

APPENDIX E

OLD TOWN FARMERS' MARKET FOOD SAFETY GUIDANCE

A. General Administrative Requirements

1. All food vendors shall file an annual Food Vendor Registration Statement with the Alexandria Health Department listing all the food products that they will sell (See Appendix D).
2. The Alexandria Health Department will review each Food Vendor Registration Statement to ensure that the foods come from safe, approved sources.
3. The Alexandria Health Department will provide each approved food vendor with a letter describing the foods that they have been approved to sell and the food safety practices they must follow in order to ensure food safety.
4. Food vendors shall display their approval letter from the Alexandria Health Department at the point of food sale.
5. Food vendors may not sell food products that have not been approved by the Alexandria Health Department or which are not listed on their registration statement.
6. Food vendors must follow the food safety practices outlined in their approval letter from the Alexandria Health Department.
7. If inspection by the Alexandria Health Department, Virginia Department of Agriculture and Consumer Services, or the Market Manager identifies a food product posing a potential health risk to the public, the vendor shall immediately remove that product from sale to the public.
8. If a food vendor repeatedly fails to follow the food safety practices required by the Alexandria Health Department, the Health Department may recommend that the vendor's participation at the Market be terminated.

B. General Food Safety Requirements

1. All food products shall be in good condition, free from filth, and honestly presented.
2. All food shall be stored and displayed up off the ground.
3. All food products except whole, uncut fruits and vegetables, shall be protected from contamination from the public and the environment during transport, storage and display.
4. Prepared food products, with the exception of baked goods sold individually (donuts, scones, etc), must be packaged or wrapped so as to prevent their contamination.

C. Labeling of Food Products

1. All packaged food products shall be labeled with the following information:
 - a. The common name of the food,
 - b. A list of ingredients in descending order of predominance by weight,
 - c. An accurate declaration of the quantity of the contents,
 - d. The name and business address of the manufacturer, packer, or distributor, and

- e. If needed, a consumer warning that the product contains ingredients derived from a major food allergen (wheat, soy, milk, eggs, peanuts, tree nuts, fish, or shellfish).
2. It is highly recommended that the label also include the phone number and/or web site address of the manufacturer, packer, or distributor.
3. Prepared food products such as bakery products that are dispensed at the time of sale may disclose the information in subsection 1. above either by posting this information on a sign or placard at the point of sale or by affixing a sticker with this information to the bag or other container into which the food product is dispensed.
4. For food products produced in an unregulated home kitchen, see Section L. These products must be labeled with the statement:

NOT FOR RESALE
PROCESSED AND PREPARED WITHOUT STATE INSPECTION

D. Refrigeration of Food Products

1. In warm weather (>70°F), using solely ice, ice sheets, cold packs, or cold bricks (blue blocks) is often inadequate to hold food products below 41°F (45°F for eggs) for very long. To assure safe food temperatures, the Health Department strongly recommends that all foods requiring temperature control for safety either:
 - a. Be brought to the Market frozen and then be maintained cold using cold packs, cold bricks, ice sheets, or dry ice, or
 - b. Be brought to the Market and be displayed at the Market under mechanical refrigeration.
2. Vendors who are cold holding food products shall have a food thermometer to measure and monitor the temperature of their food products. The Health Department, upon request, will provide any food vendor with a free food thermometer.
3. It is strongly recommended that a cold chain temperature record be maintained on products requiring temperature control. The record may be a simple written log or a digital file recorded with an electronic temperature data logger. The cold chain record should include the product temperature and the date and time of each temperature measurement. Temperatures should be taken at the time of receipt of the product from the supplier, every twelve hours while the product is in transit, at the time the product is put on display for sale at the farmers' market, and every ninety minutes during the farmers' market.
4. Products requiring temperature control for safety shall not be sold if they are at a temperature above 41°F (45°F for eggs).
5. When packaged products are held on ice, the ice shall be drained so as to prevent water from infiltrating the product or product packaging.
6. Unpackaged food may not be stored in direct contact with undrained ice except that:
 - a. Raw poultry and raw fish that are received immersed in ice in shipping containers may remain in that condition while in storage awaiting preparation, display or sale, and

- b. Whole raw fruits and vegetables; cut raw vegetables such as celery or carrot sticks or cut potatoes; and tofu may be immersed in ice or water.
- 7. Water from draining ice shall be properly disposed of so as to prevent the creation of a wet area or puddle in the Market area.

E. Uncut Fresh Fruits, Uncut Fresh Vegetables (except sprouts), Fresh Edible Herbs, Grains, Edible Seeds, and Nuts

- 1. Mushrooms must be from a source approved by the Virginia Department of Agriculture and Consumer Services or their counterpart agency in another state
- 2. Grains and seeds shall be
 - a. Clean and free of debris
 - b. Labeled with their common name
- 3. Packaged fruits, vegetables, herbs, grains, seeds and nuts shall indicate the common name of the product and the product weight or volume.

F. Fruits and Vegetables Requiring Temperature Control for Safety

- 1. The following unprocessed fruits and vegetables require temperature control for safety and must be at a temperature of 41°F or below as described in Section D. above:
 - a. Sprouts
 - b. Cut leafy greens
 - c. Cut melons
 - d. Cut tomatoes

G. Eggs

- 1. Source:
 - a. Eggs must be from an approved source.
- 2. Condition:
 - a. Eggs must be clean and washed.
 - b. Eggs must be free of checks and cracks within the tolerances allowed for their grade.
 - c. Ungraded eggs may not exceed the restricted egg tolerances for U.S. Consumer Grade B. In general, no more than 1% of these eggs can be dirty or leaking and no more than 10% may have checks.
- 3. Temperature:
 - a. Eggs must be held at temperatures of 45°F or below as described in Section D. above.
- 4. Grading:
 - a. Graded eggs must display the proper egg grade on their packaging.
 - b. Ungraded washed (nest run) eggs are permitted from exempt small egg producers (no more than 150 dozen eggs per week in Virginia).
- 5. Packaging:
 - a. Eggs must be in clean cartons or containers.
 - b. If eggs are sold in recycled egg cartons, the labeling showing the name of the original producer, egg grade, and egg size must be blacked out or otherwise covered.

6. Labeling:
 - a. All egg cartons must be labeled with the name and address of the egg producer.
 - b. Labels may include the egg size only if the eggs have been graded and sized.
 - c. Ungraded eggs must be labeled as "Ungraded Eggs" and may not use the word "fresh" on their label.
 - d. All egg cartons must be labeled with the following food safety advisory:

SAFE HANDLING INSTRUCTIONS

To prevent illness from bacteria: Keep eggs refrigerated, cook eggs until yolks are firm, and cook foods containing eggs thoroughly.

H. Dairy Products

1. Raw or unpasteurized dairy products are prohibited including:
 - a. Raw or unpasteurized fluid milk or milk products
 - b. Raw milk yogurt
 - c. Raw milk cheeses except those permitted under 21CFR 133
2. Fluid milk, milk products or yogurt produced in an approved milk pasteurization plant may be sold if:
 - a. They are made from pasteurized milk,
 - b. They are held at 41°F or below as specified in Section D. above, and
 - c. They are sold in their original packaging.
3. Cheeses made in an approved food processing plant may be sold if:
 - a. They are made from pasteurized milk or are approved raw milk cheeses as specified in 21 CFR 133, and
 - b. They are kept at 41°F or below as specified in Section D. above (unless they are cheeses listed by FDA as not needing temperature control for safety).

I. Meat, Poultry and Game Animals

1. Source:
 - a. Meat, poultry and game animal shall come from an approved source where they have been inspected, processed and/or packaged according to law. The Virginia Department of Agriculture and Consumer Service will be the agency that determines if a source is approved.
2. Condition: The product must be in good condition and free of filth.
3. Cutting or Butchering: Meat, poultry and game animals shall not be cut, butchered, ground, or otherwise prepared at the Market.
4. Temperature:
 - a. Meat, poultry and game meat must be kept at 41°F or below until the time of sale as described in Section D. above.
 - b. Meats (such as pepperoni, jerky, cured sausages, etc.) not requiring temperature control for food safety shall be handled as required in Section L. below.
5. Labeling: The customer shall be informed through point-of-purchase signage or product labeling of:
 - a. The type of meat, poultry, or game animal, and

- b. The name and business address of the manufacturer, packer, or distributor.

J. Fish

Fish includes freshwater and saltwater finfish, molluscan shellfish (oysters, clams, scallops, and mussels), crustaceans (shrimp, lobsters, crayfish, and prawns), and other forms of aquatic life (frogs, alligator, sea urchin, etc.).

1. Source: Fish must come from an approved supplier as determined by the Health Department.
2. Condition: Fish must be in good condition and free of filth.
3. Temperature: Fish must be kept at 41°F or below until the time of sale as specified in Section D. above.
4. Cutting or Filleting: Fish shall not be eviscerated, cut, filleted, or otherwise prepared at the Market.
5. Labeling: The customer shall be informed through point-of-purchase signage or product labeling of:
 - a. The type of fish, and
 - b. The name and business address of the manufacturer, packer, or distributor.
6. Shellfish Packaging and Identification:
 - a. Shellfish shall be tagged or labeled as required by §3-202.18 of the FDA Food Code.
 - b. Raw shucked shellfish shall be packaged and labeled as required by §3-202.17 of the FDA Food Code.
 - c. Shellfish tags or labels must remain attached to the container in which the shellstock is received until the container is empty.
 - d. Shellfish tags or labels must be retained for 90 days after the last of a container is sold as required by §3-203.12 of the FDA Food Code.

K. Prepared Foods Requiring Temperature Control for Safety

1. Source: Prepared food products requiring temperature control for safety shall be prepared in an approved food processing plant.

NOTE: Garlic in oil mixtures require temperature control for food safety.

2. Condition: The food product must be in good condition and free of filth.
3. Temperature control: Food products requiring temperature control for safety must be kept at 41°F or below until the time of sale as specified in Section D. above.
4. Fruit or vegetable juice (and fruit or vegetable liquids, purees, or concentrates to be used as beverages or beverage ingredients) prepared and packaged in a permitted food establishment may be sold if:
 - a. The product is labeled with its common name, its ingredients, and the name and address of the manufacturer who produced it,
 - b. The product, if it is unpasteurized, is labeled:

WARNING: This product has not been pasteurized and, therefore, may contain harmful bacteria that can cause serious illness in children, the elderly, and persons with weakened immune systems.

L. Prepared Foods NOT Requiring Temperature Control for Safety

1. Home-prepared foods exempt from state inspection
 - a. Under §3.2-5130 of the Code of Virginia, some prepared food products that do not require temperature control for safety may be produced in uninspected home kitchens located in Virginia.
 - b. These prepared food products may only be sold from the home or in farmers' markets by the producer. These products may not be resold or sold at wholesale.
 - c. These products must be labeled as required in Section C. above.
 - d. Food products produced in an unregulated home kitchen must also be labeled with the statement:

NOT FOR RESALE
PROCESSED AND PREPARED WITHOUT STATE INSPECTION

- e. The following products currently (7/1/13) qualify for this home kitchen exemption from state inspection:
 - 1) Jams and jellies not considered to be low-acid or acidified low-acid food products
 - 2) Candies not considered to be low-acid or acidified low-acid food products
 - 3) Dried fruits
 - 4) Dry herbs
 - 5) Dry seasonings
 - 6) Dry mixtures
 - 7) Coated and uncoated nuts
 - 8) Vinegars and flavored vinegars
 - 9) Popcorn
 - 10) Popcorn balls
 - 11) Cotton candy
 - 12) Dried pasta
 - 13) Dry baking mixes
 - 14) Roasted coffee
 - 15) Dried tea
 - 16) Cereals
 - 17) Trail mixes
 - 18) Granola
 - 19) Pickles or other acidified vegetables that have an equilibrium pH value of 4.6 or lower
 - 20) Baked goods not requiring temperature control after preparation

NOTE: The following baked goods require temperature control for safety and can not be produced in a home kitchen exempt from state inspection:

- ◆ Cream pies
- ◆ Meat pies
- ◆ Meringue pies
- ◆ Cakes with cream cheese frosting
- ◆ Cream-filled donuts or éclairs
- ◆ Cheesecake
- ◆ Some baked goods containing cream, milk, cheese, or eggs

2. All other prepared food products not requiring temperature control for safety
 - a. All other prepared food products not requiring temperature control for safety must be produced in an approved food processing plant inspected by the Virginia Department of Agriculture and Consumer Services or their counterpart in another state.
 - b. These products must be labeled as required in Section C. above.

M. Foods Prepared for On-Premises Consumption

1. Foods for immediate on-premises consumption shall be prepared, held and served by:
 - a. A mobile food unit (food cart or food truck) permitted by the Alexandria Health Department,
 - b. A restaurant permitted as a restaurant/caterer by the Virginia Department of Health, or
 - c. A caterer permitted by the Virginia Department of Health.
2. Exempt from subsection 1. above are:
 - a. Persons preparing hot beverages as described in Section N. below,
 - b. Persons preparing product samples as described in Section O. below, and
 - c. Persons preparing and serving food under a temporary food vendor permit issued by the Alexandria Health Department.

N. Hot Beverages Prepared or Served On-Premises

1. Hot coffee, hot tea or hot water dispensed from an electric urn or pot may be sold if:
 - 1) The water to make the hot coffee, tea or water comes from Alexandria's public water supply,
 - 2) The beverage or water is heated to at least 165°F,
 - 3) The coffee, tea or hot water is dispensed in single service cups,
 - 4) The cups and any lids, spoons or stirrers are protected from environmental contamination, and
 - 5) Sweeteners, creamers, or dry powder mixes (like hot chocolate) provided with the coffee, tea or water must be in single serving packages that do not require refrigeration.
 - 6) Any sweeteners, creamers, or dry powder mixes shall be added to the beverage by the patron rather than server
2. Hot apple cider dispensed from an electric urn or pot may be sold if:
 - 1) The cider used is pasteurized,

- 2) A clean spoon is used to mix in any spices,
- 3) The cider is heated to at least 165°F,
- 4) The cider is dispensed in single service cups, and
- 5) The cups and any lids are protected from environmental contamination.

O. Food Samples Prepared or Served On-Premises

1. Small samples of food may be prepared and served by food vendors at the Market without a permit as required in subsections M.1. or M.2.c. above provided that food handling and preparation are minimal and are done following the below guidelines.

Examples of this sort of activity are:

- ◆ Cutting up small sample-sized pieces of fruits, vegetables, cheese, or bakery products,
- ◆ Placing crackers, chips or small pieces of bakery products on a plate for the public to sample,
- ◆ Filling squeeze bottles with non-potentially hazardous dips, sauces, jams, jellies or apple butter so that the public can dispense the product onto a cracker, chip, or bakery product,
- ◆ Portioning small samples of relishes, pickles, nuts and similar products into disposable containers.

2. Prevention of Contamination by Hands:
 - a. Each person preparing food samples will use hand sanitizer before starting food preparation, and
 - b. Each person preparing food samples will wear disposable foodservice gloves while preparing the food.
3. Sample preparation:
 - a. Samples requiring cutting will be prepared using a clean cutting board and a clean knife,
 - b. Samples requiring dispensing or portioning will be dispensed using a clean disposable utensil,
 - c. Spare clean cutting boards, knives, and utensils will be available for use should the first ones become dirty.
4. Sample presentation to the public:
 - a. Cut samples will be displayed on a clean disposable plate under some type of lid or cover to prevent environmental contamination and access by flies,
 - b. Cut samples will presented to the public with toothpicks, in disposable cups (with a small disposable spoon, if desired), or with some other method that allows a patron to pick up one sample without touching the other samples,
 - c. Samples of dips, sauces, jams or jellies may be offered in squeeze bottles for the public to put on crackers or fruit or vegetable slices
5. Temperature control:
 - a. No samples of products requiring temperature control for safety will be left unrefrigerated for more than four hours, and
 - b. Samples of products requiring temperature control for safety remaining after four hours will be discarded.

6. Equipment cleanliness:
 - a. Reusable knives, cutting boards, utensils and squeeze bottles shall be washed, rinsed and sanitized before each day's use.
 - b. Knives, utensils, squeeze bottles, and cutting boards used to cut or dispense products requiring temperature control for safety shall be either:
 - 1) Washed, rinsed, and sanitized every four hours, or
 - 2) Replaced with clean spare knives, cutting boards, utensils or squeeze bottles
 - c. It is strongly recommended that vendors carry spare cutting boards, knives, and utensils so that if one is accidentally dropped on the ground, there is not a need to immediately wash, rinse, and sanitize it.
7. Samples requiring hot holding, heating or cooking may only be prepared by vendors meeting the criteria in Section M.

P. Unwrapped Bakery Products

1. Bakery products that are not individually wrapped must be kept covered with netting, plastic or other means to prevent their contamination by flies.
2. Bakery products that are not individually wrapped shall be dispensed using a clean utensil (tongs, spatula) or deli paper.
3. Dispensing utensils for bakery products shall be used and cleaned in the same manner as the utensils described in Section O. above.

Q. Hand Washing Facilities

1. The Market shall maintain a convenient sink for vendors preparing food samples to wash their hands. The Alexandria Health Department has provided a portable sink for this use.
2. The sink shall be provided with warm running water, soap, and paper towels.

R. Toilet Facilities

1. State regulation requires portable toilets at temporary events in a number equal to one toilet per one hundred people if sufficient permanent toilet facilities are unavailable.
2. Toilet facilities must be available for vendors and the public during the farmers' market.

S. Issues Not Addressed by this Guidance Document

When questions arise which are not addressed by this document, the current version of the FDA Food Code and the Food and Food Handling Code of the City of Alexandria shall guide the Health Department in its decision making.

NOTE: The Market is under no obligation to allow a particular type of food product to be sold just because it can be approved for sale by the Alexandria Health Department. For example, many farmers' markets prohibit the sale of fresh fish and seafood (because of odors), products packed in ice (because of puddles of melt water that create a nuisance), and/or some commercially manufactured food products (because they would likely be available in a supermarket).