2025 OHSU FARMERS MARKET VENDOR OPERATIONAL GUIDELINES

***New items are bolded.**

1. Each vendor must have their own credit card machine.
2. Preference, priority, allowable and non-allowable items are outlined in the "Vendor Selection Guidelines" and must be read prior to application.
3. Vendors will be responsible for retrieving, putting down and picking up (at the end of the day) as many 4x4 pieces of plywood as it takes to cover the grassy space where the majority of foot traffic happens within the allotted booth space. This helps to protect the grass. Plywood, gloves and a hand truck will be supplied by farmers market. If vendor is unable to do this for physical reasons, a different arrangement must be set up with market manger prior to start of market. Volunteer help will be offered as it is available but cannot be relied upon**.**
4. Vendors are responsible for keeping their space(s) attractive during the Market and for cleaning up thoroughly after the Market. Before leaving, all litter and product debris in the vendor's booth **including food scraps** must be collected and the ground swept and grass picked clean. Any vendor leaving significant debris in their space more than two times is subject to a $20 fine per incident.
5. Vendors must stay within their allocated space while selling and may not distribute samples or literature outside their stall area unless pre-arranged with market manager.
6. Sandwich signs must be displayed inside your booth, not in the aisle and **not blocking pedestrian traffic.**
7. Booths and/or tables must be provided by the vendor, and must be erected with concern for the safety of the public and other Market Vendors.
8. Each leg of vendor's canopy must be secured at all times with enough weight to keep them anchored to the ground, no matter the weather. Vendors whose canopies blow around due to insufficient weights will pay a **$50 fine.**
9. Vendors must obtain permission from the Market Manager to use electrical cords. The market does not provide electricity for vendors, given limited power to the courtyard. Vendors must cover cords to avoid an accident. If exception is permitted, **a charge of $5 per day for use of electricity will be incurred.**
10. Vendors will pay space fees by 1:30pm of the Market day. Vendor must cancel by phone, email or text (cell only) to Market Manager by *4pm on the Monday before the market to avoid booth charges*. 50% of the stall fee will be charged automatically for cancellations *after* 4pm the Monday before 7am market day. 100% of stall fee will be charged automatically for no shows defined as no call, email or text (cell only) ***by 7am*** on market morning.
11. **Upon approval and vendor acceptance to the market, the vendor will be charged at non-refundable one-time approval fee of $25 through at the first day of attendance at the OHSU Farmers Market in addition to the weekly vendor fees.**
12. **2025 Vendor Fees:**
    a. **10 x 10 Farmer/Rancher/Fisher/Value Added - $35**
    b. **Extra booth space 10 x 10 stall - $25**
    c. **Craft/Service - $25**
    d. **Prepared Foods - $65**
13. **Market offers vendors a one-time per season opt-out of stall fees if they have a day where total sales are less than the vendor fee. This is an honor system request.**
14. **Market offers vendors a one-time 50% reduction in stall fees if they have a day where the total sales are less than the vendor fee. This is an honor system request.**
15. **Any vendor that misses more than 25% of their scheduled dates set when vendor is approved and has accepted approval, will lose their priority for acceptance to the market for the following season and market has the right to terminate approval and acceptance. Reschedules to alternate dates are allowed if approved by the market manager and will not count towards a miss. Reschedules only apply to vendors who are not expected to come to every market (prepared foods, at least 1 anchor produce vendor) or have not agreed to attend all markets.**
16. **Market also has the right to revoke a vendor's acceptance & participation at any point based on missing payments, missing/inadequate licensing or insurance coverage, or violation the OHSU Code of Conduct.**

17. Vendors agree to fill out an anonymous sales data form every week if requested. This is used for research purposes only.
18. Vendors will not have vehicles, tables, product, boxes, signs or any part of their booth outside their space boundaries as marked on the pavement.
19. Vendors may not bring pets to the market, except certified service animals.
20. Selling before the opening bell of the Market is forbidden unless permission is obtained from the Market Manager.
21. No more than 25% of product on display for sale can be from a secondary vendor. Consignment is allowed, however, Farm Direct Bill rules apply. All appropriate business and Oregon Department of Agriculture (ODA) licenses from secondary vendor must be held by primary vendor for potential inspection by Market Manager. Primary vendor assumes insurance risk for secondary vendor products.
22. All scales used for weighing customer goods must be certified by the Oregon Dept. of Agriculture, Measurement Standards. Scales must be licensed annually, and display current certification tags.
23. Fire Department regulations require any vendor with **a canopy covering of 200 sq. ft. or more, to have a 2A10BC fire extinguisher in the booth.** A canopy of 500 – 1000 sq. ft. requires two 2A10BC extinguishers. Each extinguisher must display most recent inspection tags.
24. All vendors selling at the Market are required to provide the Market with proof of liability insurance (to cover products and booth space), minimum of $1,000,000, naming the OHSU Farmers Market as an additional insured.
25. All vendors must comply with the ODA Farmers' Market Guidelines (see the appendix section of this document).
26. Playing of radios or CDs inside the Market is prohibited, unless permission provided by market manager.
27. Vendors may be fined, suspended, or removed from the Market, or have selling privileges revoked for failure to obey or conform to market, federal, state or local regulations.
28. Gifts to paid staff are not allowed.
29. All waste water must be taken away from OHSU. There is not a place for waste water to be dumped. No dumping allowed in the grates of anything other than plain water or ice. Ice can only be dumped under trees in non-grassy areas. Any vendor dumping waste water inappropriately is subject to a $20 fine per incident.

Extra precaution protocols

1. Masks are not required outside, however, you may consider wearing one as we are a medical facility and staff work with patients who may have Covid-19 or another type of communicable disease or may be immunocompromised.
2. Having hand sanitizer is recommended in each booth.
3. There must be signage at each booth to indicate that credit is accepted.
4. All surfaces should be easily cleanable and sanitized regularly throughout the market day.

Rules of Conduct

1. All vendors agree to follow the OHSU Code of Conduct. Vendors shall be honest and conduct themselves at all times in a courteous and business-like manner. Rude, abusive, offensive or other disruptive conduct will not be permitted.
2. To maintain a positive atmosphere, vendors should bring concerns about the Market to the Market Manager, not to customers or other vendors.
3. OHSU is a non-smoking campus. No smoking is permitted.
4. Loud hawking, shouting or barking is not allowed. This is defined as selling one's wares in an aggressive manner, such as calling out to a shopper as they pass by one's stall or standing outside one's stall to attract customers.
5. Vendors are responsible for the actions of their employees.
6. Volunteer duties are directed by Market Manager. Vendors in need of volunteer help on any given day need to check in with the manager first before asking a market volunteer for substantial help (more than 2 minutes).

Sampling, Food Service Ware, and Waste

***New items are bolded.**

1. Samples are allowed. Please have a hand washing station available if you sample and make sure that each item is accessible in a way that does not contaminate other items.
2. Vendors with propane operated equipment in their booths are required to have a suitable fire extinguisher according to the City of Portland Fire & Rescue.
3. The market will provide metal utensils that will be washed by the market each week and distributed at the beginning of each market day.
4. **Vendors serving food/beverages intended to be consumed on-site are required to use reusable, durable, non-breakable plates and bowls for food service. Prior to purchasing durables, vendors are required to submit their proposed dishes to the Market Manager for approval to ensure uniqueness amongst vendors. Dishes must be a unique color, pattern or other identifying criteria.**
5. **Uncoated paper liners are permitted but discouraged to reduce waste.**
6. **Straws are no longer allowed at the market.**
7. **To-Go/disposable containers will be available at the exit of the market. Details about 2025 Durable Dish program will be sent out to vendors with enough time to create a robust program. Regardless of where they are, all disposables must be BPI Certified Compostable and meet ASTM D6400 or D6868 conditions for compostability. Application will confirm agreement to these terms.**
8. **Durable Dining audits will occur unannounced each month. Violations will incur a $50/per fine, at Management's discretion. Audits check for the following:**
    a. **Adequate wares for the entire market. If vendors run out of durable wares during market, back-up plates are available for day loan at most for 1 week. Vendor must have proper # of food service wares by the following week.**
    b. **To-go wares are *out of site* from customers if market allows them at vendor booths at all.**
    c. **Proper fire extinguisher is present**
9. **Bulk condiments are allowed this year, so long as they are appropriately protected from a food safety perspective.**
10. Vendors are responsible for removing their own refuse and all unsold products from the market premises. The Market trash cans and dumpster are primarily for public use.
11. All vendors will be given instructions on proper waste sorting at orientation. There will be a $20 fine assessed to any vendor found to be negligent in proper disposal of their waste after the 1st offense.
12. Plastic bags with handles are not allowed at the market per City of Portland law. Vendors can offer paper bags for customers to carry their goods away for a mandatory charge of $.05 as of January 1, 2020. More information about the City's ban on plastic bags can be found at https://www.portlandoregon.gov/bps/56157. Questions may also be directed to Patty VanAntwerp, City of Portland Bureau of Planning and Sustainability; Patty.VanAntwerp@portlandoregon.gov; 503.823.8468.

Signage

1. Signage regarding the use of the word "Organic" must comply with the federal and state statutes regarding the use of this word. Vendors who are not certified cannot use this word in their product descriptions or signage. Organic vendors must post a copy of their certification in their booth and provide OHSU with copies of their organic certification and sign an OHSU affidavit showing sales of under $5,000 if seeking an exemption and exclusion from certification. *(See National Organic Standards: Subpart B, applicability subsection 205.101, Exemptions.)*
2. Each vendor will post a sign which must be a minimum of 11" X 17", with letters at least 3" high, identifying the name and location of the producer represented.
3. All "Second Farm" product must be marked, where on display, with a visible label including original grower's business name and location.
4. All farmers participating in the WIC or FDNP must exhibit signage to let customers know about their participation. If a vendor's products are eligible for one of these programs, they must participate.
5. Signage for all stalls must be professional and contain no inappropriate or rude language.

Vehicles

Loading and Unloading

1. Vehicle unloading will not be permitted before 7:45 am on Tuesdays unless permission for early unloading is granted by OHSU Farmers Market Staff.
2. Vendors must be quiet and considerate of our neighbors (students & staff in surrounding buildings) when arriving in the morning and breaking down in the afternoon. Excessive noise such as yelling, horn honking, loud radios and back-up beepers are subject to a $20 fine.
3. The set-up time is often congested. There are a lot of vehicles that need to be moved in and out of the market in a short period of time. Vendors need to arrive and quickly unload the parts and contents of their booth, move their vehicle to the designated parking area, then return to their booth to set up. Do not set-up as you unload -- this is time consuming and your vehicle may be blocking another vendor's access to their space.
4. Vendors may not drive a vehicle into or out of the Market after 9:45 am.
5. After the market closes, vendors will comply with OHSU FM Staff to orchestrate loading out.
6. Vendors will not disassemble booths before closing time unless special permission has been granted by the Market Manager

Vendor Parking

1. Each vendor is allotted 1 free parking space. Any additional vehicles that arrive to help vendor will need to purchase an additional parking permit for $15 and park in areas designated by OHSU FM staff. Parking violation tickets will be given to vendor vehicles parked without permits. We highly encourage vendors to have just 1 vehicle to park on the OHSU campus.
2. Vendors and their employees will park in the designated parking areas or where directed to park by OHSU FM Staff or OHSU Parking Lot Manger. Parking in other OHSU lots is prohibited. Doing so is grounds for dismissal from the market.
3. If vendors park on the street, vendors are expected to comply with the City parking codes, including but not limited to, the following:
    - Vehicles over 6' tall may not park within 50' of an intersection.
    - Vendors may not line up and block traffic while waiting to get into the market at the end of the day.
4. Vendors are responsible for making sure that their employees or representatives are aware of the rules regarding vendor parking.
5. If shuttling is needed, vendors who volunteer to shuttle will have their booth fee will be waived, up to $35/day and are given an additional $10 per day for gas. We may need morning and afternoon shuttling. We will reach out to vendors with requests. Morning shuttle runs from 8:00-9:30am, afternoon 2-2:45pm. Speak directly with market manager if you have an interest.
6. Vendors must review height requirements for vehicles when going under overhead passes with height limitations. In particular, there is a height limit in the driveway leaving the market at 10'6". If your vehicle exceeds that limit, you must get OHSU FM staff permission to carefully leave through the entrance (not the exit), as the driveway into the market is a one-way street.

Guidelines for Prepared Foods Vendors

***New items are bolded.**

1. All vendors must have appropriate license to serve food on OHSU campus. Visit https://www.multco.us/services/temporary-food-events for more information.
2. Vendors must comply with the food-service ware guidelines in this document.
3. Ingredient sourcing

- **At least 25% of raw produce ingredients are purchased directly from local farms, preferably from existing OHSU farm vendors**.
- "Local" for ingredient sourcing is defined as within 250 miles from the OHSU Farmers Market or from within the state of Oregon.
- Animal products: **All** meat needs to be raised without the use of sub-therapeutic antibiotics or hormones. *Source of meat must be disclosed in application.*
- No GMO ingredients allowed at the market. The following crops may be genetically modified; please use organic or certified non-GMO if using these items: canola, corn, soy, sugar beets, summer squash, potato, apple, papaya, pink pineapple. Agreement to this will be confirmed in application.

4. Store Bought Beverages:
- Vendors agree not to sell bottled water, beverages containing high fructose corn syrup nor artificial sweeteners. Packaged beverages will comply with following guidelines:
  - Fruit flavor-infused water is no more than 40 calories per container for pre-packaged items.
  - 100% fruit or vegetable juice with total sodium less than 140 mg. per 8 oz serving.
  - Milk is low-fat (1%) or nonfat. Both milk and soy beverages must be calcium and vitamin D fortified in no more than a 12 oz. serving; Flavored milk is not recommended, but if flavored milk is offered, it should have no more than 130 calories per 8 oz. without any artificial color, flavor or sweeteners.
  - Other beverages (e.g., tea, coffee and other beverages) have no more than 40 calories per 8 oz.

5. Custom-made Beverages:
- Please comply with the following standards:
  - Made without artificial ingredients including artificial sweeteners (stevia ok).
  - Made with no more than 2 teaspoons of natural sweetener per 8 oz serving (approx. 40 cal per 8 oz). Sweetener must be non-GMO
  - Fruit and vegetables used as ingredients are grown without the use of synthetic pesticides.
  - Add-ons such as nut butters or proteins are ok, so long as they have no added sweeteners or artificial ingredients and are non-GMO.

6. Vendors will have the proper licensing and all employees/volunteers in each booth will have valid Oregon Food Handlers cards.

7. Citrus based juice products (lemonade type drinks) no longer require a temporary restaurant license. Most other prepared foods that are not packaged, but served as ready to eat require a temporary restaurant license from Multnomah County. Please visit**:** https://www.multco.us/services/temporary-food-events

8. Hemp derived CBD products: The OHSU Farmers Market cannot allow the sale of hemp-derived CBD products that are "ready to eat" (human consumption). For example, gummies and tinctures are not allowed. Skin, hair care and pet products containing hemp-derived CBD derivatives are allowed so long as the vendor obtains all of the proper licensing to process and package these products and all products are approved by the market manager to be sold.

USDA Food Stamps (now called, "SNAP") Program & SNAP Match Program
***New items are bolded.**

1. The OHSU FM participates in this program and requires all qualifying vendors to participate.

2. It is each vendor's responsibility to accept the SNAP $1 tokens for food stamps and offer the same respectful treatment to customers using these tokens as you would to any other customer. Eligible food items include: all food, condiments, seasonings and packaged beverages with a label, plus seeds and plants which produce food for the household to eat. Exclusions are: hot, ready to eat at point of sale items, alcohol containing beverages, non-people food (ie: pet foods), supplements and non-food items such as crafts.
3. SNAP Match program: All eligible vendors are required to participate in the SNAP Match, whereby the OHSU Farmers Market will match up to $20 per EBT card or up to $8 per WIC/Senior Farm Direct Nutrition Program voucher per day or per person with a separate currency. Market manager will review what items are eligible for purchase with each SNAP and matching currency during the market orientation.
4. Any questions about the program may be directed to the Market Manager.

WIC Farm Direct Nutrition Program and Senior Farm Direct Nutrition Program and WIC Fruit and Veggie Voucher Program

1. The OHSU FM participates in these programs and requires all qualifying vendors to participate.
2. It is each vendor's responsibility to learn and follow program rules outlined in the "WIC Farm Direct Nutrition Program and Senior Farm Direct Nutrition Program Rules" form and the "WIC Fruit and Veggie Voucher program rules" available from the Market Manager, and State and County agencies.
3. For application or eligibility questions call ODA - Agriculture Development and Marketing office at 503-872-6600.
4. For all other questions regarding FDNP call the program coordinator, Maria Menor at 971-673-0040.
5. *See SNAP program section above for all matching funds and participation requirements.

Vendor Support for Promotional Activities

We may hold raffles to encourage people to participate in the market. Through these activities, the OHSU FM generates media and consumer interest for the market, its vendors and their products. We request vendors to support these efforts by considering donating products and/or expertise as desired.

Vendor Licensing

1. Vendors must submit licenses and liability insurance with their online application. If vendor needs assistance scanning documents for online posting, they can send hard copies to the Market Manager. Failure to submit documents with application may delay or prohibit acceptance to the market. Naming OHSU is additional insured on liability insurance can be completed after acceptance to the market.
2. All licensing as well as copies of any permits and licenses applicable to the sale of their products are required. Vendors are responsible for complying with state and local licensing requirements governing the sale and production of their products. Failure at any time to conform to local, state or federal requirements can be grounds for removal from the market and forfeiture of space fees. The Oregon Department of Agriculture's Guidelines for Farmers Markets is located in **Appendix A** and a list of contact information for governmental agencies is located in the **Appendix B** section of this document.

Vendor Licensing Requirements @ OHSU Farmers Market

Proof of Liability Insurance
All vendors selling edible products at the Market are required to provide the Market with a copy of liability insurance, minimum of $1,000,000 naming the OHSU Farmers Market as the additional insured. Adding the markets name to insurance may be completed after acceptance to the market.

Proof of Vehicle Insurance
All vendors are required to submit proof of adequate vehicle insurance to cover any accidents while at the OHSU Farmers Market.

Appendix A

Do I need a license?

The Oregon Department of Agriculture is responsible for regulating production, processing, and distribution of food products. If you plan to operate a restaurant, host temporary food service events, or operate a mobile food cart, contact your local county health department for a license.

The Oregon Department of Agriculture offers licenses for the following types of food establishments

- **Retail:** Stores with packaged foods or bulk foods.
- **Bakery:** Bread, rolls, cakes, pies, doughnuts, cookies, biscuits, crackers, and all similar goods.
- **Food processing and warehousing:** Production or storage and distribution of food.
- **Cannabis:** Businesses that process or bake cannabis containing foods or have a warehouse or a retail store for foods containing cannabis will require a Food Processing, Bakery, Warehouse or Retail license. You may need to contact other government agencies for additional licenses and permits.
- **Home (domestic) kitchen processing and baking:** Foods made in your home kitchen.
- **Meat:** Slaughter, preparation, or sale of raw meat (see food processing section for seafood).
- **Eggs:** Handling and distribution.
- **Shellfish:** Clams, oysters, mussels, whole scallops only.
- Fish: If you are processing the fish yourself, a Food Processor's License from ODA Food Safety is required. If you are selling whole fish or having the fish processed by another processor, a Retail Food Establishment License is required. This is available from ODA Food Safety.
- **Dairy:** Producing, transporting, and processing fluid milk and dairy products.
- **Non-alcoholic beverage:** Soda waters, mineral waters, and other carbonated beverages.
- **Pet food:** Pet treats or food containing raw or cooked meat.
- **Refrigerated locker:** Individual rental compartments for frozen food storage.
- Fresh Fruits and Vegetables: No food safety-related license is required, but vendors should review handling and sampling procedures in this publication. Device licenses (ie: vendor scales license) issued by the Measurement Standards Division are required for sales by weight. Farmer-vendors who market and sell their own unprocessed produce may also market and sell by consignment a cumulative total of $2,000 or less of other farmers' unprocessed produce at the same booth without obtaining a license from ODA, with the following limitations:
  - i) Exemption only applies to unprocessed produce (whole fruits, vegetables, and nuts
  - in shell)
  - ii) The $2,000 of other farmers produce limitation is cumulative (includes the value of
  - all other farmers products added together).

- iii) Produce from other farmers must be no more than once removed.
- Iv) Vendor at the market is responsible for any liability related to any items they are selling, whether that be their own, consignment or secondary sale.

Selling Food to be Consumed on Premises

1. Multnomah County mobile Food Cart requirements: https://www.multco.us/health/inspections-and-licensing/food-cart-requirements and licensing info: https://www.multco.us/services/food-carts
2. 90-day temporary food event license available, "Seasonal Temporary Restaurant" through Multnomah County Health Department. https://www.multco.us/services/temporary-food-events
3. Food Handler's Permit for all employees in the booth at all times; available from the Multnomah County Health Department or County Health Dept with similar standards. https://www.orfoodhandlers.com/

Native American Vendors

1. The treaty rights of Native American vendors allow them to sell product without licensing.
2. The vendor's tribal identification card will need to be submitted with the application to confirm Native American status.

Apple Cider

1. If you make our own cider, a Food Processor's License from ODA Food Safety is required.
2. If your cider is made by a processor other than yourself, a Retail Food Establishment License is required.

Organic Products

1. Organic Registration -- vendor must post a copy of this license in their booth, in addition to filing a copy with the market.

Plant and Nursery Growers

1. If your plant sales are over $250 per year, a Nursery License from the ODA Plant Division is required at 503-986-4636.

Vendors Scales

1. ODA Scales Certification for each scale you intend to use. Certification available from ODA Measurement Standards at 503-986-4670.
2. Washington vendors must have a current sticker from WDA affixed to their scale.

Exempt Foods: Some processed foods are exempt from licensure. Please visit https://www.oregon.gov/oda/programs/FoodSafety/FSLicensing/Pages/WithoutLicense.aspx

1. For those not exempt, a Food Processor's License is required.
2. For foods that are prepared by another processor, a Retail Food Establishment License is required.

Licensing and Resources:

You may need to contact other government agencies to determine if you need a business license or any additional licenses or permits. Call 503- 986- 4720, ODA Food Safety, for more information about licenses and food safety.

Contact information for each local county health department in Oregon. Local Health Department Directory

Many of the licenses are available at the ODA website:
https://www.oregon.gov/oda/programs/FoodSafety/FSLicensing/Pages/AboutLicenses.aspx

An updated summary of ODA food safety regulations:
https://www.oregon.gov/oda/programs/FoodSafety/Pages/AboutFoodSafety.aspx

Information on food license exemptions:
https://www.oregon.gov/oda/programs/FoodSafety/FSLicensing/Pages/WithoutLicense.aspx

Farm Direct FAQ:
https://www.oregon.gov/oda/shared/Documents/Publications/FoodSafety/FarmDirectFAQ.pdf
Specifically, for market vendors or managers:
https://catalog.extension.oregonstate.edu/sites/catalog/files/project/pdf/em9205.pdf

Farm Direct marketing of agricultural products:
https://www.oregon.gov/oda/shared/Documents/Publications/FoodSafety/FarmDirectMarketingAgProducts.pdf

Farm Direct marketing for producer-processed products:
https://www.oregon.gov/oda/shared/Documents/Publications/FoodSafety/FarmDirectMarketingProcessedProducers.pdf

Out of State Food Establishment Licenses
ODA recognizes licenses from other states, but vendors should check with market managers and food safety specialists before bringing out-of-state products to Oregon farmers' markets. ODA requires proof of licensing for all processed foods.

Other ODA Licenses
Other ODA divisions with duties outside the scope of these guidelines also issue licenses to farmers' market vendors. These include the Plant Division, which issues nursery licenses, and Measurement Standards Division, which regulates weighing devices.

OREGON DEPARTMENT OF AGRICULTURE FARMERS' MARKETS GUIDELINES:
https://www.oregon.gov/oda/programs/FoodSafety/Pages/AboutFoodSafety.aspx
for more info.

1. Market Operation Requirements

Farmers' markets should make reasonable efforts to ensure that all vendors selling products requiring licenses have obtained them and are maintaining those licenses. Each market manager (or other responsible person designated by the organization operating the market) should maintain a copy of vendor licenses or a record of the number of the license. Licenses are listed on the ODA website and can be accessed using license numbers and/or other data routinely furnished by vendors.

Market managers and other responsible persons are not expected to be food safety experts, but they can help educate vendors about topics related to food safety and encourage vendors to communicate with the appropriate licensing authorities.

2. Definitions

Food Processing
Cooking, baking, heating, drying, mixing, grinding, churning, separating, extracting, cutting, freezing or otherwise manufacturing a food or changing the physical characteristics of a food; and the packaging, canning or otherwise enclosing of such food in a container; but not the sorting, cleaning or water rinsing of vegetables.

- Drying includes the drying of herbs by mechanical means.
- Extracting includes shelling.
- Cutting does not include the harvesting of leaf greens for sale as produce.

Sampling
A food product promotion, where only a sample of a food (or foods) is offered free of charge to demonstrate its characteristics, is exempt from licensing. A sample cannot be a whole meal, an individual hot dish or a whole sandwich.

Potentially Hazardous Food
(a) "Potentially hazardous food" means a food that is natural or synthetic and that requires temperature control because it is in a form capable of supporting:

- The rapid and progressive growth of infectious or toxigenic microorganisms;
- The growth and toxin production of Clostridium botulinum; or
- In raw shell eggs, the growth of Salmonella Enteritidis

(b) "Potentially hazardous food" includes an animal food (a food of animal origin) that is raw or heat-treated; a food of plant origin that is heat-treated or consists of raw seed sprouts; cut melons; unpasteurized juices; and garlic-in-oil mixtures that are not modified in a way that results in mixtures that do not support growth as specified under Subparagraph (a) of this definition.

(c) "Potentially hazardous food" does not include:

- An air-cooled hard-boiled egg with shell intact;
- A food with an aw value of 0.85 or less;
- A food with a pH level of 4.6 or below when measured 24°C (75°F);
- A food, in an unopened hermetically sealed container, that is commercially processed to achieve and maintain commercial sterility under conditions of non-refrigerated storage and distribution;
- A food for which laboratory evidence demonstrates that the rapid and progressive growth of infectious or toxigenic microorganisms or the growth of S. Enteritidis in eggs or C. botulinum can not occur, such as a food that has a pH that is above the levels specified under Subparagraphs (c) above of this definition and that may contain a preservative, other barrier to the growth of microorganisms, or a combination of barriers that inhibit the growth of microorganisms; or
- A food that does not support the growth of microorganisms as specified under Subparagraph (a) of this definition even though the food may contain an infectious or toxigenic microorganism or chemical or physical contaminant at a level sufficient to cause illness.

3. Product Labeling

All packaged foods must be labeled and ingredient information must be available for foods sold in bulk. Unpackaged single ingredient foods like fruits and vegetables do not need labels. Four pieces of information are required on labels: name of product, net weight, ingredients in descending order by

weight, and name and address of the producer or distributor.

Bulk foods do not have the same labeling requirements as packaged foods. Ingredient information needs to be available to customers. Vendors can post ingredients on bulk bins or display a sign saying the ingredients are available upon request. Ingredient information should be maintained in writing.

4. **Handle with Care**

Products at farmers' markets generally fall into three levels of handling care. At the strictest level are potentially hazardous foods, which require refrigeration and other special handling. In the middle are products that are not potentially hazardous but still require more care because they cannot be washed by consumers. The least restrictive level applies to fresh produce and in-shell nuts.

5. **Potentially Hazardous?**

Even though market farmers consider their products to be the most wholesome foods available, some foods sold at farmers' markets are legally classified as potentially hazardous foods because they allow fast growth of germs that may cause food poisoning. This term includes common foods like eggs, meat, poultry, seafood, dairy products and many foods that contain those ingredients. Even foods that are not potentially hazardous can become potentially hazardous once water has been added and/or they have been cooked. Please see the definition of potentially hazardous foods, which includes technical details concerning pH and water activity level.

Certain baked goods are potentially hazardous foods. Cheesecake is one example, but some foods may not be as obvious. Vendors should talk with their food safety specialist to determine whether the licensed foods they sell fall into this category. Potentially hazardous foods in general must be stored, displayed and offered for sale packaged and refrigerated at or below 41 degrees F. Frozen products must stay frozen. Maintaining these foods at appropriate temperatures in an outdoor environment generally requires use of ice chests or other containers filled with ice or dry ice surrounding the product — except for eggs, which must be kept dry. Care should be taken to prevent accumulation of water from melted ice. Other products sometimes used to keep food cold, such as blue ice packs, are often not effective enough because they do not surround food products. Vendors should carry a thermometer to monitor product temperatures of refrigerated foods. Live seafood is not subject to this temperature rule. Live shellfish, for example, may be held at 45 degrees F.

6. Packaging Safely

Seafood can be sold smoked, frozen or fresh, but vendors must make sure they are using appropriate packaging for their products. Here are some examples of handling concerns:

- Vacuum packaging is appropriate for smoked fish but not for fresh fish.
- Whole crab cooked in shells in a licensed facility can be sold on ice, but vendors should provide a barrier to prevent customers from touching the product.
- Food packages should be in good condition and protect contents so that food is not adulterated or contaminated.
- Fresh or frozen whole fish may be sold unpackaged on ice.

Wrap or Cover

Some products are not potentially hazardous but need extra protection because customers cannot wash them. Baked goods are the most common example. Vendors have two options: packaging these items in a licensed facility or selling from enclosed bulk containers. Those who choose to sell from covered bulk containers must set up and use a hand washing station and must follow procedures in these guidelines to avoid contamination. Acceptable methods to remove food from covered bulk containers include clean tongs or other utensils, single-use gloves, and wax paper sheets.

Off the Ground

Fresh fruits and vegetables and nuts in their shells can be displayed in open air. The only caveat is that they must be stored off the ground. Vendors can accomplish this in a number of ways. Many vendors use plastic tubs to transport and protect their produce. Empty crates or boxes underneath the ones holding produce can do the job if impervious tubs are not available. The only exception is for pumpkins or similarly large squash, which are often too bulky and irregular to display off the ground.
Vendors who sell products licensed by ODA should consult with a food safety specialist about proper handling procedures for each licensed product.

7. Hand Washing

This section applies directly to anyone who prepares and serves samples at the market or who handles bulk-dispensed (unwrapped) products other than produce and nuts in the shell.

Hand washing is an important task that many people do — or fail to do — without thinking. To protect public health, farmers' market vendors, like workers in other food establishments, must make a special effort.

Here is what health authorities mean by hand washing: a cleaning procedure of about 20 seconds that includes vigorous friction, for at least 10 to 15 seconds, on the surfaces of lathered fingers, finger tips, areas between fingers, hands and portions of arms exposed to direct food contact, followed by thorough rinsing under clean, running water.

When Does the Requirement Apply?

Whenever vendors use the restroom, contact bodily fluids (sneezing or coughing into hands, nose-blowing, etc.), touch animals, have soiled hands, or return to their work stations after leaving for any reason. NOTE: A trip to the restroom or contact with bodily fluids requires two hand washings – at the toilet facilities and again at the work station.

What About Hand Sanitizers and Moist Towelettes?

Vendors may use these products but not as a substitute for hand washing.

How About Single-Use Gloves?

Gloves do not eliminate the need for hand washing, although they may be helpful in some circumstances to avoid bare handed contact with food. If used, they must be limited to a single task and discarded when damaged or soiled or when tasks are interrupted. Non-latex gloves are preferred because of allergy considerations and are required in temporary restaurant operations.

What About Money Handling – Isn't It a Problem?

Not in the way that most people would expect. Research indicates that money handling is not a danger in food establishments, but public opinion is another matter. This may be a case where it is prudent for vendors to ignore science and structure their operations to please customers.

How Do Vendors Set Up A Hand Washing Station?
Vendors may find they already own many of the components, and the rest are available at minimal cost. One key piece is an enclosed container that holds an adequate amount of water for the duration of a market day. Water containers should have a spigot that can stay open to allow a constant flow of water for two-handed washing. Such containers are available at stores that sell camping supplies. Other required components include: water, soap, single-use paper towels and some sort of catch basin for the wastewater.

8. Safe Sampling

Vendors who sell products licensed by ODA should consult with a food safety specialist before sampling at markets.

In addition to hand washing, there are other sampling procedures that will protect vendors and their customers.

Start with Clean Food
Thoroughly rinse fruits and vegetables in potable water before cutting them. Vendors should not use substances other than potable water unless they have made certain the substances are approved to be used on food. Many soaps can actually make food less safe, and bleach solutions are not recommended for this purpose.

Clean Tools
Use a clean cutting board and knife. Equipment and utensils must be easily cleanable and in good condition. Materials must be impervious and free of cracks and crevices. Smooth hardwood is acceptable for cutting boards. Utensils must be stored and covered to protect from contamination during transit to market and when not in use. Utensils can be stored between uses in ice or in the product with handles above the top of the food but not in sanitizing solution. Otherwise, clean and sanitize between uses. Food contact surfaces should be cleaned with soap and water followed by an approved sanitizer, which is allowed to air dry before use. Single-use paper towels can be used on food contact surfaces. If wiping cloths are used, they must be sanitized and monitored as follows:

- Cloths must be stored in a sanitizing solution of an approved sanitizer at an acceptable concentration.

- Sanitizer concentration for stored cloths must be checked throughout each day using paper test strips.

Sanitizers
Household bleach may be used at a concentration of one tablespoon per gallon of lukewarm water, which equals 100 parts per million. (Quaternary ammonium compounds are mixed at 200 parts per million.) Do not assume that “more is better.” Bleach concentration cannot be allowed to fall below 50 parts per million. Sanitizers exposed to air lose concentration overtime, while spray bottles hold concentration for extended periods.

Protection
Samples must be covered to protect them from insects, dust and other contaminants when they are not actively being sampled by customers.

Vendors should design their sampling setups to prevent customers from touching samples other than the

one they take. Close supervision of customers tasting samples is critical, especially when children are sampling. Toothpicks are helpful but not error-free. Sticking one in each sample, as time permits, can help discourage reuse.

Extra care is required in sampling potentially hazardous foods. Sampling is an exception to the rule that potentially hazardous foods are packaged in an ODA licensed facility and stay packaged until they reach consumers' homes. Temporary restaurants, which follow rules on which these sampling guidelines are based, are another exception.

Cook all potentially hazardous foods at approved temperatures for the required duration.

Samples of potentially hazardous foods must be discarded after two hours out of refrigeration.

Vendors who portion or otherwise prepare samples in a licensed facility rather than at market should keep the samples refrigerated while in transport in the same manner as the packaged product.

If samples of potentially hazardous foods are portioned or cooked at market, remove from packaging and refrigerate only what is needed to prepare each batch of samples.

Cross-Contamination

Vendors should strictly segregate the foods handled at market to ensure that there is no cross-contamination of foods —particularly raw meat, poultry or seafood and ready-to-eat foods. Those who sample meats, poultry or seafood and fruits or vegetables in the same stall should use separate cutting boards, knives, wiping cloths, sanitizer buckets, etc. Clean and sanitize all equipment associated with raw meats, etc., immediately after preparing these foods, to avoid inadvertent contact.

Cross contamination also can involve two different kinds of raw meat, poultry or seafood. Separate equipment is not necessary to sample two kinds of meat, but vendors should clean and sanitize all equipment between uses.

9. Additional Guidelines for Markets and Vendors

Animals

Vendor animals must be kept a minimum of 20 feet from any food handling, display or storage. Only service animals are allowed, and it is recommended that markets require that animals be kept on leashes.

Toilet Facilities

Farmers' markets must have toilet facilities conveniently located to the market. Appropriate hand washing facilities (hand wash stations like those used in market stalls or permanent facilities that meet or exceed standards for temporary washing facilities) must be located in or near toilet facilities.

Waste Water

Waste water and ice must be disposed of in an approved manner. Vendors should not dump waste water in stormwater drains and must remove any waste water with food residue off the premises. Reasonably clean waste water and ice can be used to water the base of large bushes or trees, not the grass.

Appendix B

CONTACT INFORMATION FOR GOVERNMENT AGENCIES

The following information is provided to aid vendors in complying with regulations concerning their product. It is not a comprehensive list and vendors should contact the appropriate State agency for more detailed information. Whenever a specific agency is not mentioned below, as in the case of most produce and food items, the contact is:

Oregon Department of Agriculture, Food Safety Division
635 Capitol St., N.E.
Salem, OR 97301-2532
(503) 986-4720 phone
(503) 986-4729 fax
http://www.oregon.gov/ODA/

Oregon Department of Agriculture, Plant Division
635 Capitol St., N.E.
Salem, OR 97301-2532
(503) 986-4644 phone
(503) 986-4786 fax
http://www.oregon.gov/ODA/

Oregon Department of Agriculture, Measurement Standards
635 Capitol St., N.E.
Salem, OR 97301-2532
(503) 986-4670 phone
(503) 986-4784 fax
http://www.oregon.gov/ODA/MSD/index.shtml

Oregon Department of Human Services
800 N.E. Oregon St.
Portland, OR 97232
(503) 731-4012 phone
www.ohd.hr.state.or.us

Washington County Department of Health & Human Services
155 N. First Avenue, Suite 170
Hillsboro, OR 97124
(503) 846-8722 phone
https://www.co.washington.or.us/HHS/

Women, Infants & Children Coupon Program (WIC)
https://www.oregon.gov/oha/ph/healthypeoplefamilies/wic/Pages/index.aspx

Oregon Tilth (Organic Certification)
470 Lancaster Dr.
Salem, OR 97301
(503) 378-0690 phone
www.tilth.org

Information for Market Customers, Vendors and Managers / Boards
www.oregonfarmersmarkets.org

Multnomah County Temporary Food Events and Food Cart licenses
https://multco.us/services/food-carts
https://multco.us/services/temporary-food-events

For information on foods exempt from licensing, visit:
https://www.oregon.gov/ODA/programs/FoodSafety/FSLicensing/Pages/WithoutLicense.aspx

GMO Crops in the US:
https://www.fda.gov/media/135274/download#:~:text=Only%20a%20few%20types%20of,used%20in%20other%20food%20products.

Vendor Guidelines are subject to change: Rev 1-22-25