

2022 Value-Added Food Addendum Rules

As additional consideration for the right to participate in the Owen County Farmers Market (hereinafter "Market"), the value-added food vendor(s) (hereinafter "Vendor") agree to the following Value-Added Foods Addendum which is incorporated by reference and made between Vendor and Market.

- I) "Value-added Foods" means food products that contain at least 50% Vendor-grown/raised product and are processed or prepared from the original condition.
- II) "Value-Added Food Vendor" (VAV) means an individual who has made a non-potentially hazardous food product in their primary residence; is selling the food product they made, only at a roadside stand or at a farmers' market; and complies with Indiana Code (IC) 16-42-5-29. See Table 1 for examples.
- III) Vendor must have grown/raised all animals from which meat/dairy products are obtained. Products from animals administered growth hormones, such as rBGH, may not be sold at the Market.
- IV) A signed Value-added Foods Addendum allows the Vendor to sell value-added foods at the Market as long as the following requirements are met:
 - a) Product meets the terms outlined in the contract.
 - b) Value-added Products are prepared in accordance with HEA 1309 which is available upon request.
 - c) Vendor must obtain and display all other permits required by state and local law, **including health permits and any other applicable permits, while selling at Market.**
 - d) Certificate of Liability Insurance listing the "Owen Co Farmers Market" as an additional insured is recommended, but not required. Note: per Terms of Agreement, Owen County Farmers Market does not cover any liability claims made against individual vendors.
 - e) **If Vendor intends to prepare food at market, the following additional requirements must be met:**
 - i) Vendor must obtain prior approval from the Owen County Farmers Market for the type of activity and preparation.
 - ii) Vendor must use procedures and safeguards appropriate to the nature of the preparation (i.e., adequate measures to protect persons from any heat sources); and
 - iii) Vendor must obtain approval of Vendor's set up from the Market Master each Market day before commencing preparation activities.
 - f) **If Vendor intends to sell dairy products, the following additional requirements must be met:**
 - i) Vendor must have grown, bred or raised all animals from which dairy products are sold at the Market;
 - ii) All animals must have been in the Vendor's immediate custody, care and control for at least twelve (12) months;
 - iii) Vendor must process his/her own milk and milk products;
 - iv) All dairy product sold at Market under this Value-added Foods Addendum must have been maintained continuously at a temperature of 41 degrees Fahrenheit or less from the time it is obtained from the animal through the time it is sold at Market; and
 - v) Vendor must obtain and provide the City with a current copy of the Indiana State Board of Animal health Dairy Division permit to operate as a manufactured grade milk and/or milk processor.
 - vi) Raw milk, cheese, yogurt and other dairy products **are prohibited** by the Grade A Pasteurized Milk and Milk Products Act.
 - vii) For the sale of ice cream see h(xi).
 - g) **If Vendor intends to sell frozen or preserved beef, pork, elk, rabbit, goat, poultry, lamb or other meats at the Market, the following requirements must be met:**
 - i) Vendor must have grown, bred or raised all animals from which meat is sold at the Market;
 - ii) All animals must have been in the Vendor's immediate custody, care and control for at least fifty

percent (50%) of the live weight or for twelve months at slaughter;

- iii) Only product that has been prepared in a licensed state-inspected facility may be sold at the Market. Preparation includes slaughter, packaging, labeling and freezing/preserving. The product must have a “safe food handling” label on the package and be sold in the unaltered package it was placed in at the processing facility. Processing plant receipts may be requested for verification of producer ship;
- iv) Vendor must maintain the product continuously in frozen/preserved condition from the time it leaves the processing facility until it is sold at the Market.
- v) In consideration of my participation in the Owen County Farmers’ Market and the opportunity to sell certain merchandise at the lot owned by Babbs Supermarket, the American Legion, the VFW, or the Owen County courthouse in Spencer, Indiana, I hereby release the Owen County Farmers’ Market, Babbs Supermarket, Rob Babbs, the American Legion, the VFW, Owen County, Commissioners of Owen County, IN, and all of their agents, officers, representatives, successors and assigns, from any present and future claims, including negligence, for property damage, personal injury or death arising from my participation in the Farmers’ Market. I hereby knowingly and voluntarily waive any right of cause of action, of any kind whatsoever, arising as a result of any such activity from which any liability may accrue.
- vi) Home butchered
 - (1) Home butchered poultry (poultry defined as: chickens, turkeys, ducks, geese, ratitae, and squabs) is accepted under the Indiana State Board of Health regulation if under 1000 birds are processed
 - (2) Home butchered rabbits are accepted under the Indiana State Board of Health regulation.
 - (3) Vendor must include labeling stating “**Home Butchered**” with State labeling requirements. (see “Labeling” below.)
 - (4) Products must be sold in frozen condition from the time it leaves the processing facility until it is sold at the market, fresh or thawed products are prohibited.
 - (5) Home butchered meats and wild game, other than poultry and rabbits, are prohibited at the market.

h) The following foods are allowed at the Market with certain restrictions:

- i) Mushrooms: Commercially raised mushrooms, including the common button mushroom, portabellas, shitake, enoki, Bavarian and others must have documentation showing their source. Wild mushrooms, such as the morel or sponge mushroom, must be individually inspected and found to be safe by a certified mushroom identification expert, per 410 IAC 7-24-164.
- ii) Honey: No other sweetener may be added to the honey, otherwise, it cannot be called honey. Must meet state labeling requirements and must have the following warning: “**Infants up to one year of age should not be fed raw honey.**”
- iii) Maple syrup: No other sweetener may be added to the maple syrup otherwise it cannot be called maple syrup. Must meet state labeling requirements.
- iv) Apple cider: Packaged or in a container, must be pasteurized or show a warning statement on the label stating the cider is unpasteurized.
- v) Baked goods: Non-potentially hazardous baked goods such as cookies, cakes or fruit pies may be prepared. State labeling requirements must be met. Baked goods requiring refrigeration such as cheese cake or cream pies are not allowed.
- vi) Home prepared pickles, salsas, jams and jellies: State labeling requirements must be met. Jams cannot contain meat.
- vii) Herb vinegars: Will be allowed, provided commercial vinegar, which has a controlled pH is used and state labeling requirements are followed.
- viii) Flavored oils: No garlic in oil may be sold. Other flavored oils have not been epidemiologically implicated in food borne illness outbreaks. Therefore, they do not require acidification and are not considered potentially hazardous. State labeling requirements must be followed.

- ix) Candies, fudge, and caramel apples: Candies, fudge, caramel apples, and other confectioneries frequently have inhibitory high sugar content and growth of pathogens is unlikely. State labeling requirements must be followed.
 - x) Home prepared sandwiches: Must follow all rules of the Market and HEA 1309.
 - xi) Ice Cream will be allowed. Must be stored at the appropriate temperature. State labeling requirements must be followed.
 - xii) Other food: Products must be individually assessed.
- i) The following foods are prohibited at the Market:**
- i) Home canned foods: Except those outlined in Section g. All low acid canned foods in hermetically sealed containers have a risk from surviving Clostridium Botulinum, therefore, home canned foods such as green beans may not be sold to the public.
 - ii) Home vacuum package products of any type.

Table 1. Examples of Foods that May Be and May Not Be Sold by HBVs

Food Type	Foods that May Be Sold	Foods that May Not be Sold
Baked Goods	Cookies, cakes, fruit pies, cupcakes, bars, yeast breads, fruit breads, baguettes	Foods that contain meat, poultry, aquatic animals, non-baked dairy (cheese, butter, yogurt), non-baked egg whites or whole eggs Foods that require refrigeration such as cheese cake or cream pies
Candies and Confections	Caramels, chocolate, fudge, peanut brittle, chocolate covered fruits, bon bons, buckeyes, chocolate covered nuts	
Fruit and Vegetables	Unprocessed, whole and uncut items such as cherries, blackberries, cranberries, grapefruit, strawberries, oranges, blueberries, plums, tomatoes, corn, lettuce, green beans, peppers, etc. Fruit-based jams and jellies (made from strawberries, blueberries, grapes, raspberries, blackberries, etc.) Fermented pickles that do not require acidification and do not require refrigeration.	Canned products that are shelf-stable an in hermetically sealed containers such as salsas, chutney, chow-chow, and canned vegetables. Pickled vegetables (beets, pickles) that are shelf-stable Cut tomatoes, melons, and greens Fruit-based jams that contain meat, such as bacon Garlic in oil mixtures, herb and oil mixtures Raw seed sprouts Fruit butters (i.e. pear, pumpkin)
Meat, Poultry, and Seafood	None identified	Canned products that are shelf-stable an in hermetically sealed containers such as canned vegetables, canned meats, and canned seafood.
Tree nuts and legumes	Peanuts, almonds, cashews, walnuts, pistachios, etc.	
Syrups	Honey, molasses, sorghum, maple syrup	

Labeling:

All pre-package foods sold at a farmers’ market that includes more than two ingredients, including both ready-to-eat and processed food must comply with minimum labeling requirements as required by the state. This information must be provided as a label on the package or container, with and/or on the food at the point of sale and available to the consumer. Health claims should be avoided on packaging. Claims such as “heart healthy,” “light or low fat,” or “sugar free” must be substantiated by the nutritional facts on the label. It is acceptable, however, to claim added or left out ingredients, such as including “no sugar added” on the label.

Required information must be at least 10 point type and include:

- i) Common name of the product.
- ii) Name, address and zip code of the packer, processor, manufacturer, etc.
- iii) Net contents (net weight and volume or numerical count).
- iv) Date on which food product was processed
- v) If home butchered include **“Home Butchered”**
- vi) If honey must include warning **“Infants up to one year of age should not be fed raw honey.”**
- vii) List of ingredients in descending order of predominance by **weight including sub-ingredients in parentheses**. Sub-ingredients are items like chocolate chip ingredients, candy pieces, etc.
- viii) The following statement **“This product is home produced and processed and the production area has not been inspected by the State Department of Health”**

NEED TO KNOW STATE REQUIREMENTS

- Overhead Protection (a tent) is needed if preparing food at site.
- Egg vendors **MUST** have state egg license with a copy included with contract and copy on site.
 - New labeling requirements include having your own label which covers the entire top of the carton and/or any other marketer’s labeling (such as reused cartons from grocery store). Information on the label is to include **your name/farm name, address, phone number, date collected, and expiration date**.
 - Cardboard egg cartons cannot be reused.
 - Eggs must be kept in properly regulated temperatures (under 42°) while at market which will be inspected.
 - Only chicken eggs are regulated by the state – to sell other types such as duck or quail eggs, a permit from the local health department is required.
 - **PLEASE BE AWARE** that egg licenses expire mid-market season (June 30) so a renewal of the license will be necessary during the market with new license information documented.
- Vendors with meat products must have proper labeling and meat processed at a state or federal inspected plant if selling at market. Also, meat vendors must keep product frozen, which will be inspected.
- **Water test strongly recommended for all vendors with well water.** The Owen County health department is requiring value-added vendors with well water have one (1) good water test report on file before selling at market. Free water test kits maybe be picked up at the Owen County Board of Health Department located on corner of E Market and S Washington across from the Owen County Courthouse. Test kits must be returned to Dillman Road Water plant in Bloomington. Test kits may also be found at Dillman’s for a small cost. The OC Board of Health director encourages everyone needing this test to submit it as quickly as possible so you have time to complete additional test if your well does not come back with a good report before market. Although the state doesn’t require this, they do require that all food be prepared safely, and obviously contaminated well water is not safe.
- Rules for Add-on Food Vendors including labeling apply to foods such as cookies, jams, jellies, breads, and anything prepared and individually sold.
- Food must not be older than 1 year from the date of selling at the market.
- For more information regarding Indiana State Department of Health regulations for Farmers Market Value-Added Foods vendors go to <https://www.in.gov/isdh/21054.htm> or <https://www.extension.purdue.edu/extmedia/EC/EC-740.pdf>