

# Farmers' Markets



## Background:

Farmers' markets abound throughout Connecticut. Many markets are certified by the Connecticut Department of Agriculture and receive promotional advertising and other administrative support. Farmers' Market rules and regulations are determined by the entity or town that sponsors the market. Many if not all require that the produce be Connecticut-grown. Sampling is allowed in farmers' markets but you must follow general rules of hygiene and your local health department's guidance. If you plan to sell jams, jellies or acidified foods such as pickles please see our fact sheet titled "[Processing Acidified Foods in the Farm Kitchen](#)" which provides more detailed guidance on these types of processed foods. Connecticut law does not allow for the sale of baked goods from the farm kitchen. If you would like to sell baked goods at a farmers' market, you will need to consult with your local health department to find a commercial kitchen and work with the Department of Consumer Protection to obtain a bakery license.

## Key Points:

- Preview and understand the market rules before agreeing to participate in a market.
- If you plan to offer samples, consult the Department of Public Health's brochure on food safety at Farmers' Markets. This document is available on the Connecticut Department of Agriculture's website under the Publications tab and then under [Farmers' Market Resource Guide](#). Pay special attention to safe preparation, storage, handling and display. Because some local health departments may require adherence to temporary food service operation regulations when offering samples, we recommend that you check with your local health department.
- Selling prepared foods or ready to eat foods at farmers' markets requires that farmers follow local health department, Department of Public Health and Department of Consumer Protection regulations and codes.
- Connecticut law allows farmers to obtain portable health department permits for multiple markets. For instance, if you have approval and a local health department permit to sell single-portion, ready-to-eat pickles, you are allowed to use this permit at other markets in other towns. You must notify the other municipalities at least fourteen days before you begin selling in their town.
- Depending on the type of product that you will be selling, there are explicit storage guidelines for each product. For instance, eggs for sale at markets must be kept in a cooler or refrigerator at or below 45 degrees. Please consult the Department of Agriculture's website for product specific recommendations. Their fact sheet entitled "Food Safety Guidelines for Farmer's Markets" as well as other documents found within the [Farmers' Market Reference Guide](#) provide more information.

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- The sale of locally produced Connecticut wine is now permitted at farmers' markets through application with the Liquor Control Division of the Department of Consumer Protection.
- Applicants must have an active manufacturing permit and are allowed to sell at up to three farmers' markets per year.

### **Statute:**

#### Public Act No. 06-52 - **AN ACT CONCERNING FARMER'S MARKETS.**

Section 1. (NEW) *(Effective from passage)* (a) For purposes of this section:

- (1) "Farmers' market" means a cooperative or nonprofit enterprise or association that consistently occupies a given site throughout the season, which operates principally as a common marketplace for a group of farmers, at least two of whom are selling Connecticut-grown fresh produce, to sell Connecticut-grown farm products directly to consumers, and where the farm products sold are produced by the participating farmers with the sole intent and purpose of generating a portion of household income;
  - (2) "Fresh produce" means fruits and vegetables that have not been processed in any manner;
  - (3) "Certified farmers' market" means a farmers' market that is authorized by the commissioner to operate;
  - (4) "Farmer's kiosk" means a structure or area located within a certified farmers' market used by a farm business to conduct sales of Connecticut-grown farm products;
  - (5) "Connecticut-grown" means produce and other farm products that have a traceable point of origin within Connecticut;
  - (6) "Farm" has the meaning ascribed to it in subsection (q) of section 1-1 of the general statutes;
  - (7) "Farm products" means any fresh fruits, vegetables, mushrooms, nuts, shell eggs, honey or other bee products, maple syrup or maple sugar, flowers, nursery stock and other horticultural commodities, livestock food products, including meat, milk, cheese and other dairy products, food products of "aquaculture", as defined in subsection (q) of section 1-1 of the general statutes, including fish, oysters, clams, mussels and other molluscan shellfish taken from the waters of the state or tidal wetlands, products from any tree, vine or plant and their flowers, or any of the products listed in this subdivision that have been processed by the participating farmer, including, but not limited to, baked goods made with farm products.
- (b) A farmer's kiosk at a certified farmers' market shall be considered an extension of the farmer's business and regulations of Connecticut state agencies relating to the sale of farm products on a farm shall govern the sale of farm products at a farmer's kiosk.
- (c) A farmer offering farm products for sale at a certified farmers' market shall obtain and maintain any license required to sell such products.

(d) Section 22-6g of the general statutes, as amended by this act, or this section shall not supersede the provisions of any state or local health and safety laws, regulations or ordinances.

In addition, the Department of Public Health produces a brochure on [Food Safety at Farmer's Markets](#) that we strongly recommend.

**FAQs:**

**Q: Other farmers are selling produce that can't possibly be Connecticut grown like pineapples? Who should I report this to?**

**A:** Each market has their own policy and guidelines on what farmers are allowed to sell. First check that market's policy on non-Connecticut grown products and then discuss this issue with the market master.

**Q: The local health department conducted an unannounced inspection at a recent farmers' market. They told me unless I obtained a temporary food service permit that I could no longer sell hot-dogs at the market. What can I do?**

**A:** Farmers who would like to sell ready-to-eat or prepared foods at farmers' markets should be prepared to invest a significant amount of training and time. We recommend that you take a safe food handling course to understand basic principles of food hygiene. You will also need to work closely with your local health department to follow their regulations on preparing, storing and handling ready to eat foods. Meeting with your local health department to discuss your idea is the best way to ensure that you are following all rules and safety guidelines.

**Q: At last week's market, I just cut up a bunch of apples as samples for customers and left them on the cutting board. Now the local health department inspector is asking if I washed my hands and how I am keeping the knife clean. Can they really dictate how I offer samples to customers?**

**A:** Once you modify a fruit or vegetable from its original state by cutting, drying, pickling or packaging, you will need to follow good food hygiene rules and health department code. There are many simple adjustments that you can make to easily follow health department regulations if you are providing samples. We recommend that you meet with your local health department before offering samples to seek their advice. Their rules and regulations are developed to prevent food-borne illness and to keep your customers healthy.

**Notes:**