't do it on the basis of one person's complaint. For every complaint, someone may be very happy with the way the rule reads now.

One of the first rules that should be established is how to make and change rules. This process needs to be fair and open and allow for producer input but should limit endless discussion or arbitrary changes at the whim of one or two members.

Hints for making rules:

- Rules should be clear and easily understood.
- Rules should be in writing and made available to all members and sponsors.
- Rules need to be fairly and consistently enforced. Rules that can't be enforced should be removed.
- The rule committee or individual market should determine at the time the rules are being established who will be enforcing the rules and steps for filing a complaint.
- Rules should work to the advantage of the producers selling at the market.
- Rules should protect the credibility of the market by requiring producers to properly label and represent products at the market.
- Most importantly, the rules should protect and direct the market rather than settle conflicts between vendors.
- Rules should help define who, what, when, and how of your market.
- Remember, at no time shall a market entity create rules that allow practices which violate standing Kentucky statutes or regulations.

Neither the Kentucky Department of Agriculture nor any other entity sets requirements or standards for these rules. There are, however, several areas that markets are encouraged to cover in their rules to help each market operate efficiently and to serve the producers who sell at the market.

#### Membership application and fees

The rules should specifically state how a producer applies for and maintains his or her membership. Fees should be outlined in detail. Any restrictions on space usage or required number of days at market should be defined.

Markets do not have to take all applicants and should set criteria for producers to meet in order to be members.

- How many market days are they planning on being at the market?
- Will the product they offer add to the diversity of the market?

Competition between vendors is good and should not be discouraged by severely limiting tomato producers, for instance, because your president happens to grow tomatoes. But if space is tight, then a judicious look at applicants who offer something different may be in order.

#### Enforcement

Rules are only as good as enforcement of the rules. This one gets hard for markets without paid market managers but is vital to keeping the market from dissolving into numerous petty

arguments. Each member should be aware of how the rules are enforced and agree to submit to the process before joining the market.

Some markets have instituted levels of violations; for example, being late for the market opening is a small violation whereas selling misrepresented products would be a big violation. Some develop “three strikes and you’re out” provisions. Fair, consistent enforcement and an established way for vendors to lodge a complaint is the key.

### Market Days and Times

The days, times and location of your market should be outlined in the rules. Market season opening and closing dates should also be covered. The opening and closing dates help producers who want to offer early or late products. Establishing times for the market will help customers find you and know when to shop. If your market decides to close a market day or location late in the season or has a location and day that is only open part of the year, the criteria for that decision should be spelled out and listed on your market registration with KDA.

Along with establishing and keeping market hours, this is important if your market hopes to accept the Farmers’ Market Nutrition Programs – Senior, WIC and SNAP. If an inspector comes to an approved market during the week on a published market day and there are no vendors, this will constitute a program violation and will be considered in the decision to keep your market in the program.

### Source of all products

The source of all products needs to be clearly labeled, especially if your market allows vendors to sell a product that is not grown by the vendor or accepts vendors from out of state. Signage should be required that identifies products bought from other producers or from a USDA terminal or produce auction. This maintains your market’s integrity and avoids misunderstandings and hard feelings from customers and other vendors.

### Hold Harmless

Vendors should agree not to hold the market responsible or liable for any damage or loss incurred by them while at the market. This protects the market itself from being responsible for many types of loss producers can incur while at the market including personal injury or property damage.

### Licensing and necessary permits

Vendors are required by the Kentucky Department for Public Health (health department) to obtain different types of permits or licenses for different products. Additionally, some municipalities require business licenses or taxes. To eliminate market liability for each vendor complying with all regulations, markets may include a catch-all rule that states that each vendor shall be responsible for complying with all applicable state and local laws, regulations and requirements.

### Market Managers and Boards

Farmers' market boards should make reasonable efforts to ensure that all vendors comply with food safety rules. This includes ensuring that all vendors have the required permits and documents are being prominently displayed each market day. Additionally, each market should maintain a copy of vendor permits. Market managers are not expected to be food safety experts, but they are expected to help educate vendors about food safety and ensure that all vendors comply with the rules and regulations. Much of what is expected is included in this manual. When market managers are unable to resolve issues, they should ask the local health department for guidance.

### Farmers' Markets Vendors

Vendors at farmers' markets are expected to comply with all food safety rules. This will require vendors to contact the local health department in each county where food products are offered to ensure they have the proper permits. Vendors are also expected to familiarize themselves with the principles of Good Agricultural Practices (GAP) or the Produce Best Practice Training (PBPT) and safe food handling procedures to ensure that farmers' market customers are provided with a safe, wholesome and unadulterated product.

### Products Allowed

Each market can determine what products will be allowed for sale at their market. Beyond the issue of value-added agriculture products is whether the market will allow arts and crafts, live animal sales and other products. When discussing these rules, it is good to revisit why the market was started in the first place. Products besides agriculture products can give a market a flea market feel that does little to lead to the success of the local farmer and market.

On the other hand, restricting products to only fresh fruits and vegetables can limit some farmers from branching out into value-added products as well as preventing the market from attracting all the customers it could. Additional items being offered could only allow your market to grow, such as: eggs, meats, plant sales, fresh cut flowers, jams, jellies, gourd art, soaps, lotions, honey, wine and more.

## Quality

Restricting vendors to selling only top-quality, fresh products has become necessary for some markets. If a market decides to pass a rule in this area, some objective criteria need to be spelled out along with who is responsible for making that decision. This can be a very subjective area and can lead to some real battles. Be careful in this area and revisit these rules often to make required revisions.

### Geographic restrictions to market membership

Some markets restrict their membership to producers from their county. Though there are good and bad sides to this, each market should consider accepting members outside the county to increase the diversity of products at the market. For instance, if no one in the county is offering small fruit or pumpkins, the market may want to let in a producer close by who can offer these products. Be aware that a producer of tree fruit may not want to join the market if he or she is restricted only to bringing apples and not allowed to bring other products they grow that may be offered by present market members.

## Pricing

Setting market prices is a difficult area. Customers do not like to know that the market is involved in “price fixing” but, at the same time, markets need to protect their vendors from vendors who dump low-cost products on their market. Sometimes these vendors are hobbyists who are not trying to make a profit or might be someone who has overbought or over-produced a product and wants to sell it quickly.

Some markets set a minimum price for a product and allow any higher prices that the vendor may want to charge. Organics, heirloom varieties, specialty crops, and others may bring higher prices. Farmers’ market prices are reported as well as prices from the produce auctions around the state to the University of Kentucky’s Center for Crop Diversification. You can find a link to these prices by visiting the Center for Crop Diversification’s website at [www.uky.edu/ccd/pricereports](http://www.uky.edu/ccd/pricereports)

### Market Stalls / Space Assignments

Theoretically, if a market is set up efficiently, all spaces should be equal at the market. But reality tells us that this isn’t so. How spaces are assigned should be included in the rules. Some markets choose to assign spaces based on seniority. Others, in order to encourage and reward producers who come the entire market season, allow producers to choose their space on the basis of the number of days they were at the market the previous year. To those starting a new market this issue has become critical and should be given sufficient attention as it causes many disagreements at markets.

An agreement needs to be reached on when vendors can move into another vendor's reserved spot if the vendor doesn't come to market that day. A specific time for any moves needs to be set so those who wish to move can do so without upsetting a vendor who is running late.

### Wine/Alcohol Sales

Kentucky produced wine can be sold at farmers' markets. Each market in wet territory should enact a rule that defines what it wants to do before it is approached by a winery. It is always easier to discuss this issue and enact a rule BEFORE a local producer shows up. Rules enacted at the last minute can be taken personally and may result in lawsuits.

In Kentucky, farmers' markets retain the authority to limit sales at the market to any products that meet the marketing vision of the market. If they are allowed to sell, the winery must meet all general market membership requirements and follow the guidelines. Additional information can be found under the Alcohol Sales section in this manual.

### Right of Refusal

In your rules and on your application, state that the market reserves the right to refuse membership to anyone. This might be done for numerous reasons so the reason should not be stated; only the market has the right to refuse membership.

### Fees

Every market that is not completely supported by a sponsor needs to charge fees to members to cover expenses. A good way to determine what fees to charge is to add up your expenses and divide them among market members. An example of a worksheet to determine your market fees has been included in this section.

The fee you determine can be either a membership fee or a gate fee that is collected each market day. Remember that not all members will sell every day, so adjust your gate fee accordingly.

Do not underestimate the amount of advertising and promotion your market will require. This is always money well spent. Studies tell us that for every dollar the market spends on advertising the market makes two. Grants could be a way to benefit your market with advertising and promotion. Visit the KDA website at [www.kyagr.com](http://www.kyagr.com) for the Kentucky Proud grant opportunities for your market and individual producers.

How Much Should Markets Charge for Membership Fees?  
(Remember, not all expenses will apply to each market)

ITEM	EXPENSE (COST)	NEED OR WANT
Facility or lot rental		
Permits or Licenses		
Facility or lot improvements		
Port-a-johns		
Utilities		
Market Manager		
Insurance		
Advertising		
Bags		
Bank Fees		
Promotional events		
Printing for Board members		
Mailing (postage)		
Office Supplies		
<b>TOTAL MARKET EXPENSES</b>		

Number of members \_\_\_\_\_

Total market expenses divided by number of members \_\_\_\_\_

## **Farm Inspections**

As more markets designate themselves as producer-only markets or limit the amount of reselling taking place at the market, the matter of fair, objective enforcement of those rules becomes an issue. Some markets have instituted farm inspections to enforce these rules, protect their market and to maintain quality standards. An on-farm visit is conducted and recorded to determine the crops a person is growing, the apparent amount they are growing, and any other evidence of production that can be objectively recorded.

Before a market decides to utilize farm inspections it should be aware that inspections are not easy and take a great deal of time. The person(s) doing the inspections should be above reproach and knowledgeable. Before the inspection call at least a day in advance to schedule, let the producer know the amount of time that might be needed and be respectful of the producer's time. Make sure to dress appropriately and review the crop plan before you arrive with questions or highlight areas that you will need to see.

With season extension efforts on both ends of the traditional growing season, determining a producer's crops, varieties, and capacity may be difficult with one visit. In June there will be little evidence of the fall pumpkin crop, for instance. Other methods such as a sketch of the

farm with crop plan for each field or evidence of seed orders may be utilized. You may want to consider the season during your inspection, visit when crops are in the field, fruit is on the trees, cuttings/transplants/seeds are in the greenhouse, labor is planting/harvesting/packing/processing and animals are in the field.

Whether the market requires farm visits or allows visits as the result of a complaint, this requirement needs to be spelled out in the rules. Every producer needs to sign off on this requirement and give permission for his or her farm to be inspected as part of the membership signup. To avoid hard feelings, it is suggested that all farms get inspected over the season so one individual doesn't feel singled out.

A reporting form should be developed that specifies:

- Name of the producer and contact information.
- Location of the farm
- Date and time of the inspection.
- Weather on the inspection day
- Who was present during the inspection?
- Space to note where pictures were taken (make sure to ask permission before taking pictures)
- Each crop and how many plants, acres, rows, etc. existed (specifying varieties here can be very beneficial)
- Planting intentions for the remainder of the season
- The name of the inspector(s)

As in organic inspections, the market may require the producer to provide farm maps with crops specified on them including the entire season's crops. Then the inspector can simply visually verify what the producer has submitted, reducing the time the inspector is on the farm. Seed and plant invoices may also be useful.

The inspector should bring the information back to a governing body that actually makes the decision rather than it being an in-field decision. Allow the producer the opportunity to clear up any issues or problems that were documented in the inspection within a set period. Markets should keep this information confidential.

## **Market Insurance**

There are two types of insurance purchased by farmers' markets and/or farmers' market vendors – overall general liability which is commonly known as “slip and fall” and product liability. Insurance is frequently a large expense for the markets and producers. Markets are encouraged to fully understand the policy they are purchasing and shop around for the best coverage and rates.

The market's insurance needs will depend on a variety of factors. You should consult an insurance specialist to determine what type of insurance your market will need and if individual coverage is required for the market members. Here is a basic description of the two types.

### Liability

Liability insurance covers the market for accidents that may occur at the market during business hours, such as a customer has an injury from possibly tripping and falling and is injured. Some folks call these “slip and fall” policies. Because vendors themselves could get injured while at the market, markets may wish to include a “hold harmless” clause as part of the market rules in which the vendors agree not to hold the market liable for injuries and damage that they might incur. This type of policy does not cover illness that may result from spoiled products.

A market located on property that it does not own should discuss liability with the person or entity owning the property. The property owner might require the market to maintain a separate liability policy to protect the owner from liability while the market is open or offer the possibility of putting a rider on his present insurance to cover the market during the season.

### Product liability

Product liability policies cover the individual vendors from liability from the products they have sold. Producers who sell value-added products may want to purchase this type of insurance. Policy cost is usually based on your gross sales. Most companies have a minimum policy that reflects higher gross sales than most farmers’ market vendors enjoy.

Your farm policy may or may not cover you so check with your insurance agent. To help protect themselves from liability claims, value-added product producers should carefully follow the correct procedures and keep meticulous records of the steps and safety best practices used in every batch of product they make.

### Finding the Right Coverage

When looking for an insurance company, you may find it’s best to use an insurance provider that often deals with farmers and understands their operation. These companies are experienced in getting underwriters for the type of policy you need. If you have friends, neighbors or other vendors that sell at the market, you may want to ask their opinion for an agent and to get the best rate.

Some companies may specialize in selling policies just for vendors selling at a Farmers' Market. For example, the national Farmers' Market Coalition has collaborated with Campbell Risk Management to offer special insurance just for farmers' market vendors. For additional information, you may visit the following website:

[http://farmersmarketcoalition.org/crm\\_insurance/](http://farmersmarketcoalition.org/crm_insurance/). It's always recommended you research the company and policies that they offer to make sure all your coverage needs are met.

Never assume what your policy will cover, it's better to ask before you have a claim to make sure you are covered. Give all the details of your operation to your insurance agent so both you and the agent will understand your operation, the products that will be offered, how and where you process your products and where you are planning marketing. Always remember any time you make a change to your operation, you consult with your insurance agent.

## **Market Safety**

The safety of farmers' markets customers and members should be the goal of every market manager and vendor. Farmers' Markets are statistically among the safest places and each market hopes to continue practicing good safety standards. By taking a few simple steps the market can ensure the market remains a safe and great place to visit.

Tents, umbrellas, and other things that fly in the wind.

Wind-blown canopies and umbrellas are the number one cause of injuries at a farmers' market. The wind is unpredictable and can come without warning. A gusty wind coming from just the right direction will cause a tent to become a very heavy, damaging projectile. Any market vendor who has sold at an open-air market for any length of time can attest to this.



Because some traditional ways of securing a tent can add a tripping obstacle to the sales area, smart market vendors devise ways to secure tents and umbrellas without adding to the

safety problem. The average customer is looking straight ahead at the tables with all the fresh fruits, vegetables, value-added products, honey, flowers, crafts and many other eye-catching items than looking down!

Some suggested ways to secure tents include: filling an empty bucket (2.5 gallon works great) with cement and tying this to each corner of the tent with a rope or bungee, filling buckets or containers with sand or cement that can be anchored or secured with a rope or bungee, sandbag weights that are specially made for securing canopies and weigh at least 24 pounds, PVC pipe capped and filled with cement can be hung on the inside of canopy poles as long as it is secured so that it does not collide with customers and the best weights are strapped to the bottom of each leg, and then tethered via a bungee to the top corner of the canopy, thus lowering the center of gravity of the canopy. There are also a wide variety of weights available commercially which can be found with a simple search on the internet. In a strong gust of wind, even canopies secured with enough weight can be broken if the weights are not suspended from the top corners of the canopy.

Anything placed lower than waist high can actually create another safety problem. The often-seen concrete block on each leg or a coffee can filled with cement and attached to the tent with bungee cords can pose a trip hazard if some strategy to alert customers to the trip hazard is not employed. Sandbags at each tent leg require the same strategy of drawing the customers' eye down to see the trip hazard.

## Traffic

Markets try to locate themselves in high traffic areas for visibility to draw in the most customers. Anytime you mix pedestrians and vehicles, accidents can occur. Both customers and the passing motorists will be looking at the market offerings and not for each other. A little planning is required to make things safer.

The location of parking in relation to the market can raise several issues. Do the customers park across the street from the market and have to cross a busy street? Perhaps the market should contact local authorities to allow the placement of a sign in the roadway to alert motorists to pedestrian traffic in the area.

The market should post signs to direct the flow of traffic into and out of the parking area allowing for a clear line of sight for exit.



These signs can advertise the market as well as serving to ease confusion.

At NO time should a market allow customer cars to pass between the vendors or in front of vendor's stands. Cars in the market shopping area are not a safe situation for either the vendors or the customers and it is very risky for families with small children. Designing the placement of booths and adding traffic barriers should be done to protect the walking area of the market shopping space. If vehicles driving through your market becomes an issue, it may be a good idea to station someone from the market or even a volunteer to intercept and control vehicle traffic before an incident occurs.

We all know older customers who want to drive up to their favorite booth and have their purchases delivered to their car. If the market wants to cater for these customers, then a space behind some of the booths can be set aside.

### Surfaces

Parking lots and the market area should be free of holes, short poles out of the line of sight of drivers, drop off areas and any other obstacle that could cause injury or damage. Any possible problem area should be blocked off and clearly marked.

Vendors should be cautioned to avoid placing items on the ground around their booth; keep in mind that edible items should be elevated at least 6" off the ground. Empty boxes or containers should be stored in their vehicle and not thrown around the truck. Loose wires, twine, or ropes will present a trip hazard if not covered.

The market area should be kept clean, and all produce and garbage picked up or swept away. A piece of cantaloupe or a broken jar of jelly can make a slippery surface out of an asphalt parking lot. Any dropped items should be cleaned up immediately and each market should have supplies on hand to clean these things up.

### Pets at the Market

If dogs are allowed in the market, customers should be gently reminded to pick up after their dogs and a receptacle for them to use should be made available. If customers do not pick up after their pets, vendors should have baggies on hand to pick up (one more reason to have a good hand washing station) or something to cover it should be available. Ask for owners to keep their dogs on a lease and under control, not everyone likes dogs. Also, remember for food safety reasons, to keep all food products including basket of products off the ground.

## Displays

All tables should be stable and setups outside your primary table should be sturdy and able to hold weight. All glass jars and containers should be displayed so that customers can pick up and replace a jar as they shop. The same thing applies to elaborate produce displays. The choice of one tomato should not cause the entire stack to collapse.

## Be Prepared

If someone falls or is otherwise injured at your market and needs first aid, are you prepared? A market may keep a first aid kit on location to handle basic injuries. If market vendors are reluctant to provide first aid, the supplies can be given to the injured person and/or persons there with the injured person to use.

All injuries should be documented, making certain to include the date, time, location and cause of the incident, the nature and extent of the injury, whether or not emergency medical attention was requested and the contact information of anyone who may have witnessed the event.

Having this information does not create or increase liability. It's easier to complete the information at the time of the accident and have any witness statements than to try to recreate or ask questions after a period of time has passed.

## Live Animals

Contact with animals in public settings provides opportunities for entertainment and education. However, it's important to understand that some diseases can be passed between animals and humans. This risk can be addressed though with some simple design and safety guidelines to follow. The Center for Disease Control has an excellent publication that can be found at the following website:

<http://nasphv.org/Documents/AnimalContactCompendium2017.pdf>

Livestock (cattle, sheep, goats and hogs) being sold at a farmer's market require a 30-day Certificate of Veterinary Inspection written by an accredited veterinarian with official individual animal identification listed on the CVI which is in each animal. Horses require a negative EIA test within the last 12 months and a Certificate of Veterinary Inspection. Out-of-state animals would require the same documentation. Please see 302 KAR 20:065 and 302 KAR 20:040.

Birds originating from Kentucky being presented for sale must be sold at a venue or market that is permitted for poultry sales by the Kentucky Department of Agriculture, Office of State Veterinarian. Please consult with the coordinator of the market before presenting birds for

sale. All vendors must keep a Poultry Record of Sales and return that record to the event coordinator before leaving.

Birds over 4 months of age from out of state must meet the following protocols:

- Originate from a National Poultry Improvement Plan (NPIP) flock with USDA form 9-3 with a Salmonella Pullorum Clean Status OR
- All non-NPIP birds entering Kentucky enter with a negative Salmonella Pullorum test on a Certificate of Veterinary Inspection (Health Certificate) .
- All poultry from states affected with low pathogenic avian influenza must contact the Office of State Veterinarian at 502-573-0282 for additional entry requirements.

Baby chicks and hatchlings (under 4 months of age) must originate from a flock that meets the requirements of the NPIP program. This applies to both in and out of state birds; see 302 KAR 20:065, section 7(3) (b) and KRS 257.400.

Special Note: This section for live animals is an overview of the requirements for the movement and/or sale of live animals in Kentucky. It is always best to check with your veterinarian and/or KDA's Office of State Veterinarian for the most up to date requirements, regulations, and restrictions.

## **Market Scales**

Scales must be for legal trade and made for commercial use. A legal-for-trade scale will be marked with:

- A serial number
- A model number
- Class III designation on the identification plate or seal

All scales put into service in Kentucky after July 1, 2003, must have an NTEP (National Type Evaluation Program) certificate of conformance. Scales that were in use prior to July 1, 2003, are exempt from this regulation.

Scales marked "Not Legal for Trade" are not acceptable. Baby scales or kitchen scales are two types of scales that are not legal.

There is no problem with hanging scales as long as they meet all of the criteria. Vendors selling scales should be able to inform the purchaser that a scale is handbook 44 compliant. There are some hanging scales that do not meet these criteria, so get the assurance from the vendor in writing.

It is the responsibility of the scale owner to have the device inspected and maintain the accuracy of the scale. Scales should be inspected annually. Farmers' markets or direct markets should contact Heath Higdon with the Kentucky Department of Agriculture at (502) 782-9233 or [heath.higdon@ky.gov](mailto:heath.higdon@ky.gov) to schedule an inspection of their scale. Please try and schedule for all your vendor scales to be inspected together. For instance, a farmers' market should have only one scheduled visit for all of your members to be inspected at the same time. All scales can be brought to a central location, such as the market, an Extension office, etc., and be tested at one time before the season starts. A good time to have the scales inspected is during your spring market meeting and training. There is currently no charge for this service.

It is illegal to conduct business in the state on an unapproved scale. Inspectors from KDA's Division of Regulation and Inspection are charged with ensuring that this law is enforced. These inspectors can and will shut a vendor down for the use of illegal scales.

MARKETING TIPS: Approved scales are becoming more affordable nowadays. A quick search on the internet will give you many options, but always verify it is a legal-for-trade scale. Also, some markets have successfully bought and shared scales between vendors. Otherwise, vendors are encouraged to sell by volume rather than weight. That is, sell by the box or bag or count.

Some growers report increased sales by using digital scales. With these scales they get an exact price instead of rounding down the price to the closest weight. This way you don't lose sales through "nickel and dime" losses.

## **Evaluating Your Market**

There are several possible ways to do a formal assessment of your market. You may, of course, hire a consultant. By the time you explain your community and your market, you might be able to do a pretty thorough job yourself. Using market members and a couple of folks from a nearby market, your market can use a method called Rapid Market Assessment. There are three parts to this method.

### Attendance counts

It is hard to plan events, obtain grant monies, measure the need for more vendors, and more when you have no idea how many customers your market draws each market day.

Designating someone to count every person can be difficult. The rapid market assessment method suggests placing spotters at each entrance way to the market and having them count customers for 10 minutes each hour and then multiply this number by six. The numbers will be nearly as accurate as a full count and certainly be easier. Accuracy depends on both planning and personnel.

Here are some tips for doing this part of the assessment:

- Count everyone entering the market in a 10-minute period each hour and multiply by six to give hourly estimates.
- Record each hour's attendance separately so the market can know its busiest time.
- Establish clear communication between counters.
- Count only adults entering the market.
- Do counts on at least two days before decisions are based on the numbers.

### Dot Surveys

An easy way to get information from customers is to ask a few questions with dot surveys. Set up 2-4 posters with questions and give shoppers stick-on dots to indicate their answer.

Example: How often do you visit this market?

First Visit	Rarely	Once a Month	Once a Week
●	● ●	● ● ● ●	● ● ● ● ● ● ● ●

Tips for this part of the assessment:

- Make the question clear and simple.
- Give customers only as many dots as there are questions.
- Color code the dots according to either a demographic (woman vs. man) or the hour the customer came to the market.
- Affix the posters to something strong and sturdy.
- Set up a table nearby for customers to set their bags, purses, etc. down so they can use their stickers.
- Have someone invite customers to participate, hand out stickers, and answer questions.

### Constructive comments and observations

This last part is the hardest. If your market is serious about making changes and has an open mind about what might need to be done, this one can be the most helpful. You invite members of another market, businesspeople, or another group familiar with farmers' markets to come to your market and critique what they see.

You ask them to comment on:

- Physical characteristics of the market
- Vendor diversity and product selection
- Market atmosphere
- Safety considerations
- Anything else the market is interested in.

After the team visit, the team gets together to decide the most important message to the market. One person then prepares a report and talks with the market board. If you find yourself giving excuses or being defensive, then you won't get much from this exercise. If you can take the opportunity to "see" the market like others see it, this exercise will prove to be the most powerful.

## **Market Events and Promotion**

As demand grows for fresh, locally grown products so does the demand for the interest in farmers' markets. It's more important now than ever to promote your market, the location, products available and your producers.

As with any event, the goal has to be clear. The answer to why the market is spending money on this event should be evident, and all decisions regarding the event should first examine which direction will meet the goal. It may be hard to justify any expense that doesn't increase sales. You can aim toward getting regular market customers to spend more money than usual at the market, but the best way to increase sales is to bring new customers to the market. Defining these new customers and how to reach them should be foremost in deciding which media to use in your promotion.

When advertising your special event, you may want to first develop a press release explaining why this event is special and different from what has been done in the past. Send the releases to all local media in the area. Make sure to include the contact information for the market representative. The press is always looking for a positive community event to cover with a good photo opportunity. Setting a time for the special event that has local officials or special guest may give the press a time for their schedule to make sure it's worth their time in attending.

For example, "The Kentucky Proud Farmers' Market will be celebrating Opening Day with a kid cooking contest at 10:00 am Saturday morning. Our local officials will serve as judges and present the awards to the winners. For information contact Jane Doe, Market Manager at 502-123-4567."

Next, you may want to consider purchasing an additional advertisement in the local paper to promote the opening day celebrations. Including a graphic of some kind in the ad draws attention and sets it apart from those with just words. These ads should include times and particulars so folks new to the market can come to the market and participate.

After contacting the local press and preparing your advertisement, post large, lettered signs on both sides of the road leading to the market on the day of the event. Since research has shown that most folks stop for the first time at a farmers' market by driving past and seeing the activity rather than as a response to advertising, the signs will help draw attention to your event. Signage with large print and three words or less have been found to be the most effective for customers driving by.

Customers want to know what is going on when they arrive so having an information booth or signage for the event keeps customers informed. Have signage that is specific; for example, a sign worded "Free samples of dishes made with products available at the market today. Free recipes." Having volunteers or staff to man the informational booth or as servers worked wonderfully by ensuring safe handling of the samples and someone to answer questions, handle the crowd, and "talk up" the product.

Other tips:

- Set a time for your event to about 2-3 hours and start about the time the market opens.
- Schedule time to clean up. Extra volunteers here are important.
- Use the event to do short surveys. Did you reach your goal? Ask how many are new to the market or only come rarely.
- The event should be located so customers must walk through the market to get to the event. This causes more customers to pass more vendors.
- Evaluate the event afterwards to see if the market met its goal for the event.
- Use repeat market customers to help staff events. If your market doesn't have a market volunteer program, start one.
- Enjoy and have fun!

There are many ways you can advertise or promote your market with little expense. At the top of the list and number one way to promote your market is Word of Mouth.

Other opportunities could be:

- Facebook/social media (be sure to keep it current)
- Tell your story and/or spotlight a farmer/vendor weekly.
- Website (be sure to keep it current)
- Offer a space for other community groups or school groups to set up during market hours.
- Public Service Announcements on the local cable TV or radio station

- Work with your County Extension agent for a spot in their newsletters or updates in their weekly news column.
- Post weekly specials or market notices at your local Senior Citizen centers and health departments
- Work with your area churches and see if you can get in their church bulletins or newsletters.
- Brochures at your area tourist attractions (rest areas, hotels, campgrounds, local chamber office) or even your local library
- Provide a booth for your local FFA Chapter or 4H Club.
- Invite local artists, musicians or school bands or chorus groups to perform.
- Invite your customers to sign up for a mailing list or to be put on an email distribution list.
- Giveaway tokens or gift certificates to shop at your market during other special events (Farm/City Field Days, Community activities that may offer drawings)
- Volunteer to be a guest speaker at one of your local organization's monthly meetings (Chamber, Farm Bureau, Fair Boards, Rotary, Homemaker, Garden or Women's Club)
- Always make sure to put "Rain or Shine" on your advertisement.

#### Other activities:

- Grand opening or opening day celebrations.
- Work together with area businesses or schools as a part of their health wellness programs.
- Promote awareness programs such as Family Farm Day, Earth Day, Health Fair, Food Day or Bike Safety Day
- Host a Kid's Day at the market with events planned throughout the day for kids (crafts, cooking demonstrations for the kids and even hands-on, decorating their favorite fruit or vegetable)
- Giveaways (reusable shopping bags with your market name is a great promotion) EVERYONE LOVES GIVEAWAYS and reusable shopping bags are taken more than just to the market.
- Celebrate National Farmers' Market Week, second week of August.
- Customer Appreciation Days
- Double Dollar Days for participants with the Senior and WIC Nutrition Program and SNAP (Food Stamp) program
- Cooking demonstrations (check with a local area chef, county extension staff or even a market member may volunteer), good smells motivate customers to buy. Make sure to offer recipe cards for your customers to take home and mention which producer to visit to pick up those items listed on the cards. Plate It Up recipe cards features many seasonal products.
- Become friends with your local officials (maybe drop off a basket of products with contributions from each vendor to your local mayor, county judge or your State Representative but make sure to include a brochure from your market or current edition of your market newsletter or even recipe cards)
- Plan special events around the seasonal produce (offering sampling/tasting provide recipes)
- Strawberry Festival
- Watermelon Mania (eating and seed spitting contest)

- Apple Festival
- Pumpkin Carving Contest
- Zucchini Boat Races
- Host a book signing (cookbook)
- Host a Friday night live at the market with music and food.
- Have a live radio broadcast from the market.

## **Cooking Demonstrations at Your Farmers' Market**

Cooking demonstrations are a sure bet to increase attendance, excitement and most importantly sales at farmers' markets. Cooking from scratch has become less common—some might go as far as to say it's almost a lost art.

While shoppers may snatch-up locally raised tomatoes and fruit, chances are they will skip kohlrabi, beets, bok choy and other less common items. Perhaps it's because they have never tasted them; maybe they are unsure how to prepare these products. Either way, cooking demonstrations offer shoppers opportunities to taste fantastic seasonal produce and market products prepared before their eyes.

Demonstrations, especially those by local chefs, also grab the attention of the local press. Media coverage has proven to be much more effective than advertising and your market may find that diverting part of your ad budget into a chef at market program may be a worthwhile investment. If a local area chef isn't available, the next best resource is your local UK Extension Office and ask for their assistance in preparing some of the Kentucky Proud Plate-it Up Recipes.

Not only do these events lend a festive air to the market day, but they give customers ideas on how to select and prepare the products. Research has shown that featured products being prepared at the markets and the aroma added to your market day will increase sales.

As a means to accommodate this unique form of product marketing and promotion, ensure market accountability, and provide a means for ensuring a safe, wholesome product, Kentucky's Food Safety Branch developed a uniform set of guidelines and requirements for farmers' markets cooking demonstrations. The guidelines have been distributed to local health departments across the state. All farmers' markets that intend to conduct cooking demonstrations are required to operate in accordance with these guidelines and requirements.

Hosting a cooking demonstration requires specific equipment that chefs may not have at their disposal. If a market wishes to host these events throughout the season it is to their advantage to purchase a "kit" containing some of the essential items. A list of the items KDA keeps on hand to hold a market cooking demonstration is included at the end of this section.

Small samples of cooked foods prepared at a farmers' market for promotional and educational purposes may be offered free of charge to consumers without obtaining a temporary food-service permit from their local health department.

A "sample" is defined as a food product promotion where only a sample of a food (or foods) is offered free of charge to demonstrate its characteristics. A whole meal, individual hot dish or whole sandwich is not recognized as a sample.

In all instances, however, the person cooking shall comply with all of Kentucky's food safety regulations and all requirements for sampling at the market outlined in other chapters of this manual. However, sample offerings are not required to observe the same time limitations as those placed on temporary food-service operations.

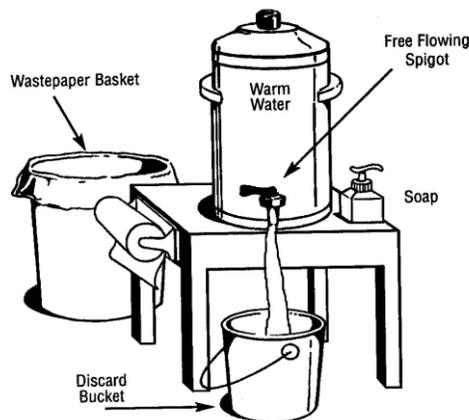
### Summary of cooking demonstration requirements

If a market is not under cover, the market needs to provide a tent or umbrella for the demonstration. The product needs to be under that cover at all times.

Food products should not be exposed to insects or other environmental contaminants such as dust. If electricity is available, a fan may be used to keep a gentle breeze going to keep insects off the product. Covering products in some manner at all times will also deter insects.

During the event the person cooking will need a way to wash his/her hands. A simple set-up consists of an elevated container of potable water that is equipped with a turn-spout dispenser or drain, with a catch bucket placed below the container. Liquid soap and disposable towels should also be provided at the hand wash station.

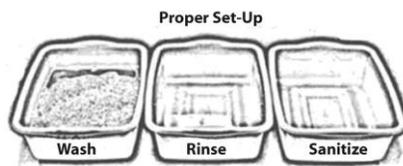
### Example of a handwashing station setup at the Farmers' Market



Facilities to wash and sanitize all utensils must be available and used throughout the day. A three-compartment sanitizing wash station can be easily constructed with three tubs, potable

water, soap, and an approved sanitizer. You will need more water than you think so bring an adequate supply. Remember, utensils must also be protected from insects, dust and other forms of contamination. You should store utensils, food, and packaging in a plastic container with a tight-fitting lid.

### Three-compartment sanitizing wash station



All products must be maintained at safe hot and cold temperatures throughout the entire event.

Remember: The rule of thumb is to “keep hot foods hot and cold foods cold.” Coolers and plenty of ice should be available. (Styrofoam coolers cannot be used, as these are impossible to properly disinfect.) At no time should any product sit in water. You will need to have provisions for melted ice to drain away from the product.

### Serving the samples to your customers

Each sample needs to be pre-cut, adequately protected from insects and other forms of contamination, and served individually. That is, each sample needs to be placed in an individual cup or plate or served with individual toothpicks. (You should provide plenty of waste containers to dispose of these items.) At no time should a customer be able to touch any sample that is not theirs. A helper that controls the samples is important to prevent any contamination from shoppers, and it will allow the cook the opportunity to “sell” the product. That helper should be careful to avoid touching the product and avoid contamination of any utensils used to portion out the samples. Tips for meeting these requirements are included in the Sampling chapter.

Deciding how many customers to prepare for could be easily determined from traffic counts taken from previous market events.

KDA’s suggested supply list for cooking demonstrations:

- Canopy or tent if no pavilion or building.
- Plastic container with tight-fitting lids to protect utensils from contamination.
- Potable water – at least 15 gallons
- Three-compartment wash, rinse, and sanitize set-up.
- Sanitizer tablets or regular (unscented) household bleach
- Sanitizer test strips
- Dish soap

- Hand wash station
- Hair nets or caps for individuals who are involved in food preparation or cooking
- Grill, hot plate, or other portable cooking utensil
- Adequate supply of ice
- Food service grade gloves – size that will fit helpers or servers
- 2 coolers
  - Store Ice
  - Product and/or water for the hand washing station
- 2 tables
- Tablecloths
- Hot pads or potholders
- Trays for samples
- Tongs (several sets)
- Trash bags
- Sani-wipes
- Paper towels (minimum of two rolls)
- Individual serving cups or plates
- Disposable forks/spoons or toothpicks
- Trash cans – one for the chef and one for customers

KDA's suggested supply list for cooking demonstrations (continued):

- Promotion signs
  - Explaining Event
  - Road or Street signs for event
- Business cards to give to media for further contacts
- Copies of the recipes (Plate It Up Recipe Cards)
- Extension cord
- Aprons and hats for servers
- Knives, large and paring and others as needed
- Bowls (large)
- Skillet, if you are not using a grill
- Spoons (multi sizes)
- Cutting board(s)
- Aluminum foil

## **Food Sampling: Guidelines and Procedures**

Farmers' markets sell primarily on taste. Allowing a customer to try a new product prior to buying can be a tremendous marketing tool for producers. Care should always be taken to ensure each sample is of the highest quality and will be a positive experience for the consumer.

Adherence to food safety principles is of great importance when offering samples. Foodborne illness resulting from improper sampling methods could create a negative image of the producer or the farmers' market in general.

It's important to note that the vendor offering samples assumes all liability and should look carefully at every step to make sure their samples are as safe as possible.

A sample is defined by the Department for Public Health as a food product promotion where only a bite-sized portion of a food or food is offered free of charge to demonstrate its characteristics. A whole meal, individual hot dish or whole sandwich is not recognized as a sample.

There are two broad categories of samples allowed: those that are cooked or processed, and those that are raw or unprocessed. Therefore, the two sampling certificates that KDA issues are the:

1. Cooked and/or Processed Sampling Certificate
2. All-Samples Sampling Certificate.

### Cooked or Processed Sampling Certificate

In order for cooked and/or processed products to be sampled at the farmers market, a producer must have a Cooked or Processed Sampling Certificate. To receive this certificate a producer must:

- Read through the sampling chapters in the Farmers' Market Manual and Resource Guide.
- Complete the KDA Farmers' Market Sampling Application, making sure to answer all the questions, sign and date.
- Submit the completed application to the KDA office.

### All-Samples Certificate

In order for raw or uncooked products to be sampled at the farmers market, a producer must have an All-Samples Sampling Certificate. To receive this certificate a producer must:

- Have completed one of the following approved training classes listed below. This is due to the added risk of offering samples of raw or uncooked products.
  - Produce Best Practices Training (PBPT) class through your local University of Kentucky Cooperative Extension Office. On the application list diploma name and date of class. KDA can verify this in our database.
  - Produce Safety Alliance (PSA) - FSMA Grower Training course and submit copy of PSA Certificate of Training with your sampling application. KDA does not have access to this database.
  - Food Handlers Class from Local Health Department and submit copy of valid Food Handlers card with your sampling application. KDA does not have access to this information.

- Read through the sampling chapters in the Farmers' Market Manual and Resource Guide.
- Complete the KDA Farmers' Market Sampling Application, making sure to answer all the questions, sign and date.
- Submit the completed application to the KDA office.

Here are a few points about both types of sampling certificates:

- Sampling Certificates are valid for a two-year period; this coincides with updating of the KDA Farmers' Market Manual and Resource Guide.
- The sampling certificate will have an expiration date listed.
- The sampling certificate will only be issued to an individual. This means the person listed on the certificate will be the only person to offer samples. Employees, family members, etc. must complete their own Sampling Application and receive their own certificate if they intend to offer samples at an approved location site.
- While it is encouraged that each person complete one of the approved training classes for the All-Samples Certificate, however the approved educational requirement is not required of individual employees, family members etc. so long as the farm operation has at least one trained individual on record. When sending in the Sampling Application for an All-Samples Certificate (raw and uncooked products) you must write the name of the person whose training you will be sampling under and attach appropriate documentation.
- If a producer/vendor moves or expands to another market they **MUST** contact KDA so the new changes are on file and a new sampling certificate can be issued. The sampling certificate must have the names of all the markets where samples will be offered.

Note: The vendor retains all liability for the safety of the samples. Both the Kentucky Department of Agriculture and the Department for Public Health require vendors to follow the guidance in all instances, but the liability for the safety of the samples remains with the vendor.

Markets are advised that they too may accept some added liability if samples are offered. They should provide for policing the offering of samples under the guidance provided and require such additional practices as may be required by the circumstances to meet basic food safety.

## **Steps for Safe and Successful Sampling**

### Preparation of Samples

Some farmers choose to prepare their samples at home where the quality of water, cleanliness of surfaces and equipment and cleanliness of vegetables can be easily controlled. The samples may be washed, cut up and placed in disposable, individual cups with lids. These cups are available at any restaurant supply store or at large outlet stores.

Whether you prepare your samples at the market or at home you must provide equipment and maintain practices that ensure the following during sample preparation:

### Potable Water

All water that touches your product or your utensils **MUST** be potable. If the water is from a well, cistern, or other non-municipal source it must then be tested, and the records retained. Only documented test results prove the water is potable.

### Clean Produce

All raw produce **MUST** be washed thoroughly with running potable water. The water has to be running to carry away any dirt or contaminants that may be on the outside of the product. For example, you cannot wash your tomatoes in a bucket of clean water.

Any product with rinds poses a special problem. Cantaloupes and muskmelons need good scrubbing to remove all dirt. This can be done at home to all the produce you plan to use for samples. Make sure the washed produce is then packed in clean bags or containers to keep them clean; and then store them separately from unwashed items until you arrive at the market.

### Approved Ingredients

All products used in your samples must come from an approved source. This means all agricultural products that will be served without cooking must have been raised according to Good Agricultural Practices (GAP), Produce Best Practices Training (PBPT) or Produce Safety Alliance (PSA) Training and any value-added product must be commercially produced or produced under the Home-based Processing and/or Microprocessor program.

## Clean Hands

You must wash your hands properly and use food grade gloves before touching any part of your samples. Hand sanitizers do not substitute for proper hand washing. Gloves do not substitute for proper hand washing. Always wash your hands before putting on gloves and after taking them off. If gloves become torn, ripped or contaminated they should be changed. Never reuse gloves. All gloves used must be food grade gloves.

Though we have all washed our hands since childhood, the proper way for sanitation purposes includes the following:

- Wetting your hands
- Applying liquid soap
- Briskly rubbing your hands together – including fingernails and backs of hands for a minimum of 20 seconds (a long time!)
- Rinsing your hands under free-flowing water
- Drying your hands with a disposable paper towel

When should you wash your hands?

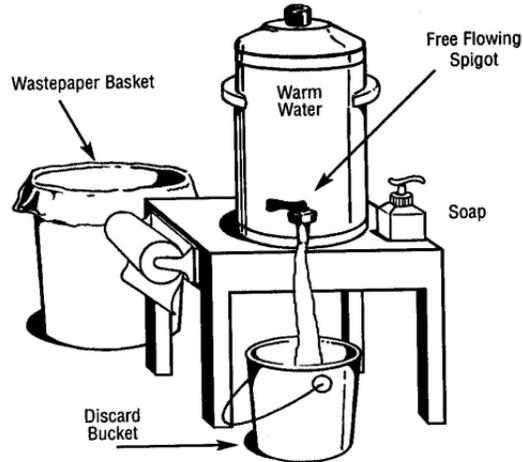
- After using the bathroom
- After handling money, unwashed produce, baskets, and anything not clean and sanitized.
- Any time you leave your stand and return.

A proper hand washing station includes:

- A container of potable water large enough to supply water for the entire sampling time. This container must have a free-flowing dispensing valve. This is the type of spigot that does not require you to hold open the valve to keep the water flowing.
- The container should be raised off the ground to allow a catch basin under the spigot.
- Paper towels
- Liquid hand washing soap in a pump or squeeze bottle.

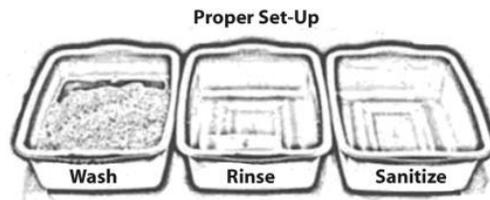
Depending on the market setup, providing hand washing may mean each vendor must have their own station. If vendors feel they can share a station, it must be easily accessible with no physical impediments between the vendor and the station.

## Example of a handwashing station at the Farmers' Market



### Clean Utensils

Wash, Rinse, and Sanitize All utensils that touch a sample in any way must be washed in a detergent, rinsed in clean potable water and soaked for 30 seconds in a sanitizing solution. If more than one or two different utensils are used, a cleaning, rinsing and sanitizing station is required. A simple, but effective sanitizing solution is 50 ppm household bleach/water solution. This is about one capful of bleach to one gallon of water. Sanitizer test strips are needed to check the sanitizer strength. The sanitizing container should be of sufficient size to completely immerse the largest utensil in use.



### Proper Temperature

If you bring cold products to the market for sampling, you must maintain them at 41°F or below. That means you should probably ice them above and below. When using ice to maintain proper temperature, you will need to make provisions for melted ice to drain away from the product. A small cooler can provide a great way to keep samples cool. A thermometer is recommended to make sure cold products are being stored at the proper temperatures.

Any product you warm at the market must be heated and kept above 135°F. You must have a way to maintain this temperature. A quality food thermometer is a good investment. Note the temperature readings in your records in case there is ever any doubt.

For both safety and quality, samples should be monitored to ensure that none remains out for more than 30 minutes. Remember you want your samples to be perfect little bites of your product at its best!

If you are preparing your samples at the market:

- If you are only using a few utensils, you may choose to bring a number of the utensils in a zip lock bag marked as “CLEAN” and bring with you another zip lock bag marked “DIRTY”. That way if you drop or soil a utensil a clean one is available and the dirty one can be easily distinguished and isolated.
- If using a knife, then you must also have a proper cutting board. It must be handled like any other utensil – washed, rinsed, sanitized.
- Use only plastic (nonabsorbent) or approved hardwood cutting boards or disposable paper plates for cutting produce for sampling.
- If samples of both meat and vegetables are going to be cooked and offered, there should be 3 separate sets of utensils. The first is for raw meat, the second for cooked meat and the third for vegetables and fruits. These utensil sets must be kept separated from each other at all times to prevent cross-contamination.
- Allow all cleaned and sanitized utensils to air dry on a clean non-porous surface or dish rack. Do not dry with a towel.
- The “washing, rinsing and sanitizing station” and the “hand washing station” must be separated from each other and completely set up before preparing any samples.

#### Delivery of Samples

- You must deliver the samples to the customers in such a way to prevent anyone from touching any other sample. If you have prepared the samples at home, you can place the individual cups on a tray a few at a time. Then, there is no need to worry about any customer touching any samples other than their own.
- You must protect the samples from the elements and insects. Cover your samples with insect proof netting or plastic wrap (or lids if you use the individual cups).
- You must use disposable single use utensils for distribution of samples to customers- toothpicks, cups, etc. Or you can use tongs, if you control them. Customers should never reach in a bowl or plate for a sample.
- You should make available a waste basket lined with a plastic bag for sampling preparation waste and sampling distribution waste disposal. It works best to have two cans – one behind the table for your waste and one out in front for the customers.
- All food shall be stored at least 6 inches off the ground.

## **Cooking or Preparing Ready to Eat Meals**

In general, individuals who wish to cook or prepare food at a farmers' market should contact their local health department for guidance regarding permit applications, food safety rules and regulations, and inspections. Preparing meals at a farmers' market will require a local health department permit and inspection. Particular food safety concerns include employee hygiene (including hand washing), protecting food products from human (sneeze) and environmental (dust, insects, etc.) contamination, cooking foods at temperatures high enough to destroy harmful pathogens, maintaining safe hot and cold holding temperatures, and keeping utensils clean and free of contamination.

There are two options for cooking food at a farmers' market:

1. The "Temporary Food Service Establishment Permit" and
2. The "Farmers' Market Temporary Food Service Establishment Permit".

Under either permit option, vendors will need to comply with the food safety and operational guidance contained in the Concessionaires Food Sanitation Guidelines specified at the end of this chapter.

### **Temporary Food Service Establishment Permit**

The "temporary food service establishment" permit is an outdoor cooking/food preparation option that has been available for many years. A "temporary food service establishment" means any food service establishment which operates at a fixed location for a period of time not to exceed fourteen (14) consecutive days. This permit is often utilized by vendors at fairs, festivals and other community-related events. Once a "temporary food service establishment" permit has expired, a vendor must wait until thirty (30) days has elapsed before becoming eligible to obtain another temporary food service establishment permit for the same physical location. Vendors seeking a "temporary food service establishment" permit will need to contact the local health department in the county in which they intend to operate. Permit fees for temporary food service establishments are based on the length of operation and range from \$60 to \$125 for each event.

Special Note: Please be advised that your local health department reserves the right to restrict menu items prepared at a temporary food service setting based upon degree of food safety risk.

### **Farmers' Market Temporary Food Service Establishment Permit**

The "farmers' market temporary food service establishment" permit is an option designed exclusively for KY farmers operating at markets registered with the Kentucky Department of

Agriculture. If the market you wish to participate in is NOT a KDA registered farmers' market, this permit option is not applicable. A "farmers' market temporary food service establishment" means any temporary food service establishment operated by a KY farmer who is a member of the market which operates within the confines of a farmers' market registered with the Kentucky Department of Agriculture for the direct-to-consumer marketing of Kentucky-grown farm products from approved sources for a period of time not to exceed two (2) days per week for any consecutive six (6) months period in a calendar year. The permit fee for a "farmers' market temporary food service establishment" is \$100.

Although the food safety rules are the same for both types of permits, the "farmers' market temporary food service" permit contains three (3) major provisions that have to be met before a local health department will issue this type of permit:

1. The location where the temporary food operation is to be conducted must be a KDA registered farmers' market location.
2. The applicant must provide verification that he or she is a member of that KDA registered farmers' market.
3. An applicant for this type of permit must have successfully completed an approved food safety-training program and must provide documentation of successful completion of the required food safety training. An approved training means approved and recognized by the Cabinet in regard to food safety principles. The food safety training requirement must be updated every two (2) years.

As part of the permit application process, an applicant needs to produce verification of having completed this food safety training requirement. Your local health department can provide additional assistance as to the "approved training" requirement for this permit option.

Here are a few additional stipulations with regard to the "farmers' market temporary food service establishment" permit:

- Only one "farmers' market temporary food service establishment" permit will be issued per applicant, per approved (KDA-registered) farmers' market location, per calendar year.
- An applicant MAY hold concurrent "farmers' market temporary food service establishment" permits at separate approved farmers' market locations.
- A vendor with a "farmers' market temporary food service establishment" permit may operate at each approved location for a total of two days per week for a period of time not to exceed six consecutive months in calendar year.
- The two days of operation can vary by the week.
- The "calendar year" clock starts ticking once the permit is issued.

- In all instances of permit issuance for either a “temporary food service establishment” permit or a “farmers’ market temporary food service establishment” permit, any subsequent permits for the same physical location will not be issued until a period of thirty (30) days has elapsed.

If you have any questions regarding these rules, contact your local health department or the Kentucky Department for Public Health, Food Safety Branch at 502-564-7181.

Note: Please be advised that your local health department reserves the right to restrict menu items prepared at a temporary food service setting based upon degree of food safety risk.

## **Concessionaires Food Sanitation Guidelines**

### Food protection

- Keep potentially hazardous foods (meats, poultry, seafood, milk, eggs) or any foods containing such products at 41° or below or 135° or above during storage, display, and transportation.
- Provide adequate facilities for maintaining food at safe temperatures during preparation, storage, display, service and transportation.
- Provide visible thermometers in all hot and cold food units (including freezers) and metal-stemmed thermometers for monitoring internal temperatures of potentially hazardous foods during storage, service, preparation, and display.
- Store containers of food off or above the floor, or ground, preferably a minimum of 6 inches.
- Provide an easily accessible “running water” hand wash station consisting of a 5–10-gallon turn-spout container of potable water, raised off the ground, with a catch bucket placed below.
- Provide and use liquid soap and paper towels for hand washing.
- Stored packaged food refrigerated in drained ice. Do not allow product to rest in water.
- To prevent contamination from dust, flies, coughs, sneezes, overhead drippings, etc. cover food during preparation, storage, display, service, and transportation. Uncover only when actually preparing or serving customers.
- Provide and use scoops for handling edible ice, store scoops with the handles out of ice. Do not store containers of food in edible ice.

### Personnel

- No smoking is allowed in food preparation, serving, and utensil washing areas.
- All persons engaged in the preparation of the food, and utensil washing must wear effective hairnets or hats.

### Food Equipment and Utensils

- For easy cleaning of food contact surfaces all utensils must be smooth, in good repair, not chipped or cracked. Enamelware and graniteware are not acceptable.
- All equipment's surfaces must be smooth, in good repair and of approved materials. Non-food contact surfaces (stoves, refrigerators, shelves, tables, counters, deep fat fryers, etc.) must be kept clean.
- Single service articles (cups, forks, spoons, straws etc.) must be stored, dispensed, and handled so that they are protected from contamination.
- A wash/rinse/sanitize set-up must be provided.
- A testing kit or device shall be provided that accurately measures the parts per million (ppm) concentration of sanitizing solution.
- Cleaned and sanitized utensils and equipment must be stored so that there is no danger of becoming contaminated. Do not towel dry utensils.

### Hand Washing

- Provide water in separate containers for hand washing and utensil washing. Do not use the same container for both purposes.

### Garbage and Refuse

- Store garbage in durable, washable containers. Do not use boxes, paper bags, or similar absorbent material.
- Keep all garbage containers covered with lids when not in use.
- Dispose of liquid and solid waste in designated areas only. Do not create a nuisance by disposing of such waste adjacent to food service establishments.

### Fly and Insect Control

- Prevent the entrance of flies by use of effective screening, air curtains, or similar material.

### Poisons and Toxic Items

- Store poisonous compounds (insect spray, oven cleaner, polishes, etc.) and bactericides and cleaning compounds (bleach, cleansers, soaps, detergents, etc.) so that there is no danger of contaminating food contact surfaces or utensils.

### Clean Floors

- Floors must be kept free of dirt, grease, and other soil and food debris.

### Light Shields

- Shield all lighting fixtures to protect against broken glass falling into food.

## **Permits for Processed Products**

Although the sales and marketing of whole, fresh, uncut fruits and vegetables generally does not require a permit to operate, the sales and/or marketing of processed food products in Kentucky typically requires some variation of a permit (or permits) to operate. When does a product become “processed?” Generally speaking, whenever you take a knife to a raw agricultural product, change its temperature and/or combine ingredients, it is a “processed” product. Packaged food products are also typically considered processed products.

Even though a product may be permissible or permitted by the state or local health department, the market may choose to not allow the sale of a particular product or products. In short, markets may make their own rules regarding what can and can't be sold at the market as long as the rules do not conflict with federal, state and local food safety rules.

You should always check with both your market and appropriate state/local food safety authorities before you plan to process and sell any of your products. Producers should be aware that processing a product, even minimally, increases the level of liability risk (and often food safety risk) undertaken by the producer.

It is important to remember that, depending on the circumstances surrounding a product's manufacturing, storage, and distribution, separate permits may be required for:

- The location where the food product is actually manufactured (permit to manufacture or process food);
- The physical location where processed food products are stored, if stored in a separate location from the manufacturing site (food storage warehouse permit); and
- The location where customer sales occur (prepackaged retail market permit).

For these reasons, it is important that you make every effort to communicate your manufacturing and sales plans to state and local health department officials well in advance of actual manufacture and promotion of the food product.

Farmers' market vendors have four general options for offering processed products:

1. Marketing of Home-based Processed Foods: refer to this specific section on the following pages.
2. Marketing Home-based Microprocessor Foods: refer to this specific section on the following pages.

3. Marketing of Commercially Processed Foods that the farmer manufactures under a “commercial” food manufacturing permit. The KY Food Safety Branch has prepared a document to help potential manufacturers understand the regulations relating to food manufacturing. “Commercial Food Manufacturing in Kentucky-A Starter Guide” brochure is available on the official KY Food Safety Branch website at <https://www.chfs.ky.gov/agencies/dph/dphps/fsb/fsdocs/manufacturingstarterguide.pdf>

Note that this option also requires a Pre-Packaged Retail Sales Permit from the local health department to sell at the farmers’ market. For a listing of commercial kitchens for rent, please visit [https://fsic.ca.uky.edu/files/commercial\\_kitchens\\_in\\_ky\\_9-5-23.pdf](https://fsic.ca.uky.edu/files/commercial_kitchens_in_ky_9-5-23.pdf)

4. Marketing of Commercially Processed Foods that were manufactured by someone else. “Commercial” production by another entity is often referred to as “private label”, “co-packer” or “third-party” manufacturing. There are companies that will process your product for you, using your supplied recipe and label, thus eliminating the need for you to buy lots of expensive equipment. Particularly with regards to “high risk” manufactured foods, third-party manufacturing can also eliminate the need for you to complete Better Process Control School training. Contact your processor early to give yourself time to make adjustments to your recipe, work on your label, and straighten out other details. This option typically requires a Pre-Packaged Retail Sales Permit from the local health department to sell at the farmers’ market.

## **Pre-packaged Retail Sales Permits**

Depending upon the exact circumstances of the operation and the food items being marketed, vendors marketing pre-packaged food items at a farmers’ market location, or their on-farm market may qualify for a “mobile retail sales” permit. Some local health departments also refer to this as a “prepackaged retail market” permit too. This permit is available from your local health department, is accepted statewide and is issued on a yearly basis.

The following are some examples of when this permit is needed. If you are selling meat that has been processed at a USDA inspected facility either at a farmers’ market or directly from your farm, you would need this permit. Another example is if you have your salsa processed and jarred by a co-packer, then this permit would be required in order to sell your product.

Farmers are bringing new and different products to the markets every season. The list that follows is not all-inclusive. It is intended to give some guidance on some more common products. If you have questions about a particular food, feel free to contact the Kentucky Department of Public Health, Food Safety Branch at 502-564-7181 and ask about requirements.

## **Informational charts**

Developed by the University of Kentucky, these charts will provide an overview of the Home-based Processor and Home-based Microprocessor programs. On the pages following the chart are detailed sections for each program.

- Kentucky Food Permits Flow Chart
- Home-based Processors vs. Home-based Microprocessors “Know the Difference”

## KENTUCKY FOOD PERMITS FLOW CHART

<p><b>Home-based Processing (HBP)</b> State Permit—Food Safety Branch Annual sales less than \$60,000/year</p> <ul style="list-style-type: none"> <li>• Dried or freeze dried fruits and vegetables</li> <li>• Mixed greens</li> <li>• Fruit jams, jellies, and preserves (this does not include low and/or no sugar varieties and pepper jellies)</li> <li>• Fruit butters</li> <li>• Sweet sorghum syrup</li> <li>• Maple syrup</li> <li>• Bread</li> <li>• Cookies</li> <li>• Cakes</li> <li>• Candy (no alcohol)</li> <li>• Fruit pies</li> <li>• Pecan pies</li> <li>• Dried herbs and spices</li> <li>• Dried grains</li> <li>• Nuts</li> <li>• Granola</li> <li>• Trail or snack mix</li> <li>• Popcorn with or without added seasonings</li> </ul>	<p><b>State Permits:</b> <b>KY Department for Public Health, Food Safety Branch</b> Must be produced in a commercial/certified kitchen (if available).</p> <ul style="list-style-type: none"> <li>• Wholesale Sales</li> <li>• Home-based Processing</li> <li>• Home-based Microprocessing</li> <li>• Bottled water</li> <li>• Cosmetics (lotion, lip balm, etc.)</li> <li>• CBD products</li> <li>• HBP and HBM annual sales over \$60,000/year and wholesale</li> </ul>
<p><b>Home-based Microprocessing (HBM)</b> State Permit—Food Safety Branch <i>Must complete workshop through University of Kentucky Cooperative Extension Service.</i> Annual sales less than \$60,000/year</p> <p><b>Acidified foods:</b></p> <ul style="list-style-type: none"> <li>• Canned Tomatoes</li> <li>• Tomato juice</li> <li>• Pickled fruits and vegetables</li> <li>• Salsa</li> <li>• Barbecue sauce</li> <li>• Pepper or herb jellies</li> <li>• Flavored vinegars</li> <li>• Low or no sugar jams and jellies</li> </ul> <p><b>Low acid canned foods:</b></p> <ul style="list-style-type: none"> <li>• Canned vegetables</li> </ul>	<p><b>Local Permits:</b> <b>County Health Department</b></p> <ul style="list-style-type: none"> <li>• Direct to consumer sales</li> <li>• Restaurants</li> <li>• Food Trucks</li> <li>• Grocery Stores (Retail Food Establishment)</li> <li>• Temporary Permits (Fairs, Festivals, Farmer's Markets)</li> <li>• Catering</li> <li>• HBP and HBM annual sales over \$60,000/year and direct to consumer</li> </ul> <p><b>Additional Requirements Necessary:</b></p> <ul style="list-style-type: none"> <li>• Acidified foods (Better Process Control School Certification Required)</li> <li>• Low acid canned foods (Better Process Control School Certification Required)</li> <li>• Juice (Juice HACCP Certification Required)</li> <li>• Fish/Seafood (Seafood HACCP Certification Required)</li> </ul>
<p><b>Whole Fresh Produce</b></p> <ul style="list-style-type: none"> <li>• Register with Kentucky's Produce Safety Program—KDA</li> <li>• No permit— from farm, direct to consumers or restaurants</li> <li>• Sampling certificate for cooked and/or raw samples—KDA</li> </ul> <p><b>Washed and Ready to Eat Produce</b></p> <ul style="list-style-type: none"> <li>• Register with Kentucky's Produce Safety Program—KDA</li> <li>• Local Permit if direct to consumer sales</li> <li>• State Permit if wholesale</li> </ul>	<p><b>Pet Treats and Animal Feed</b></p> <ul style="list-style-type: none"> <li>• University of KY—Department of Regulatory Services</li> </ul>
<p><b>Meat and Poultry</b></p> <ul style="list-style-type: none"> <li>• State Permit or USDA (United States Department of Agriculture)</li> </ul> <p><b>Jerky</b></p> <ul style="list-style-type: none"> <li>• Local Permit if direct to consumer sales</li> <li>• USDA if wholesale</li> </ul>	<p><b>Want to sell certified organic?</b></p> <ul style="list-style-type: none"> <li>• KDA</li> </ul>
<p><b>Fresh Eggs</b></p> <ul style="list-style-type: none"> <li>• No Permit—Less than 60 dozen/week</li> <li>• KDA Permit—More than 60 dozen/week</li> </ul>	<p><b>Cosmetics (lotion, lip balm, etc.)</b></p> <ul style="list-style-type: none"> <li>• State permit.</li> </ul> <p><b>Soaps</b></p> <ul style="list-style-type: none"> <li>• No permit.</li> </ul>
<p><b>Milk and dairy products</b></p> <ul style="list-style-type: none"> <li>• State Permit—Milk Safety Branch</li> </ul>	<p><b>CBD</b></p> <ul style="list-style-type: none"> <li>• State Permit</li> </ul>
<p><b>Contact Information</b></p> <p><b>Kentucky Department for Public Health</b> Food Safety Branch, 502-564-7181 Milk Safety Branch, 502-564-3340 <a href="http://chfs.ky.gov/agencies/dph/dphps/msb/Pages/default.aspx">chfs.ky.gov/agencies/dph/dphps/msb/Pages/default.aspx</a></p> <p><b>Kentucky Department of Agriculture (KDA), 502-573-0282</b> <a href="http://kyagr.com/">kyagr.com/</a> Egg Marketing &amp; Licensing, 502-782-9211 <a href="http://kyagr.com/consumer/eggs-marketing-and-licensing.html">kyagr.com/consumer/eggs-marketing-and-licensing.html</a> Organic, 502-782-4112 and 502-782-4121 <a href="http://kyagr.com/marketing/organic-marketing.html">kyagr.com/marketing/organic-marketing.html</a> Produce Safety Program 502-782-7809 <a href="http://kyagr.com/marketing/produce-safety.html">kyagr.com/marketing/produce-safety.html</a></p>	<p><b>United States Department of Agriculture (USDA), 601-399-4869</b> <a href="http://fsis.usda.gov/">fsis.usda.gov/</a></p> <p><b>University of Kentucky</b> Cooperative Extension Service, 859-257-1812 <a href="http://fcs-hes.ca.uky.edu/homebased_processing_microprocessing">fcs-hes.ca.uky.edu/homebased_processing_microprocessing</a> Division of Regulatory Services, 859-257-2785 <a href="http://www.rs.uky.edu/regulatory/feed/">http://www.rs.uky.edu/regulatory/feed/</a> Food Systems Innovation Center (FSIC), 859-218-4387 Shelf-life studies and nutrition facts labels. <a href="http://fsic.ca.uky.edu/">fsic.ca.uky.edu/</a></p>

Educational programs of Kentucky Cooperative Extension serve all people regardless of economic or social status and will not discriminate on the basis of race, color, ethnic origin, national origin, creed, religion, political belief, sex, sexual orientation, gender identity, gender expression, pregnancy, marital status, genetic information, age, veteran status, physical or mental disability or receipt or retaliation for prior civil rights activity. Reasonable accommodation of disability may be available with prior notice. Program information may be made available in languages other than English. University of Kentucky, Kentucky State University, U.S. Department of Agriculture, and Kentucky Counties, Cooperating.

**MARTIN-GATTON COLLEGE OF AGRICULTURE, FOOD AND ENVIRONMENT**

## HOME-BASED PROCESSORS VS. HOME-BASED MICROPROCESSORS KNOW THE DIFFERENCE

	PROCESSORS	MICROPROCESSORS
Kentucky resident	YES	YES
Grow an ingredient	NO	YES
Approved water source	NO	YES
Attend training	NO	YES -Home-based Microprocessor Workshop
Recipe approval	NO	YES- \$5 per recipe
Sell from a KY Registered Farmer's Market	YES	YES
Sell from a KY Farm Bureau Certified Farm Market	YES	YES
Sell from their home/farm	YES	YES
Sell from fairs, festivals and community events	YES	NO
Sell products online (pick up or delivery only)	YES	NO
Sell products to restaurants and grocery stores	NO	NO
Sell products outside of Kentucky	NO	NO
Refrigerated products	NO	NO
Permit required	YES, annual registration \$50 to KY Food Safety Branch	YES, annual certification \$50 to KY Food Safety Branch

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### MARTIN-GATTON COLLEGE OF AGRICULTURE, FOOD AND ENVIRONMENT

Cooperative Extension Service | Agriculture and Natural Resources | Family and Consumer Sciences | 4-H Youth Development | Community and Economic Development

## **Home-based Microprocessor**

On March 10, 2003, House Bill 391 was enacted allowing farmers who qualify to process, in their home kitchen, some value-added food products containing home grown horticulture ingredients. Products produced under this program may be marketed at the following three locations: farmers' markets listed with the Kentucky Department of Agriculture, Kentucky Farm Bureau Certified Farm Market or from the processor's farm. It is important to note that foods produced under this program may not be marketed or sold outside these three restricted locations. Farmers or individuals who wish to process foods to sell or market to other locations, such as restaurants and grocery stores, will need to obtain a "commercial" food manufacturing permit from the local health department or the Kentucky Food Safety Branch to operate.

In order to qualify, each product must contain a primary or predominant ingredient that has been grown, harvested, and processed by the farmer. Meat, poultry, dairy and/or egg products do not qualify as a primary or predominant ingredient.

Home-based Microprocessors are allowed to produce non-fruit (vegetable or herb) and sugarless jams/jellies in addition to acid foods, acidified food products, and low acid canned foods. This includes, but is not limited to, tomatoes, green beans, salsa, barbeque sauce, pickles, chutney and similar products. The farmer may not have an annual gross income of more than \$60,000 from the sale of the product.

You may process qualifying foods under the Home-based Microprocessor program from your home kitchen once certified by the Food Safety Branch. To become certified the farmer must:

- Have an approved water source.
- Successfully complete the Home-based Microprocessor Workshop offered by the University of Kentucky Cooperative Extension Service (or an FDA-approved Better Process Control School).
  - \$50 for initial educational workshop
  - \$10 renewal fee for every (3) years
- Have each recipe reviewed and approved by Annhall Norris with the University of Kentucky, at a cost of \$5.00 per recipe.
- Apply for and receive an annual certification through the Kentucky Department for Public Health – Food Safety Branch.
  - \$50 fee for annual certification

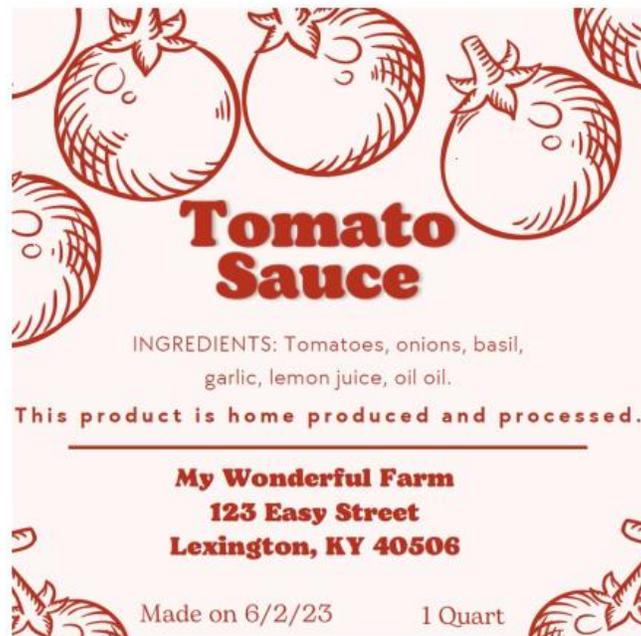
### Labeling Requirements for Home-Based Microprocessor

The following information shall be included on the label of each food product:

- The common or usual name of the food product.

- The name and address of the Home-based Microprocessor operation, including the street address, city, state, and zip code.
- The ingredients of the food product. Ingredients shall be listed in descending order of predominance by weight.
- The net weight or volume of the food product by standard measure or numerical count.
- The following statement in 10-point type: "This product is home-produced and processed."
- The date the product was processed.
- Allergen identification for ingredients that contain any of the Major Food Allergens known as The Big 9 Allergens: milk, eggs, wheat, soybean (soy), peanuts, tree nuts, fish, shellfish and sesame.

### Example of Home-based Microprocessor Label Requirements



Home-based Microprocessor labels are required to be attached to the approved recipe for each product and included with your application. For labeling questions, contact Lewis Ramsey with the Food Safety Branch at 502-564-7181 or [lewis.ramsey@ky.gov](mailto:lewis.ramsey@ky.gov)

### Water Source

Water source approval is also a prerequisite for Home-based Microprocessors. If you are connected to a municipal water source, you will need to include a copy of your water bill in your application packet. If your kitchen is not connected to public water, it will be necessary

to submit verification of water source approval from the Kentucky Division of Water (DOW) with your application. Typically, DOW requires that samples from private water sources be analyzed for Secondary Contaminants (15 parameters), Nitrates, and Nitrites. This analysis must be performed by a Certified Lab. Visit this website for locations near you, <https://eec.ky.gov/environmental-protection/water/gw/documents/2022%20KY%20Certified%20DW%20Laboratory%20List.pdf>

Usually, a chlorinator and retention tank are required for approval of the source.

Verification of water source approval must include: (1) DOW Plan Approval letter, and (2) a certification letter, which attests that facilities have been installed to DOW specifications. The Drinking Water Branch can assist you with this at 502-564-3410. For additional information for Home-based Microprocessor Program, please visit <https://eec.ky.gov/environmental-protection/water/drinking/pages/homebased-microprocessors.aspx>

## **Home-based Processor**

On March 27th, 2019, House Bill 468 was enacted allowing Kentucky residents to process in their home kitchen some non-potentially hazardous foods, including but not limited to dried herbs, spices, nuts, candy, dried grains, whole fruit and vegetables, mixed-greens, jams, jellies, sweet sorghum syrup, preserves, fruit butter, bread, fruit pies, cakes, or cookies. Home-based processors are also allowed to produce dried or freeze-dried whole fruits or vegetables, candy (that does not contain alcohol and no bare hand contact), maple syrup, pecan pies, granola that may be made with dried grains, trail or snack mix that may be made with dried fruit, nuts, or seeds and popcorn (plain or with added seasoning). Because of special processing concerns, low-sugar, non-sugar (sugarless) or vegetable jams and jellies (for example, hot pepper or garlic jelly) are NOT allowed at this level.

Home-based Processors do not have to grow any ingredients in their products. Home-based Processors must register each year with Kentucky Department for Public Health – Food Safety Branch. The registration period runs from April 1 through March 31 every year. There is a \$50 registration fee. Additional information and application forms are available from the Food Safety Branch, 502-564-7181.

Home-based processed food items may be sold directly to consumers within this state, including from the home-based processor's home by pick-up or delivery in person by the processor, at a market, a farm market, and community event or on-line. All home-based processor items can be sold on-line but delivery is required in person from the processor. No home-based processor items may be shipped to customers. Home-based Processors may not sell products to restaurants, grocery stores, convenience stores or other retail shops. Home-

based processors may not have an annual gross income of more than \$60,000 from the sale of the product.

### Labeling Requirements for Home-based Processors

The following information shall be included on the label of each food product:

- The common or usual name of the food product.
- The name and address of the home-based processing operation, including the street address, city, state, and zip code.
- The ingredients of the food product. Ingredients shall be listed in descending order of predominance by weight.
- The net weight or volume of the food product by standard measure or numerical count.
- The following statement in 10-point type: "This product is home-produced and processed."
- The date the product was processed.
- Allergen identification for all ingredients that contain any of the Major Food Allergens known as The Big 9 Allergens: milk, eggs, wheat, soybean (soy), peanuts, tree nuts, fish, shellfish and sesame.

### Example of Home-based Processor Label Requirements



The following foods are prohibited from both the Home-based Processor and Home-based Microprocessor categories:

- Baby foods (pureed)
- Cheesecake
- Crème-filled pies
- Crème, custard and meringue pastries
- Custard
- Custard pies
- Extracts
- Foods containing meat and poultry
- Foods requiring refrigeration
- Foods vacuum packaged in containers other than mason type jars
- Garlic-in-oil mixtures
- Kimchi
- Kombucha
- Pies with meringue
- Processed juices (excluding tomato)
- Raw seed sprouts
- Vinegar based hot sauce
- Other foods as designated by the Food Safety Branch or the University of Kentucky

This chart is provided for your quick reference. It is NOT intended to be the final say on what is allowed or not allowed. The KY Food Safety Branch has final authority on allowed products.

Commodity - Specific Processing Options				
Product	Home-based Processor	Home-based Microprocessor	Commercial Manufacturer <sup>1</sup>	No Permit Required
Baked Goods	<input type="checkbox"/>		<input type="checkbox"/>	
Beans, canned		<input type="checkbox"/>	<input type="checkbox"/>	
Beans, dried	<input type="checkbox"/>		<input type="checkbox"/>	
Beans, snapped				<input type="checkbox"/>
Candy, (including freeze dried)	<input type="checkbox"/>		<input type="checkbox"/>	
Corn, canned		<input type="checkbox"/>	<input type="checkbox"/>	
Corn, milled	<input type="checkbox"/>		<input type="checkbox"/>	
Corn, shucked				<input type="checkbox"/>
Fudge	<input type="checkbox"/>		<input type="checkbox"/>	
Fruit, canned			<input type="checkbox"/>	
Fruit, dehydrated or freeze dried	<input type="checkbox"/>		<input type="checkbox"/>	
Fruit, fried pies	<input type="checkbox"/>		<input type="checkbox"/>	
Fruit, frozen			<input type="checkbox"/>	
Fruit, whole				<input type="checkbox"/>
Grains, milled	<input type="checkbox"/>		<input type="checkbox"/>	
Granola	<input type="checkbox"/>		<input type="checkbox"/>	
Greens, Micro				<input type="checkbox"/>
Greens, mixed	<input type="checkbox"/>		<input type="checkbox"/>	
Greens, whole				<input type="checkbox"/>
Herbs, dried or blended	<input type="checkbox"/>		<input type="checkbox"/>	
Herbs, fresh				<input type="checkbox"/>
Jams/Jellies, fruit	<input type="checkbox"/>		<input type="checkbox"/>	
Jams/Jellies, herb or veggie		<input type="checkbox"/>	<input type="checkbox"/>	
Jams/Jellies, no/low sugar		<input type="checkbox"/>	<input type="checkbox"/>	
Mushrooms (cultivated), dried/powdered	<input type="checkbox"/>		<input type="checkbox"/>	
Mushrooms (cultivated), fresh				<input type="checkbox"/>
Pies, fruit	<input type="checkbox"/>		<input type="checkbox"/>	
Pies, pecan	<input type="checkbox"/>		<input type="checkbox"/>	
Popcorn, whole kernel	<input type="checkbox"/>		<input type="checkbox"/>	
Popcorn, popped	<input type="checkbox"/>		<input type="checkbox"/>	
Relish		<input type="checkbox"/>	<input type="checkbox"/>	
Salsa		<input type="checkbox"/>	<input type="checkbox"/>	
Sauces (BBQ and Hot)		<input type="checkbox"/>	<input type="checkbox"/>	
Sorghum	<input type="checkbox"/>		<input type="checkbox"/>	
Sprouts			<input type="checkbox"/>	
Syrup, maple	<input type="checkbox"/>		<input type="checkbox"/>	
Tea, dry herb mix			<input type="checkbox"/>	
Tomatoes, canned		<input type="checkbox"/>	<input type="checkbox"/>	
Tomatoes, dried	<input type="checkbox"/>		<input type="checkbox"/>	
Tomatoes, juice		<input type="checkbox"/>	<input type="checkbox"/>	
Trail Mix	<input type="checkbox"/>		<input type="checkbox"/>	
Vegetables, canned		<input type="checkbox"/>	<input type="checkbox"/>	
Vegetables, dehydrated or freeze dried	<input type="checkbox"/>		<input type="checkbox"/>	
Vegetables, frozen			<input type="checkbox"/>	
Vegetables, whole				<input type="checkbox"/>

Additional information regarding the chart or products.

Products manufactured commercially may only be sold with an additional Mobile Retail Sales permit from the Local Health Department. Home-based products DO NOT require this additional permit.

Only cultivated mushrooms of recognized safe species may be marketed. Foraged mushrooms that have been gathered in the wild may not be sold in any form.

Candy cannot contain alcohol or is made using bare hands for home-based processor.

## **Product Specific Requirements**

### Cheese and Beer Cheese

The Home-based Processor/Microprocessor rules do not apply to dairy products such as cheese and beer cheese. Consequently, all dairy products offered at a farmers' market must be manufactured under a "commercial" permit. Please contact the local health department or the Kentucky Food Safety Branch, (502) 564-7181, for information regarding the manufacture and labeling of beer cheese and other cheese spreads such as pimento cheese and flavored cream cheese spreads. Depending on the cheese product, there may be special labeling requirements before the product can be sold. You are advised to contact Kentucky's Milk Safety Branch, (502) 564-3340, for more information regarding the manufacture of cheese and other dairy products that are intended to be marketed to the public at farmers' markets and other locations.

### Eggs

Farmers may sell up to 60 dozen eggs per week directly to consumers without a license. Eggs shall be kept refrigerated at a temperature of 45 degrees Fahrenheit during transport and storage.

If you are selling in ways other than directly to the consumer, (i.e., retail store, restaurant, bakery or another distributor) you are required to have a wholesale license. The application for a wholesale license is available on our website at [www.kyagr.com](http://www.kyagr.com). On the home page click on Forms and then on Egg Marketing Program then click application for Wholesale Egg Handler License. To apply you will need to download, print and fill out the application, the fee will depend on how many eggs you sell per week; please see the fee schedule to determine the fee you need to mail in with the application.

If you are a farmers' market that is selling eggs on behalf of the farmer/producer, you are required to have the Retail License to Handle Eggs. It is also available on our website at [www.kyagr.com](http://www.kyagr.com) and click Forms, download, print, fill out and mail the retail application in

with a \$20 fee. If you do not have access to the internet, you may contact the Kentucky Department of Agriculture, Egg Marketing Program at (502) 782-9211. For additional information and regulations, refer to the section on Eggs in this manual.

### Greens (Leafy Greens, Salad Mix)

These items are allowed as long as they have not been washed, are sold in an open bag or vented clam shell and are labeled “wash before eating.”

### Greens (Microgreens)

Microgreens are considered a raw agricultural product. As a Raw Agricultural Product, when harvesting the microgreen, the initial cut (where you serve the product from its root system) is allowed without a permit. The product may be washed in potable water, dried and stored in an open box, or open bag. The product should be marked “wash before use”. If the product is manipulated more (chopped or diced), then a food manufacturing permit would be required. Because no permit is necessary to sell raw agricultural products, labeling may be limited to the product name. If you want to add more information, you could include the farm location it was harvested from.

If you are growing microgreens in flats and in a greenhouse then many factors that could lead to possible product contamination are controlled. The FDA is concerned about the following factors in regard to produce:

- Water quality- potable water use
- Biological Soil Amendments (raw manure vs compost, etc.)
- Exclusion of wild and domesticated animals
- Worker health and hygiene
- Equipment, tools and buildings

For more information on growing conditions, you may want to reach out to Tyler Goodlet ([tyler.goodlet@ky.gov](mailto:tyler.goodlet@ky.gov)) from the Kentucky Department of Agriculture, Produce Program. Tyler would be a great resource for information related to Good Agricultural Practices (GAP), Produce Safety Alliance training and completion of the Kentucky Produce Farm Inventory Survey.

### Ice Cream

The Home-based Processor and Home-based Microprocessor rules do not apply to dairy products, such as ice cream. Consequently, all dairy products offered at a farmers’ market must be manufactured under a “commercial” permit. You are advised to contact Kentucky’s Milk Safety Branch (502-564-3340) for more information regarding the manufacture of ice cream and other dairy products that are intended to be marketed to the public at farmers’ markets and other locations.

You may also purchase “commercially” manufactured ice cream for resale at a farmers’ market. The marketing of these products will require proper frozen storage at the market. This can be provided by a cooler with adequate provision for drainage. However, a powered freezer unit is recommended for adequate storage of this particular product. The vendor will

need to contact the local health department about obtaining a retail sales permit to sell this product at the market.

### Jerky

Jerky, as with all meat products, cannot be home processed. The processing of jerky cannot be conducted under the Home-based Processing or Home-based Microprocessor. All jerky products must be processed in an approved “commercial” kitchen or under USDA inspection.

If your plans are to sell wholesale (to other retailers such as convenience stores or supermarkets) or to distribute your products out-of-state via Internet or through a shipping company such as United Parcel Service, the USDA would be the lead agency in assisting you with your plans as well as conducting inspections and permitting the operation. See the section on meat sales in this manual.

In the event your plans involve the manufacture of jerky from USDA-inspected meat and exclusive direct-to-consumer (retail) sales at a farmers’ market, a Retail Food Store Processing permit would be required at the point of manufacture. The local health department in the county where the product is processed would issue this permit. As for all commercially prepared items, a prepackaged retail market permit is required to sell jerky at a farmers’ market. This permit has also been obtained through the local health department. As a reminder, the jerky must be made from USDA-inspected and approved meat.

### Melons, Cut

Fruits and vegetables that are cut onsite at a farmers’ market and are offered in an uncooked, ready-to-eat form can pose a number of food safety concerns. For instance, harmful pathogens found in the soil where these items are grown can be introduced into the “meat” of the product at the time the product is cut. Since the product is not cooked, there is no “kill step” to rid the product of these pathogens. Washing these products under potable, pressurized water is the key to reducing the numbers of harmful pathogens that may be present. Pathogen removal by washing is particularly difficult for some fruits and vegetables containing rough surfaces, such as cantaloupes with netted rinds. This concern is compounded by the general lack of water under pressure at many temporary farmers’ market sites across the state. Because of these concerns, producers are generally restricted from selling melons cut on-site at a farmers’ market unless they have obtained a “farmers’ market temporary food service establishment” permit to operate.

Another option to consider is to market melons that are thoroughly washed and cut in a “commercially” permitted kitchen and sold under refrigeration. This option would require a commercial food manufacturing permit to sell wholesale from the Food Safety Branch or a permit to sell direct to the end consumer from the local health department.

### Sandwiches/Prepared Meals

Please refer to the section in this manual on “Cooking and Preparing Food at the Farmers’ Market”

### Seafood (Including Prawn)

Seafood, such as fish or prawn, cannot be home-processed. All processed seafood products such as fish fillets, steaks or pieces and prawn tails must be processed in an approved, state-inspected “commercial” facility or kitchen. The Mobile Processing Unit for Small Livestock Species (MPU), operated by Kentucky State University in partnership with Partners for Family Farms, the Kentucky Department of Agriculture and the Kentucky Department for Public Health — Food Safety Branch, may be an option for some entities to comply with the “approved source” requirements for seafood processors. For more information about this unit, contact Steve Skelton of the Kentucky State University (KSU) Research Farm at (502) 597-7501.

In short, the processing of seafood, including fish and prawn, cannot be conducted under either Homebased Processor or Homebased Microprocessor rules. Additionally, the sales or marketing of processed seafood products at farmers’ markets will require a mobile retail sales permit, obtained through the local health department.

### Sprouts

Sprouts (such as alfalfa and bean) have been implicated in a number of foodborne outbreaks in recent years, including Salmonellosis and E. coli O157:H7. Kentucky’s Home-based Processor and Home-based Microprocessor rules do not recognize sprouts as an “approved” food for non-commercial marketing. As a consequence, the production, sales and marketing of seed sprouts will require a “commercial” permit to operate. For more information contact the Kentucky Food Safety Branch at (502) 564-7181.

### Additional Comments

The above list is intended to serve as general guidance regarding the rules/regulations for manufactured food sales at farmers’ markets. The above guidelines are not intended to replace official laws and regulations which govern the manufacture and sales of the above-noted products. Consequently, there may be instances when a particular product or specific method or manufacturing process cannot be approved.

Additionally, the manufacture and marketing of food products at a farmers’ market or other location is not approved until the manufacturer and/or vendor obtains all necessary permits and inspections relative to the product being manufactured and marketed.

Remember, all foods sold or marketed at a farmers’ market must be from an approved source. For this reason, prior to the manufacture and marketing of these products, all

prospective vendors are advised to contact pertinent federal, state or local health department personnel to obtain all required permits, registrations and certifications. Market managers or market boards should also be consulted prior to the marketing of processed food products at a farmers' market to make sure the product is allowed to be sold at the market.

## **Small Producer's Guidelines for Handling and Selling Eggs**

Eggs are listed on the hazardous food list by the United States Food and Drug Administration. You should exercise caution when handling and/or selling eggs that you produce. Regardless of operational size, careful egg handling and proper sanitation are absolutely essential. The purpose of proper cleaning of eggs is to remove bacteria, which might otherwise enter through the shell, multiply in the egg and result in sour or rotten eggs. The egg is obviously a balanced source of nutrients for the growth of many organisms. Thus, a cleaning procedure must be adopted to remove, destroy or inhibit growth of a wide range of bacteria.

Another reason that eggs are cleaned or washed is the value or price per dozen is higher for clean eggs than for dirty eggs. When eggs are laid, very few bacteria are present on the eggshells and essentially none inside the eggs. After the eggs have been laid, they enter an environment full of bacteria, from wire cages, body or hen's feet, gathering equipment, hands of a worker or air. Although many types of microorganisms are present on the shell, some have no economic or health significance while others, especially pseudomonas, are instrumental in egg spoilage resulting in rotten eggs.

With all of these microorganisms present, it is really incredible that more eggs do not spoil, especially when held for several weeks before consumption. The egg, however, has an amazing number of built-in antimicrobial agents that were probably designed to protect the developing embryo. These are both physical and chemical. These mechanisms will protect most eggs; however, when too many microorganisms are present, or when the eggs are improperly handled, the bacteria enter the eggs and may multiply rapidly. In order to assist you in safeguarding potential retail consumers and your family, we have provided the following guidelines that should be followed to help prevent illness.

- Do not come into contact with eggs if you have a communicable illness.
- Wear clean clothing.
- Practice correct hygiene.
- Do not smoke in the processing area because eggs may absorb these odors.
- Wash your hands at least every 2 hours, or as needed to maintain cleanliness, if you candle or handle eggs.
- Gather eggs frequently and wash them as soon as possible after collection. Remove badly soiled and cracked eggs before they are washed and before they are candled. Eggs should be candled after they are washed.

- Eggs should be below 90°F before washing as they can contract wash water. The suggested wash water temperatures are between 110°F and 120°F. Never let the temperature fall below 110°F. Never have wash water more than 50°F above the temperature of the egg as this will cause excess breakage. Change wash water every 4 hours, or more often if necessary.
- Use only potable water having an iron content of not more than 2 ppm to prevent the growth of bacteria.
- Use a good quality detergent, but do not use household detergents — they may cause discoloration and/or undesirable flavors in the eggs.
- Eggs should not be immersed longer than is necessary to clean them. Because egg contents are damaged by prolonged exposure to high water temperatures, a timing device should be used to avoid leaving eggs for more than 3 minutes. No more than two to five baskets of eggs should be washed before replacing the solution.
- Spray rinse eggs with water at 20°F warmer than the detergent solution. It is suggested that the eggs should be dipped in a sanitizer solution containing 200 ppm chlorine 20°F warmer than the detergent solution.
- Never expose the eggs to temperatures greater than 128°F during the cleaning process.
- Never put wet eggs into cartons or boxes because the wet eggs can pick up bacteria very easily.
- Gather eggs frequently.
- Clean, dry, candle, package and refrigerate immediately upon gathering.
- If you are offering your eggs for sale at a farmers' market and you choose to use a chest type cooler that is maintained with wet ice, there must be a divider between the eggs and the area that holds the ice. The space between the ice and the eggs should be a minimum of three inches. At no time should the eggs/egg cartons that are kept in chest coolers come into contact with the ice or water from the melted ice. This exposes the eggs to bacteria, rendering them inedible. The space allowance between the eggs and the ice should also prevent eggs from freezing.
- Clean and sanitize all of your equipment each time it is used to prevent the build-up of bacteria and calcium deposits.
- If your eggs are being sold, egg cartons used for packaging the eggs must be blank cartons with the nutritional labeling, refrigeration requirements, and safe handling requirements on the cartons. You may not use cartons or cases which are labeled by other businesses, and the cartons may not be re-used. All cartons or cases are subject to the packaging and labeling requirements as specified in KRS 260.630. If you sell your eggs at the retail or wholesale level, you must license per KRS 260.600.

- If you sell more than 60 dozen eggs weekly, you must purchase a retail license. If you sell your eggs to a retail store to be resold or to a distributor that will further distribute them, you must have a distributor's license.

For additional information on Selling Eggs at a Farmers' Market, please visit the University of Kentucky's informational publication.

<http://www2.ca.uky.edu/agcomm/pubs/ASC/ASC218/ASC218.pdf>

If you need further information or have questions, please contact the Division of Regulations and Inspection, Egg Regulations office with the Kentucky Department of Agriculture at 502-782-9211.

## **Selling Honey at Kentucky Farmers' Markets**

Regulations for selling honey at Kentucky farmers' markets are the same as for selling honey anywhere in the state. Beekeepers who produce fewer than 150 gallons (about 1,800 pounds) of honey a year are exempt from regulations that require honey to be processed (extracted and bottled) in a certified food processing establishment, or from being required to obtain a permit from the state health department. Most beekeepers in Kentucky are smaller producers and fall under this exemption. However, legal labels are required on all containers of honey that are sold (see below).

If the beekeeper sells 150 gallons or more of honey per year, this honey must be processed in an inspected and permitted food processing facility. Regulations and permits that cover this type of facility are administered by the Kentucky Department for Public Health, Food Safety Branch. Beekeepers needing information on certification of food processing facilities should contact the Food Safety Branch in Frankfort at (502) 564-7181.

Sampling is a great way to market your products because customers get to taste them before they buy. To sample your products, please see the section in this manual for Food Sampling, Guidelines and Procedures and visit the KDA website at [www.kyagr.com](http://www.kyagr.com) for a sampling application and instructions. The only requirement for sampling honey would be to submit a completed application and answer all questions correctly. Once the application is approved, a "Cooked/Processed" Sampling Certificate will be issued.

### Legal honey labels

Because honey is a single-ingredient product, and because most honey containers are not of unusual shape or size, the requirements for honey labels are relatively simple. Here is an outline of the regulations.

- Identification of the product
  - HONEY
  - If a flavoring is added to the honey, the flavoring ingredient must be identified on the label. For example, if creamed honey has cinnamon blended into it, that flavor MUST be on the label; otherwise, the beekeeper is in violation of federal FDA laws.
  - If any ingredients are added to the honey, then the use of a commercial kitchen with a food establishment permit is necessary. For details on food manufacturing permitting, contact an Area Food Manufacturing Inspector:  
<https://chfs.ky.gov/agencies/dph/dphps/fsb/fsdocs/mapmanufacturing.pdf>
  
- Quantity of Contents
  - Because honey is heavier than water, labels need to list weight in ounces and grams, not pounds and volume. One exception: You may state pounds if over 16 ounces.
  - A one-pound honey jar label should state "Net Wt. 16 oz (454-g)" or "Net Wt. 1 lb. (454-g)."
  - A two-pound jar should say "Net Wt. 32 oz (908-g)" or "Net Wt. 2 lb. (908-g)."
  - A one-pint jar should say "Net Wt. 22 oz (624-g)" or "Net Wt. 1.38 lbs. (624-g)."
  - A one-quart jar should say "Net Wt. 44 oz (1.2 kg)" or "Net Wt. 2.75 lb. (1.2-kg)."
  
- Name of manufacturer, packer, or distributor
  - This is your name or your company if you use a company name (example: "Cumberland River Honey Farm"). However, from a marketing standpoint, it is also good business to always put your name on the label. If you're selling a local product, people may know your name, but not your company's name.
  
- Address of manufacturer, packer, or distributor
  - You must list your address, including street address, city, state, and zip code. However, if your name (or company name) is listed in the local telephone directory, the street address may be omitted. However, the city, state and zip code must still be listed on the label. From a marketing standpoint, it's a good idea to give your address and phone number. If someone eats some of your honey at one of your customers' homes (and likes it!), it is in your best interest to make it obvious that it's YOUR honey, and to make it easy for he/she to contact you to purchase some.

Please reconsider using the terms "raw," "natural," and "pure" on honey labels. These terms are considered misleading. Instead, consider using adjectives that give the consumer

information about the season and if you have had the honey analyzed, information about the type of honey varietal (example, clover honey). Please note the honey must contain at least 46% of one floral pollen to be able to have a Monofloral honey label.

The beekeeper should be able to provide documentation on their product. Please remember the following:

- To convert ounces to grams multiply by 28.4 and round down to a whole number in grams. To convert pounds to grams, multiply by 454.
- Don't make health claims on a food label. Health claims are subject to special nutritional labeling.
- All labeling must be truthful and accurate. Food standards must not be violated.
- Infant botulism spores can be acquired in two ways: through soil or honey. Kentucky is still an agrarian state, and infants have a chance to get spores through either of these two points of contact. Although a product liability label is not required, beekeepers are strongly encouraged to have a product liability sticker on their honey products, reminding customers, "do not feed honey to infants less than one year old."

### Label Review

Labels are to be reviewed by the KY Department for Public Health, Food Safety Branch. To contact the Food Labeling Compliance Specialist with any questions, please call 502-564-7181.

Format your labels as a PDF (preferred) Word document or image file and send as an email attachment directly to: [foodsafety@ky.gov](mailto:foodsafety@ky.gov). Please use subject line "Attention: Labeling".

If mailing the labels, use the following address:

Food Labeling Compliance Specialist  
KY DPH Food Safety Branch  
275 East Main Street, Mail Stop: HS 1C-F  
Frankfort, KY 40621

## **Meat Sales at Farmers' Markets**

All meat and poultry being marketed to the public must be obtained from an approved source. This means that all amenable meat products such as beef, pork, goat, lamb, poultry and catfish must be produced and packaged in an establishment under the federal (USDA)

inspection program. Packaged meat products must: 1) be protected from contamination through proper packaging, 2) be stored frozen or under proper refrigeration (41°F or below). Additionally, meat and poultry products shall carry safe handling information on the package. Anyone engaged in the sale, processing, transportation of meat or poultry MUST maintain records which include purchasing, sales receipts, etc. Records may be requested and viewed by USDA at any time.

- Home-processed or custom-processed meat and poultry, including wild game, may not be marketed or sold at farmers' markets.
- Custom Exempt meat or poultry can never be sold in commerce.

In general, the United States Department of Agriculture (USDA) has jurisdiction over red meat and poultry items. USDA inspection requirements, exemptions, and areas of jurisdiction are often complex. For this reason, producers should first consult with the Kentucky Food Safety Branch prior to any processing. Cuts of meat (including beef, pork, goat, lamb, etc.) and poultry (including turkey, chicken, duck, etc.) from species which are considered "amenable" by USDA must be processed in a USDA inspected facility and bear the mark of USDA inspection. Although USDA has some exemptions for small poultry processors who raise, slaughter, and sell their own poultry product, the Kentucky Food Safety Branch still requires USDA poultry exempt processors to comply with state requirements as well as federal if these products are intended to be marketed to restaurants, grocery stores, or at farmers' markets. Please see the following links if looking for a listing of USDA inspected processing plants in Kentucky.

- [www.kyagr.com/marketing/documents/am-dmm-processors-directory.pdf](http://www.kyagr.com/marketing/documents/am-dmm-processors-directory.pdf)
- [www.kyagr.com/marketing/documents/am\\_dmm\\_processors.map.pdf](http://www.kyagr.com/marketing/documents/am_dmm_processors.map.pdf)
- [www.fsis.usda.gov/inspection/establishments/meat-poultry-and-egg-product-inspection-directory](http://www.fsis.usda.gov/inspection/establishments/meat-poultry-and-egg-product-inspection-directory)

Other animal species, such as rabbit or quail, are considered non-amenable and fall under the FDA jurisdiction unless processed under the USDA Voluntary Inspection. A vendor who wishes to process and market cuts from non-amenable species must ensure that: (1) the products were processed under USDA voluntary inspection protocols and bear the mark of USDA inspection; or (2) the products were processed in a permitted, state-inspected and approved facility. Vendors who market product under option number two (2) above shall carry to the farmers' market invoices and a copy of the processing facility's state permit — and be ready to provide this information upon request.

The Kentucky State University built the Mobile Processing Unit (MPU) with the intention of providing market access to all small farmers in Kentucky while also ensuring that all consumers received a safe product. The Mobile Processing Unit can be used to process

rabbits, quail and all types of poultry (except waterfowl), aquaculture species prawn, paddlefish, caviar and all finfish with proper documentation.

Prior to the operation of the MPU, the small farmers who wish to use the MPU must successfully complete MPU training. Once they complete MPU training, Kentucky State University will recognize those small farmers as “Facility Managers.”

Facility Managers who wish to use the MPU must contact Kentucky State University’s MPU Coordinator to schedule a time to reserve the MPU. Facility Managers may contact the MPU Coordinator Steven Skelton by Phone (502) 597–6103 or by email:

[Steven.Skelton@kysu.edu](mailto:Steven.Skelton@kysu.edu)

In order to reserve that scheduled time, the Facility Manager must then mail a refundable deposit of \$75.00 in the form of a check or money order made payable to *Kentucky State University* and mail to:

Kentucky State University  
Harold R. Benson Research and Demonstration Farm  
1525 Mills Lane  
Frankfort, Kentucky 40601

The MPU Coordinator must receive this refundable deposit before the scheduled time.

After arriving at the scheduled time, the Facility Manager will need to do the following things:

1. Present proof of National Poultry Improvement Program (NPIP) Certification;
2. Execute a User Agreement;
3. Execute a Waiver and Release; and
4. Pay all required processing fees (less the refundable deposit) set forth on the MPU Fee Schedule.

If the Facility Manager must cancel the reservation to process, the Facility Manager must do so within 24 hours of the scheduled time to receive a full refund of the deposit.

Inspectional jurisdiction over seafood, including fish and prawn, is retained by the Food and Drug Administration (FDA) and the agency’s state counterpart, in this case the Kentucky Food Safety Branch. However, catfish (*Siluriformes*) must be processed under USDA-FSIS and must be processed under USDA inspection. All processed seafood marketed at farmers’ markets must come from a permitted, state-inspected and approved facility. Vendors shall carry to the farmers’ market pertinent documentation which can be used to verify that the product was obtained from an approved source. As addressed above, such documentation includes invoices as well as a copy of the processing facility’s state permit.

Vendors selling meat, poultry, seafood and other commercially packaged processed foods should contact their local health department with regard to obtaining a mobile, prepackaged retail sales permit. The yearly permit is \$60 and allows you to sell other commercially processed products as well as meat and poultry. The permit is issued on an annual basis and expires on December 31.

Until you are ready to transport your meat and poultry products to the market, they must be stored in an approved manner, at safe refrigerated or frozen storage temperatures. If products are stored at home, they must be stored in a dedicated refrigerator or freezer, separate from personal use foods. Products must be stored at 0°F, if frozen, or 41°F (or colder) if refrigerated. The product must be transported and maintained at these temperatures at the market. This can be accomplished by either a freezer or an ice chest/cooler. All units holding frozen or refrigerated products should contain a calibrated thermometer in order to monitor the temperature of the product at all times.

While a freezer is generally preferred, a heavy-duty ice chest/cooler may also be used provided sufficient ice is available to maintain safe product temperatures. Styrofoam coolers are not approved. If you use an ice chest, the meat should not be stored in direct contact with the ice. You will also need to have provisions for melted ice to drain away from the product. The meat should NEVER be sitting or floating in ice water. Additionally, vendors should ensure that juices from one species (i.e., chicken) do not drip onto and contaminate another species (beef). Storing products in dedicated species-specific coolers or freezers is typically required in order to reduce the risk of cross-contamination from one species to another.

Selling at the market requires you to have a tent, large umbrella or covered trailer to protect your product from weather conditions. At all times, the product should be protected from human and environmental contamination, including insects and dust. Most activities involving the handling of meat and poultry, including packaged products, can cause your hands to become soiled. Consequently, the health department will typically require that each vendor provide a suitable portable hand washing station. A simple, health department-approved set up could consist of an elevated 5-gallon container of potable water that is equipped with a turn-spout dispenser or drain, with a catch bucket placed below the container. Liquid soap and disposable towels should also be provided at the hand washing station.

### Risk

All producers should consider the added risk of selling retail. The potential for loss could be great. Consult your insurance professional to discuss product liability insurance. You may also consider legally organizing the meat sales part of your farm business separately to protect your farm.

## Displays and Marketing Tips

Meat is hard to display while maintaining correct temperature and storage requirements. Customers are accustomed to looking through meat packages to choose the one with the right marbling, size, thickness, etc. that they want. Good displays of most products at a farmers' market start with techniques that let the customer see and choose their selections. Meat in a freezer doesn't allow for such merchandizing. Therefore, you have to give your customers something else to draw them to your booth and select your product.

People love purchasing meat at their local farmers' market because it's fresher than going to the grocery store, and they get to feel good about supporting small farmers who care for their animals. Come prepared to talk about what life is like on the farm and engage customers with photos of your animals. Describe your product to the customer. Tell them how thick the steaks are cut, describe the marbling, etc. Tell them why your product is different. If it is raised by your family on a nearby farm, tell them. If your product is grass fed, pasture raised, organic, etc., tell them, but also tell them why it is important to you and why it is important to them.

Make sure to clearly display prices. If your chicken is \$3 per pound and most chickens weigh between 4-5 pounds, explain this. If ground beef is packaged in 2-pound packs, make this clear.

Customers like to have new ways of cooking and recipes are a great selling tool. Give a customer the answer to what they are cooking for dinner that night and they will be a steady customer. Offer "goes with" ideas as well to complete the meal. Feature seasonal fruits and vegetables as your "goes with" suggestions. Ask your fellow market members what recipes they have and use those. Cooperatively sell the makings for an entire meal with fellow vendors. For example,

Many folks don't know how to cut up a chicken. If you are selling whole chickens, you should get a printed guide to doing this and pass out copies. Another angle is to supply recipes for roasting or grilling whole chickens.

Make sure you have the meat arranged in the ice chest or freezer to facilitate getting to a certain cut to limit the time you spend in the container. This will help you maintain the correct temperature. You may want to consider keeping a thermometer in your cooler to monitor your temperatures. Vacuum packed products will get air leaks in the package if pushed around too often. Also, it is nice to reach in and get a couple of packages for the customer to choose between.

Always carry business cards and a personalized price list with you to the market. The customer may not be interested on that day but giving them a list of products and pricing personalized to your farm operation may result in future sales. Always make sure to list your contact information, website or Facebook page.

### Cuts

Some producers report that only their higher end cuts sell. Some report success from offering package deals on their product that include the cuts that are slow sellers.

### Price

There are essentially two types of farmers' markets. There are price markets and specialty markets. At a price market, usually in smaller towns and rural areas away from urban areas, meat sales at a profit will be difficult. Customers are looking for a bargain. This type of market typically sets their prices to beat a large retailer in their area. Except for a few customers, most will not spend more than what they can get the meat for at the local grocery store. If you can produce for this price and make a decent profit, then it may be a good market for you. Customers at these markets may still want to buy an entire or half beef if they perceive this as a cost savings.

The other markets, the specialty markets, bring higher prices. They are usually in larger urban areas or communities that surround urban areas where customers are seeking a certain quality of product. In these markets a producer will get higher prices for higher quality or niche products. They are usually the markets where there will be the most competition as well.

Though these generalizations do not hold true in every market, it is worthwhile for a producer to investigate the strength of the potential marketplace as part of his or her decision to offer retail meat sales.

## **Selling Nursery Products at the Farmers' Market**

The Kentucky Office of the State Entomologist requires that every resident nursery or dealer selling nursery stock in the state obtain a nursery license through the State Entomologist office (KRS Chapter 249).

If the plants being sold can be placed outdoors, survive through the winter, and then start growing the following spring, a nursery or nursery dealer license is required. Plants will be subject to inspection by an agent of the state entomologist once a year to check for presence of insect or disease pests. The agent may collect plant material for further identification of plant pests.

Licenses are not required if the seller is only selling annual flowers or annual herbs, annuals, cut flowers, garden mums or vegetable transplants. Any person soliciting orders for or delivering trees or plants in the state must carry a copy of their license to show prospective buyers, county officials, or state entomologist inspection agents on demand.

Trees, plants, or parts of plants, whether nursery-grown or not, that are sold, shipped, or transported into Kentucky from another state must bear a copy of a certificate of inspection from a state or United States government inspector.

To obtain a nursery license or if you have further questions, please call the State Entomologist office at 859-257-5838 or visit <https://ose.uky.edu>. Class A permit would be required for anyone selling trees (including fruit trees), shrubs, roses, perennial flowers or perennial herbs. Contact Joe Collins for information regarding permits or questions on products sold. Mr. Collins can be reached at 859-218-3341 or by email at [joe.collins@uky.edu](mailto:joe.collins@uky.edu).

## **Selling Pet Foods and Pet Treats at the Farmers' Market**

Though Kentucky's Food Safety Branch does not regulate dog biscuits and other specialty pet foods, the Kentucky Commercial Feed Law requires that all commercial animal feeds be labeled for distribution. This program is administered by the Division of Regulatory Services in the College of Agriculture at the University of Kentucky.



Consequently, individuals who wish to manufacture dog biscuits and other specialty pet treats are required to register with the Division of Regulatory Services as well as meet specific labeling requirements of the law.

For more information regarding the manufacture of pet treats, contact the University of Kentucky, Division of Regulatory Services at 859-257-6528. You may also reach out to Alan Harrison at 859-257-5887 or by email at [alan.harrison@uky.edu](mailto:alan.harrison@uky.edu). Additional information may be obtained by visiting their web page at [www.rs.uky.edu/regulatory/feed/petlabeling.php](http://www.rs.uky.edu/regulatory/feed/petlabeling.php).



Pet treats such as dog biscuits should be clearly labeled for pets. Many specialty dog biscuits look good enough to eat, particularly to a small child.

## Soaps, Balms, and Cosmetics Sales at Farmers' Markets

### Soaps

Kentucky law exempts the manufacture of soaps from regulations provided that the label does not make any medical claims. A few examples of claims might be:

- treats acne
- prevents psoriasis
- eliminates rashes



Soaps that DO make a medical claim would fall under FDA jurisdiction and must be manufactured as a drug according to federal regulation.

To be considered soap, it must meet three conditions:

- Be composed mainly of the “alkali salts of fatty acids,” that is, the material you get when you combine fats or oils with an alkali, such as lye;
- Alkali salts of fatty acids must be the only material that results in the products cleaning agent. If the product contains synthetic detergents, it is a cosmetic, not a soap; and,
- It must be labeled and marketed only as a soap.

### Bath Bombs, Lip Balms, Lotions, Scrubs and Cosmetics

The Kentucky Food, Drug and Cosmetic Act defines “cosmetics” as articles intended to be rubbed, poured, sprinkled, sprayed on, introduced into, or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance.

Bath bombs, lip balms, lotions, sugar/salt scrubs and any other products applied to the body (cosmetics) may only be manufactured by a permitted facility. Cosmetic labels cannot make any claims that the product is used to cure, treat, or prevent disease, or to affect the structure or function of the body. Examples listed above under soaps.

Cosmetic manufactures are permitted by the Kentucky Food Safety Branch and are subject to the same Rules and Regulations as any other food manufacturer. This includes having a commercial grade kitchen and a label review by the Food Safety Branch. The Food Safety Branch can be reached at 502-564-7181 for further information.

## **Alcohol Sales and Sampling at Farmers' Markets**

Kentucky licensed small farm wineries, microbreweries and distilleries may participate in fairs, festivals, and other similar types of events under KRS 243.155(2)(e), KRS 243.157(3)(b)(2), KRS 243.157(3)(c)(2) and KRS 243.0305(9). The Kentucky Office of Alcoholic Beverage Control (ABC) recognizes registered farmers' markets within the definition of fairs, festivals, and other similar types of events.

A small farm winery license shall authorize the licensee to sell by the drink or by the package, at fairs, festivals, and other similar types of events, wine produced by it or by another licensed small farm winery, at retail to consumers if all sales occur in a wet territory, without having to obtain separate licenses.

A microbrewery license shall authorize the licensee to sell unlimited amounts of malt beverage by the drink and not more than one case of packaged malt beverages produced on the premises of the microbrewery to consumers at fairs, festivals, and other similar types of events located in a wet territory as long as they meet the licensing and distribution requirements.

A distiller may sell alcoholic beverages by the drink, containing spirits distilled or bottled on the premises of the distillery, to consumers at fairs, festivals, and other similar types of events located in a wet territory.

Contact your local ABC office to verify adherence to all local laws:

Department of Alcoholic Beverage Control  
500 Mero Street 2NE33  
Frankfort, Kentucky 40601  
Office Phone: 502-564-4850  
For additional information, please visit: [www.abc.ky.gov](http://www.abc.ky.gov)

### Hints for a Successful Alcohol Display at the Farmers' Markets

Putting together a successful display of wines, beer or spirits at an outdoor farmers' market has its challenges. Weather conditions may require you to take a second look at each aspect of your booth. Start by reviewing the chapter on safety elsewhere in this manual to determine if your proposed set-up incorporates safe practices. Then read through the tips below to make your display dazzling.

- Protect your beverages from direct sunshine and heat. Bottles exposed to temperatures over 80 degrees may result in permanent damage to the product in a very short time.

- Ensure your staff is knowledgeable about wine, beer and/or spirits in general and your product in particular.
- What sets your product apart from the thousands of bottles in retail stores is the story of your brand that you have the opportunity to relay directly to consumers. Make each customer's experience unique and personal.
- Booths should be attractive but not cluttered. The product should be the focal point of the booth. Banners are a great tool, especially banners that help tell your story.
- Brand recognition is important for future sales. An attractive and recognizable logo on bottles, banners, signs, etc. at your booth will likely be remembered by customers when later making a selection from a store shelf.





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**KENTUCKY**  
DEPARTMENT OF  
**AGRICULTURE**

Jonathan Shell, Commissioner