

Washington State farmers selling directly to the end consumer, restaurants, or grocery stores, may sell most produce without product inspection or licenses. However, inspection and licensing requirements apply for selling specific products in Washington State.

This fact sheet includes information:

- standards for grades and packs;
- inspection requirements for fruits and vegetables;
- sampling; and
- Good Agricultural Practices.

Standards for Grades and Packs

Fruits and vegetables are inspected to assure uniformity and compliance with standards for grades and packs, these are set by the federal or state government for each type of commodity. Grading standards include attention to maturity, soundness, shape, size, color, and freedom from pest or mechanical injury. Packaging standards include attention to size, dimension, and labeling of containers used. Contact the WSDA Fruit and Vegetable Field Inspection Office to locate field offices, or for detailed information on inspection. Fees for inspection vary for each commodity.

Inspection Requirements for Fruits and Vegetables

To assure standard quality, inspection is required for certain fresh fruits and vegetables sold in Washington State (WAC 16-461). **Fresh apricots, Italian prunes, peaches, cherries, apples, pears, potatoes and asparagus must be inspected by WSDA unless exempt from inspection** (detailed below).

Exempt products must still meet grade standards. **Farmers selling any amount of these products for resale (e.g., direct to grocery stores) must have their product inspected.** Farmers selling these products direct to restaurants and Institutional food services may or may not require inspection.

Produce sold direct to the end consumer is **exempt from inspection** when meeting the two following criteria:

1) Farmers Markets and Produce Stands

Producers can sell up to 2,000 pounds per day of each product (commodity), or 6,000 pounds/day of a combination of pears, peaches, apples, apricots, potatoes, asparagus, or Italian prunes without inspection. **Cherries are not included in this exemption.**

This exemption applies to farmers markets within the state, or fruit and produce stands within the same zone of production. Zones of production are:

Zone 1: All counties west of the Cascade Mountain Range;

Zone 2: All counties east of the Cascade Mountain Range and Skamania County: (Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Skamania, Spokane, Stevens, Walla Walla, Whitman, and Yakima).

Apples grown in Grant County can be sold at a fruit stand in any Eastern Washington county, or sold in a farmers market anywhere in the state without inspection.

2) Consumer Limits

Limits are placed on total amounts sold to each consumer for specific commodities. For instance: a farmer can sell a total of 500 pounds of apples, per day, to any one consumer. Limits (per consumer, per day) for commodities are as follows:

Pears, peaches, apples, apricots, and potatoes: 500 pounds
Asparagus: 250 pounds
Italian prunes: 350 pounds
Sweet cherries: 100 pounds

Containers of apricots, Italian prunes, and sweet cherries sold to consumers must be marked "not for resale." Inspection is available for other fruit and vegetable crops to assure quality, but is not mandatory.

Sampling

Farms that offer individual samples of sliced fruits and vegetables must follow serving guidelines set by the local county health department. Farms must follow food safety guidelines, but may not be required to obtain a *Retail Food Service Establishment* license from the County Health Department. Contact the local county Health Department for further information. See Licensing Fact Sheet for a listing of Health Departments.

Good Agricultural Practices

Unprocessed fruits and vegetables can be at risk for microbiological contamination during production and harvest. The USDA, FDA and CDC developed the Good Agricultural Practices. These guidelines are the standard for safe harvesting and handling procedures. Farmers can learn more about Good Agricultural Practices (GAP's) from: *Produce Safety From Production to Consumption: 2004 Action Plan to Minimize Foodborne Illness Associated with Fresh Produce Consumption* at www.fda.gov/Food/FoodSafety/Product-SpecificInformation/FruitsVegetablesJuices/FDAProduceSafetyActivities/ProduceSafetyActionPlan/ucm129487.htm

For more information in Washington and to find out more about GAP inspections, contact WSDA Fruit and Vegetable Inspection, call (360) 902-1833 (Olympia), (509) 225-2642 (Eastern Washington), or email [jqigley@agr.wa.gov](mailto:jquigley@agr.wa.gov), or go to <http://agr.wa.gov/Inspection/FVInspection/GAPGHP.aspx#Contact>.

Recommended Fact Sheets: Food Processing, Licensing

For further assistance or to make suggestions on how to improve this fact sheet, please email smallfarms@agr.wa.gov or call (360) 902-2057 or (360) 676-2059.

Eggs are a popular item to direct market and are a relatively easy enterprise to begin. Flocks under 3,000 hens are USDA grade exempt and fall under state law. Washington egg sales are specified in the “Washington wholesome eggs and egg products act,” RCW 69.25. An “egg” refers to the shell egg of chickens, turkeys, ducks, geese, guinea fowl and any other species of poultry.

This fact sheet covers:

- on farm sales and CSA regulations;
- Egg Handler/Dealer License;
- facility requirements for eggs;
- egg handling: cleaning and refrigeration;
- packaging eggs and labeling cartons;
- distribution; and
- retail sales and health department jurisdiction.
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On Farm Sales and CSA Regulations

Poultry producers who sell eggs from their own flocks at the place of production directly to household consumers do not need to be licensed. On farm sales are not subject to the same requirements as licensed operations. Therefore, Egg Seals are not required, nor are labels on new cartons. However, clean containers must be used and eggs must be stored at 45 ° F or less.

Egg Handler/Dealer License

An Egg Handler/Dealer License is required for any person or business intending to:

- produce, handle, contract for, or obtain possession or control of eggs for sale or barter to wholesalers, dealers or retailers within or into Washington; **OR**
- process eggs and sell them to wholesalers, dealers, retailers or consumers within or into Washington.

Licensed producers are required to meet standards for egg handling facilities, cleaning, refrigeration, packaging and labeling, distribution, and sales.

The WSDA Food Safety Program visits Egg Handler/Dealer License holders to inspect facilities and egg handling practices. During these visits the inspector offers technical assistance regarding the egg regulations, egg packaging and labeling and egg temperature requirements. The Food Safety Program works with egg producers, food storage warehouses, transportation activities, and with the wholesale and retail sale of eggs.

Please do not hesitate to contact the WSDA Food Safety Program if you have questions or concerns about egg handling and labeling. Go to the WSDA Food Safety “Egg Licensing Information” page online at <http://agr.wa.gov/FoodAnimal/Eggs>, or email foodsafety@agr.wa.gov or call (360) 902-1876 for the WSDA Shell Egg Producer Guidelines for Off-Farm Sales. It is available in the Egg Information Packet.

The Egg Handler/Dealer license costs \$30.00 per year and is available through the Washington State Department of Licensing (WSDOL). You will need a Master Business License in order to get the Egg Handler/Dealer License. Go to www.dol.wa.gov/business/eggdealer.html or call (360) 664-1400 for more information.

Facilities Requirements for Eggs

A licensed egg handling facility must include a work area, designated storage, potable water, a hand-washing station, and a refrigerator.

The work area for egg handling requires a sanitary work surface that is smooth, durable, and easily cleanable. This work surface must be cleaned and sanitized before each use. Any sinks, drain boards, or other equipment used for the egg handling operation must be cleaned and sanitized before each use.

A designated work area must be separate from domestic living areas. Acceptable work areas may be an area in the basement, garage, or outbuilding. Unacceptable work areas are domestic living areas, kitchens, laundry rooms, and bathrooms.

Designated storage areas are required for new packaging materials, utensils, and equipment that may be used for the egg handling practices. These items must be protected from contamination (e.g. moisture, strong odors, dust, or insects).

Potable water is required for egg handling practices. Individual water wells require an annual bacteriological test (i.e. coliform bacteria). Commercial bottled water may be used.

Hand washing stations must be conveniently located in the egg handling work area and near your toilet facilities. Hand washing at the work area may be provided by a hot and cold plumbed hand sink or a portable hand wash "system" (such as a five-gallon insulated container, with a continuous flow spigot, filled with warm water between 100° F and 120° F). A pump-type liquid soap dispenser, paper towels, and a five-gallon pail to catch wash/rinse water can be used.

A designated refrigerator for the eggs is required. The refrigerator does not need to be new or commercial and may be placed outside the egg handling area such as in the garage. The refrigerator needs a thermometer that enables you to verify that egg storage is maintained at 40° F to 45° F.

Egg Handling: Cleaning and Refrigeration

The following steps and procedures are the guidelines from the WSDA Shell Egg Producer Guidelines for Off-Farm Sales.

Hands must be thoroughly washed before starting egg handling and during egg handling to minimize cross-contamination of "finished" eggs.

Maintain clean and dry nest boxes, change nest material as needed to reduce dirty eggs. Gather eggs at least once daily.

Soon after collecting, clean eggs as needed. (Cleaning eggs refrigerated below 55° F may cause shells to crack or check.) Using minimal cleaning protects the natural protective covering on the shell.

Acceptable egg cleaning methods include:

- dry cleaning by lightly "sanding" the stains or minimal dirty areas with sand paper;
- using potable water in a hand spray bottle and immediately wiping dry with a single service paper towel; and/or
- briefly rinsing with running water spray and immediately wiping dry with a single service paper towel.

The “wash” water should be a minimum of 90° F, which is warm “to the touch”, and shall be at least 20° F warmer than the temperature of the eggs to be washed.

Unacceptable cleaning methods include submerging shell eggs in water or any other solution or using cleaners that are not food grade and approved for shell egg cleaning.

Note that the porous eggshell is not impervious to odors, chemicals, and “off” flavors.

Refrigeration

Since eggs are a perishable food, “cleaned” eggs must be held under sanitary conditions with refrigeration temperatures at 45° F or less. The “cleaned” eggs can be packaged later.

Packaging Eggs and Labeling Cartons

Shell egg producers are required to sell eggs in any type of new packaging or container provided the eggs are protected from damage and/or adulteration. By adulteration we mean contact with leaking or damaged eggs or any other poisonous or deleterious substance that may render the contents injurious to health.

Please note that it is unlawful to reuse old egg containers to package eggs. It is also unlawful to package eggs in containers labeled with another firm’s name and/or identification number.

There are very specific requirements for what needs to be on an egg container. Each new carton must include:

- a. common name of the food – “Eggs”;
- b. if other than a chicken egg, then the type of egg “Duck”;
- c. quantity, the number of eggs, “One Dozen”;
- d. name and address of the egg producer;
- e. the statement “Keep Refrigerated”;
- f. the statement “SAFE HANDLING INSTRUCTIONS: To prevent illness from bacteria: Keep eggs refrigerated, cook eggs until yolks are firm, and cook foods containing eggs thoroughly.”
- g. If the eggs are not graded and not weighed, do not label with a grade or size. Indicate “Ungraded”, “Not graded” (see below);
- h. Pull date or “best by” date (see below); and an
- i. Egg Seal (also see below).

To meet the above requirements, you can use labels designed on a home computer and printed on stock, self-adhesive labels.

Shell eggs are subject to **grading and sizing**. Quality designations and sizing weight ranges are determined by candling and weighing (WAC 16-104 and the USDA Egg Grading Manual). If the eggs are ungraded and not weighed, the packages/cartons shall not be labeled with a grade or size.

Cartons must include a “**Pull Date**” or “**Best By**” date. It may be hand written on the end of the carton or in a conspicuous location that is clearly discernible. The “Pull Date” must first show the month then the day of the month (e.g. Jun 14 or 06 14). Recommended dates are 30 days after production, not to exceed 45 days.



In addition, cartons are required to have an “**Egg Seal**” for each dozen if they are sold as “intrastate commerce” which includes farmers markets and retail outlets. Eggs sold directly off the farm are not required to have an Egg Seal on the carton. Egg Seals can be purchased directly from the WSDA Food Safety Program. They cost \$2.68 for 1,000 stickers. Go to the WSDA Food Safety “Egg Licensing Requirements” page online or call (360) 902-1886.

Eggs that are **sold in bulk** are required to provide the same information as above, except that they do not have to include the quantity. Typically a placard displays the information for the consumer at the point of sale. Bulk Egg Seals are available from WSDA and the egg producer would place the Egg Seal on the bulk container.

Distribution

Egg packages and cartons should be transported in an easily cleanable, portable cooler with frozen gel packs to maintain a temperature of 45°F or less until eggs are distributed to retail outlet or sold to consumers.

Retail Sales and Local Health Department Jurisdiction

Local health departments have jurisdiction over farmers markets and retail stores that sell eggs and may conduct inspections to assure vendor compliance with local rules and regulations such as labeling and storage.

Recommended Fact Sheets: Licensing, Poultry Processing and Marketing Regulations

For further assistance or to make suggestions on how to improve this fact sheet, please email smallfarms@agr.wa.gov or call (360) 902-2057 or (360) 676-2059.

Honey is an excellent product for direct marketing because it provides an opportunity for the buyer to experience each unique flavor and aroma before purchasing. Regardless of the blossom source Washington honey must be labeled and graded prior to sale. Hives must also be registered.

This fact sheet includes information on:

- selling honey to the end consumer;
- selling honey wholesale;
- labeling honey;
- grading honey; and
- registering hives.

Selling Honey to the End Consumer

Beekeepers who extract their own honey can sell it in the raw form to the end consumer. They do not need a WSDA Food Processor's License. Honey must be free from all contaminants.

If the honey is processed in some way (e.g., heated, pasteurized, or added ingredients or flavors), then you will need to be a licensed with the WSDA as a food processor.

Selling Honey Wholesale

Honey that is wholesaled or processed (blended, spun, heated, etc) must be licensed under RCW 69.07. For more information, please visit the WSDA Food Safety Program online at <http://agr.wa.gov/FoodAnimal/FoodProcessors> or email at foodsafety@agr.wa.gov or call (360) 902-1876.

Labeling Honey

Washington State law requires that honey be labeled with the following information:

- Identification of the product ("honey")
- Name and address of the producer
- The net weight and grade of the honey.

Grading Honey

For retail sale, honey must be graded. For the USDA standards for grading honey, see the United States Standards for Grades of Extracted Honey at www.ams.usda.gov/AMSv1.0/gefile?dDocName=STELDEV3011895

Registering Hives

In Washington State, all hives, whether for home or commercial use, must be registered with WSDA Plant Protection Division before April 1 of each year. Registration is required for any of the following:

- a person owning one or more hives;
- brokers renting hives; and
- apiarists that reside in other states who operate hives in Washington.

Annual registration fees are based on a sliding scale, from \$5.00 for 1 to 5 colonies to \$300.00 for 1,001 colonies or more.

Registration of hives provides official documentation that can be useful in the event of colony loss through poisoning or natural disaster. Fees are used to fund apiary research, as determined by the Apiary Advisory Board. While currently inactive, the board directs funding and research needs to the WSDA Director, as stated in state law.

Beekeepers with questions regarding registration of beehives, or that have interest in participating in advisory board activities should contact WSDA Plant Protection Division at (360) 902-2070, email PestProgram@agr.wa.gov, or visit <http://agr.wa.gov/PlantsInsects/Apiary>.

Recommended Fact Sheet: Food Processing

For further assistance or to make suggestions on how to improve this fact sheet, please email smallfarms@agr.wa.gov or call (360) 902-2057 or (360) 676-2059.

Wild or cultivated mushrooms can be sold at farmers markets, grocery stores, restaurants or other direct sales venues. Savvy consumers and chefs look for high quality and unique mushrooms. While white button, crimini, and portabella mushrooms are the most popular varieties in grocery stores, chanterelles, morels and lobster mushrooms shine at farmers markets. There are state regulations for harvesting wild mushrooms and processing mushrooms.

Cultivated mushrooms are considered a vegetable and there are no regulations for growing them conventionally. Contact the WSDA Organic Food Program for the organic regulations for cultivating mushrooms.

This fact sheet includes information on:

- regulations for harvesting wild mushrooms;
- selling mushrooms;
- selling processed mushrooms; and
- resources for commercial production.

Regulations for Harvesting Wild Mushrooms

Wild mushrooms harvested for commercial use in Washington State must be done with proper permission and permits. This includes mushrooms harvested from land owned or managed by the Washington State Department of Natural Resources (DNR), US Forest Service (USFS), other public lands as well as private landowners. The key is to obtain written permission from the agency or private landowner prior to harvesting.

One exception is that mushrooms harvested **and** sold on Native American Tribal lands do not require permitting. Those harvested on Tribal land but sold on non-tribal lands must be harvested with a permit. The regulations for harvesting wild mushrooms are outlined in Washington state law (RCW 76.48).

Private timber growers represent a large part of the forested land. It can be difficult to ascertain who owns private land and it may be necessary to research land ownership in order to get written permission to harvest mushrooms. It is generally easier to get permission to harvest from land managed by USFS or DNR.

Technically, wild mushrooms are classified as forest products by DNR and the USFS. The DNR and USFS have different requirements and permits for harvesting wild mushrooms.

Washington State Department of Natural Resources (DNR)

Harvest of certain products for commercial gain is handled through permits and leases. If you are interested in obtaining commercial access to a large parcel of trust land, for harvest of tree boughs, salal, bear grass and/or other decorative forest products, please contact the DNR region for the area in which you are interested at www.dnr.wa.gov/Publications/em_region_map_and_contacts.pdf.

DNR sets limits for harvesting mushrooms for "personal use." By definition, personal use forest products may not be sold or bartered. People harvesting mushrooms for personal use are limited to harvesting three gallons of a single species, not to exceed nine gallons of all species, plus one mushroom per day per person. To contact the Washington State Department of Natural Resources, go to the Special Forest Products section at www.dnr.wa.gov or call (360) 902-1774.

USDA Forest Service

To ensure a continuing supply of special forest products, the Bureau of Land Management and the USFS are working together to create uniform harvesting regulations on federally managed land in the Northwest.

In general, if you remove anything from federal land, you must have a "special forest products" permit. Therefore, if you want to harvest mushrooms on US Forest Service land, you must possess a valid "Special Forest Products" permit.

In addition, a “Commercial Use Permit” may be required from the National Forest District office closest to the harvest site. Different sites may have different requirements regarding fee and whether the mushrooms can be used for personal or commercial use. To find national forests that are part of the US Forest Service’s Pacific Region of the U.S. Forest Service, visit: www.fs.fed.us/r6.

For example, the Colville National Forest website posts a wild mushroom harvesting season chart with permits and fees for that forest. It also highlights specific forest information such as the harvest of any Matsutake (Pine) mushrooms requires a commercial use permit. It also contains mushroom harvesting etiquette and resources for identification. See the Colville National Forest website for Forest Product Permits at www.fs.fed.us/r6/colville/passespermits/special-forest-prod.shtml, or call (509) 684-7000.

No permit is needed for "incidental" amounts of wild mushrooms for personal use. For mushrooms, an incidental amount is considered up to 60 mushrooms or 3 gallons per day (whichever is less volume).

Landowners may require additional permits to harvest mushrooms on their property.

Mushroom buyers that buy wild mushrooms from harvesters and resell them are not required to obtain any permits.

Selling Mushrooms

There are no regulations for selling whole, fresh mushrooms. If packaged in containers, or processed, labeling requirements for processed foods must be met.

Selling Processed Mushrooms

You must use a licensed WSDA Food Processing Facility to process mushrooms, including drying, slicing, freezing or canning mushrooms. These facilities may be one of the least expensive options for processing mushrooms. Contact Food Safety for Processing Facilities near you. Producers may also get their own facility licensed through WSDA’s Food Safety Program. Please see the Processed Food fact sheet for complete details by emailing organic@agr.wa.gov or calling (360) 902-1805.

Resources for Commercial Production

For information on cultivated production and markets for small farms, see the University of Idaho Extension publication on “Growing Mushrooms Commercially – Risks and Opportunities” at <http://info.ag.uidaho.edu/pdf/CIS/CIS1077.pdf> .

ATTRA also has a free publication on “Mushroom Cultivation and Marketing” available at http://attra.ncat.org/attra-pub/mushroom.html#growing_mushrooms or by calling (800) 346-9140.

Recommended Fact Sheets: Food Processing, Organic Certification

For further assistance or to make suggestions on how to improve this fact sheet, please email smallfarms@agr.wa.gov or call (360) 902-2057 or (360) 676-2059.

In Washington State, most dairies that do direct marketing are independent businesses. The typical dairy has a small, often multispecies herd and milks by hand or mechanically. In Washington milk is legally sold raw and pasteurized; homogenized and non-homogenized. Some dairies do both milk and cheese. Additional niche products such as yogurts and kefir are also emerging. Producers are selling cow, goat, sheep or other milk directly to consumers from the farm, at farmers markets, on the Internet, and through retail grocery stores. Navigating the regulations on milk and dairy products can be a challenge.

This fact sheet covers:

- support from WSDA Food Safety Program;
- Milk Producers License;
- Milk Processing Plant License;
- Interstate Milk Shippers Program;
- Milk Hauler's License;
- pasteurized fluid milk sales;
- retail raw fluid milk sales;
- wholesale raw fluid milk sales;
- dairy animal health requirements; and
- cheese, butter and other dairy products.

Support from WSDA Food Safety Program

The WSDA Food Safety Program provides one-on-one technical assistance for dairy farms and milk processing plants to help you produce safe dairy products. Milk is a potentially hazardous food product because of its ability to support pathogen growth. It is important to reduce the risk of unintentionally contaminating your milk product.

The WSDA Food Safety Program helps you reduce risk by advising you about your milking parlor and milk processing plant design layout, construction materials, approval of equipment you are seeking to purchase, heating and cooling procedures, evaluation of your water source and cross-connections, and food science techniques for preventing cross-contamination from the farm to your milk processing plant, labeling of dairy products, as well as the application process for your license.

Milk Producers License

A "milk producer" is defined as a person or organization that operates a dairy farm and provides, sells, or offers milk for sale to a milk processing plant, receiving station, or transfer station. All milk producers are required to get a "Milk Producers License." This is an annual license and is free. For more information, please review the **Milk Producers Handbook** online at <http://agr.wa.gov/FoodAnimal/Dairy/docs/milkproducershandbook.pdf> or call Food Safety for a copy.

Milk Processing Plant License

A "Milk Processing Plant" is defined as a place, premises, or establishment where milk or milk products are collected, handled, processed, stored, bottled, pasteurized, aseptically processed, or prepared for distribution, except an establishment that merely receives the processed milk products and serves them or sells them at retail.

A milk processing plant must obtain an annual **Milk Processing Plant License**. Under this license, a milk processing plant may choose to process (1) Grade A milk and milk products, or (2) other milk products that are not classified Grade A. Please note that the licenses are only valid for the physical site address noted on the Milk Processing Plant license. They cost \$55.00 per year.

The Milk Processing Plant License covers only those products, processes, and operations specified in the license application and approved for licensing by WSDA. When a licensed processor wishes to add another type of milk product that is different than the products specified on their license, the licensee must submit to the WSDA Food Safety Program, a licensing amendment stating the type of product along with the processing steps, and a copy of the label.

All milk-processing plants must obtain the necessary endorsements (which verify approval) from WSDA in order to process products as defined for each type of milk or milk product processing. This may include the need for on-site approval of new equipment and facility design by the local Food Safety Officer.

Licensed Milk Processors are not required to obtain a "Food Processing License" unless they also manufacture non-milk products such as non-dairy creamers, bottled water, juice drinks, etc. Only one licensing fee will be charged when a Milk Processing Plant also manufactures food products. (See RCW 15.16.051 and RCW 69.07.04.)

For the complete Milk Plant Handbook, please visit

<http://agr.wa.gov/FoodAnimal/Dairy/DairyLicense/MilkPlantHandbookAppJul05.pdf>

Interstate Milk Shippers Program

Grade A Milk and Milk Products that are to be sold in interstate commerce (out of state) must be participants of the Interstate Milk Shippers Program (IMS). Participants must meet all applicable federal requirements such as the code of federal regulations (CFR) chapter 21. Producer milk that is shipped to an IMS listed facility must meet all IMS requirements even if they also ship milk to a milk processor NOT directly involved in the IMS program. Contact the WSDA Food Safety Program for more information regarding the IMS program and requirements.

Milk Hauler's License

A "Milk Hauler" is defined as a person who transports milk or milk products in bulk to or from a milk processing plant, receiving station, or transfer station. The annual Milk Hauler's License is free and the application is available online at <http://agr.wa.gov/FoodAnimal/Dairy/DairyLicense/Form2042.pdf> or by calling the Food Safety Program.

Pasteurized Fluid Milk Sales (retail and wholesale)

Pasteurized fluid milk processed by a licensed WSDA milk processing plant can be sold direct to consumers and through all food distribution channels in Washington State and out of state. However, if you want to sell out of state, see Interstate Milk Shippers Program (IMS) above.

Retail Raw Fluid Milk Sales

Raw fluid milk produced by a licensed WSDA milk producer and bottled at that farm's licensed milk processing plant can be sold direct to consumers from the farm, at farmers markets, on the Intranet, or through grocery stores within Washington State. Interstate sales are prohibited.

Raw milk sold in Washington State must bear the following labeling as required by state law (RCW 69.04 and WAC 16-101-990):

- Identification of the product, including the word "Raw" in clear lettering;
- Name and place of business of the producer or packager;

- The quantity, weight, and grade of the milk;
- The words “WARNING: This product has not been pasteurized and may contain harmful bacteria. Pregnant women, children, the elderly and persons with lowered resistance to disease have the highest risk of harm from use of this product.”

When selling raw milk, a sign must be posted near the product that states: “Warning: Raw milk or foods prepared from raw milk may be contaminated with dangerous bacteria capable of causing severe illness. Contact your local health agency for advice or to report a suspected illness.” (WAC 246-215-051)

Wholesale Raw Fluid Milk Sales

Raw fluid milk produced by a licensed WSDA Milk Producer can be sold for further processing to a licensed WSDA milk processing plant, food processor or animal feed processor.

Dairy Animal Health Requirements

It is illegal to sell or deliver milk or milk products produced from diseased mammalian animals. All milking mammals must meet the animal health requirements established by the state veterinarian (RCW 16.36). In particular:

- Mammalian animals showing chronic mastitis are not allowed to be part of the milking herd.
- Raw milk intended to be consumed in the raw state must come from a herd that has tested negative within the previous 12 months for brucellosis, tuberculosis and other diseases designated by the state veterinarian.

Animals must be tested yearly thereafter to assure their health. Additions to the herd must test negative for the diseases within the previous thirty days before introducing them into the herd.

Cheese, Butter and Other Dairy products

Dairy farms wishing to process cheese products, butter, and/or other dairy products must obtain a Milk Producer License and a Milk Processing Plant License from WSDA. A Milk Producer License is only needed when animals are being milked. A food processor that is buying milk from a farm to make cheese does not need a Milk Producer License.

Cheese can be processed from pasteurized milk or raw milk. If processing cheese from raw milk, the cheese must be aged at not less than 35° F for at least 60 days.

Other value-added dairy products (e.g. chocolate milk, buttermilk, egg nog, yogurt) can only be processed from pasteurized milk.

Licensing application packets and help are available from the WSDA Food Safety Program at <http://agr.wa.gov/FoodAnimal/Dairy>, or by emailing foodsafety@agr.wa.gov or calling (360) 902-1876.

Recommended Fact Sheets: Food Processing, Insurance, Licensing

For further assistance or to make suggestions on how to improve this fact sheet, please email smallfarms@agr.wa.gov or call (360) 902-2057 or (360) 676-2059.

This fact sheet has been developed as part of the “Realizing the Potential of Pastured Poultry in our Local Food System” project by Kirsten Workman of the WSU Mason County Extension and Mason Conservation District; Fred Berman and Patrice Barrentine of the Washington State Department of Agriculture Small Farm and Direct Marketing Program; Nate Lewis of WSDA Organic Food Program and Homegrown Pastures, Melissa Barker of The Evergreen State College Organic Farm and Homegrown Pastures, and Colleen Donovan. We gratefully acknowledge everyone who reviewed and improved this fact sheet including Claudia Coles, Al Kowitz, Norman Suverly, Carey Hunter and Andy Bary.

Please note: the information in this fact sheet is our best understanding of the current state laws and regulations at the time of publication. If there is a conflict between what is written and what is contained in law, the applicable law prevails. Laws and regulations also are subject to change. Please refer to the contacts listed for the most up-to-date information.

Growing consumer demand for locally grown, humanely-raised, organic and/or pastured meat creates new opportunities for small-scale poultry producers. Careful planning and a good understanding of the regulations surrounding the processing, handling, and marketing of poultry meat is essential. With the proper license or permit, a producer can sell his or her poultry meat to retail outlets such as restaurants, grocery stores, and farmers markets, or straight from the farm. This Fact Sheet is designed to help poultry producers understand Washington State regulations and provide resources for a successful poultry enterprise.

This fact sheet includes:

- overview of poultry processing permits and licenses;
- WSDA poultry processing facility and water requirements;
- mobile poultry processing units;
- USDA inspected poultry processing plants in Washington;
- ratites and rabbits;
- selling and labeling certified organic poultry;
- requirements for selling poultry at farmers markets and farm stands;
- poultry processing equipment lending programs;
- helpful resources on poultry processing.

Figuring out which licenses and permits apply to a poultry business can be a daunting task. It may be difficult to see the benefit of going through the process, especially when pressed with so many other expenses and responsibilities. Benefits to getting the proper permit or license to process poultry include:

Opening up new marketing alternatives

With the proper permit or license, your poultry may be legally sold to customers from your farm, to restaurants, grocery stores, at farmers markets and via the Internet.

Capturing more value for your poultry meat

By accessing direct markets, producers can capture the full retail value of poultry, increasing profits. For example, as of August 2009, direct marketed whole chickens are selling on average for \$3.50 to \$5.75 per pound.

Building customer trust and loyalty

By acquiring the appropriate licenses, you can demonstrate to your customers that you are following all state regulations and food safety practices that ensure a safe, quality product.

Reducing business risk

In order for your product liability insurance to be valid, your carrier will require you to be properly licensed. Being licensed also enables you to advertise without concern for regulatory repercussions.

Influencing agricultural policies in Washington State

Being licensed creates an opportunity for direct feedback to state agencies, so that they can improve rules to better serve farmers and consumers alike. The more producers that are licensed, the greater their voice becomes in the policy arena. In addition, as a producer you have a responsibility to your fellow producers to maintain a legal and safe infrastructure to protect both the public and your rights to continue processing.

Overview of Poultry Processing Permits and Licenses

Poultry processing in the United States is regulated by the Federal Poultry Products Inspection Act. This includes chicken, geese, duck, turkey and other domesticated birds raised for meat.

In Washington State, there are currently two ways that small-scale poultry producers may be exempted from this Act. One is the **WSDA Special Poultry Permit** and the other is by getting a **WSDA Food Processors License**.

The WSDA Food Safety Program is available for one-on-one technical assistance with the licensing process, a processing facility design and construction materials, equipment, cooling procedures, water source, and food safety techniques to prevent cross-contamination of poultry products. Please contact WSDA Food Safety Program directly before submitting your licensing application at (360) 902-1876 or email foodsafety@agr.wa.gov or go online to www.agr.wa.gov/FoodAnimal/FoodProcessors.

Which Permit or License do I need?

The below four questions can help a producer figure out if he or she needs a WSDA Specialty Poultry Permit or Food Processor License:

1. How many birds will you process in a calendar year?
2. Do you want to sell whole birds?
3. Do you want to sell to retail markets such as restaurants, grocery stores or at farmers markets?
4. Do you want to sell outside of Washington State?

	WSDA Special Poultry Permit	WSDA Food Processor License	USDA FSIS Inspected Facility
Number of Birds? (per year)	up to 1,000	up to 20,000	unlimited
Whole or processed (into cuts, frozen, etc)?	whole only	whole or processed	whole or processed
Marketing?	direct to end consumer	direct and retail	direct and retail
Sales allowed outside of Washington State?	NO	NO	YES

WSDA Special Poultry Permit

Farms selling less than 1,000 slaughtered poultry of any species in a calendar year may operate with a WSDA Special Poultry Permit¹. This permit allows the farm business to sell processed whole birds within 48 hours of slaughter.

Poultry must be sold fresh. This permit does not allow further processing, parting out, vacuum sealing or freezing.

¹ The Special Poultry Permit was formerly known as the "Temporary Permit to Slaughter Pastured Chickens." The Special Poultry Permit came into effect in July 2009. This permit now includes **all** poultry (not just pastured chickens).

Whole birds are sold only from the property of the Washington farm where the poultry was raised and processed. The birds must be sold directly to the end consumer and the customer must pick up the birds at the farm.

This permit does not allow farms to sell processed poultry at farmers markets, direct to restaurants or grocery stores, or ship processed birds via the mail or other service.

The WDSA's "Handbook for Special Poultry Permit to Slaughter, Prepare and Sell Whole Raw Poultry" is a really great place to start. This resource includes over twenty FAQ covering everything from record keeping to composting offal. www.agr.wa.gov/FoodAnimal/TempChickenSlaughter/Handbook.aspx.

How to Get the WSDA Special Poultry Permit

The first step is to contact Food Safety and discuss your plans with an inspector. Food safety inspectors are a terrific resource and wealth of knowledge on how to ensure that the processing set up and practices meet state standards. You will then need to submit an application to the WSDA Food Safety Program. The key is to apply early to give Food Safety enough time to work with you.

For many, the most challenging aspect of the application is the "Slaughter/Preparation Site Diagram" and "Detailed Processing Steps or Flow Diagram." To avoid confusion with your food safety application, be sure to include as much detail into these diagrams as possible. The major steps involved (e.g. kill, scald, pluck, eviscerate, rinse, and chill) MUST be included in the flow charts, and any additional layers of detail will help to ensure a smooth licensing process.

Once the Food Safety Program has received the application, a trained WSDA food safety inspector will come to the farm to verify that the facility, slaughter and processing is done in compliance with state food safety requirements. Inspections include an evaluation of personnel, grounds, butcher facility construction and design, sanitary operations, pest control, sanitary facilities and controls, equipment and utensils, processes and controls, labeling and licensing. Preventing overhead contamination, having food grade surfaces, and chilling tend to be key areas of concern.

It is best to schedule your inspection on a day when you can do a dry run. Not having customers on farm the same day gives you time to address any issues. Your inspector will give you the green or red light. Once approved, your certificate will be mailed to you.

The permit application asks for your projected slaughter dates. You must provide prior written communication of slaughter date additions or deletions to the Food Safety Program at least one week before the change.

To avoid a backlog, please apply for and obtain the permit at least 6 weeks before your first slaughter date.

The fee for this permit is \$75.00 for one calendar year (January 1 to December 31) or \$125.00 for two years. The two-year option was introduced and approved in July 2009.

An applications and more information is available online at www.agr.wa.gov/FoodAnimal/FSP or call (360) 902-1876 or email foodsafety@agr.wa.gov.

WSDA Food Processor License

There are three main reasons a farm would require a WSDA Food Processor License to process poultry. The farm is planning to:

1. Process between 1,001 and 19,999 birds a year; **OR**
2. Sell to retail markets; **OR**
3. Process further (i.e. cut into pieces), freeze or otherwise alter poultry.

The WSDA Food Processor License allows farms to process **up to** 19,999 meat poultry. You can process less than 1,000 with the Food Processor License. However, if you are planning to process 1,001 up to 19,999 in a year, then

you are required to get the Food Processor License.

One of the key benefits is that the Food Processor License allows farms to sell processed poultry directly from the farm, at farmers markets, on the Internet, to hotels, restaurants, food service institutions, grocery stores, or through wholesale food distribution in Washington State.

The Food Processor License allows poultry to be further processed, for example breaking down the whole bird into individual cuts (or “parted out”) or freezing. The license also allows vacuum sealing if the product will be frozen.

This permit does not allow out of state sales.

How to Get the WSDA Food Processor License

To get a WSDA Food Processor License, visit food safety online “food processor” overview. It is available online at www.agr.wa.gov/FoodAnimal/FoodProcessors or by calling (360) 902-1876 or by email foodsafety@agr.wa.gov.

Like the Specialty Poultry Permit, producers should start by contacting the WSDA Food Safety Program to discuss your plans (contact information below). You will need to submit an application to the WSDA Food Safety Program. The application includes a Sanitation Schedule, Intended Type of Process (#12 is poultry butchering), Ingredient/Processing Information, a Floor Plan of where you will be processing poultry, Proposed Labeling, questions about your Water Supply and Testing. Allow extra time for getting your water system approved for your facility, as this can take weeks and/or months.

Applications are available online at www.agr.wa.gov/FoodAnimal/FSP or call (360) 902-1876 or email foodsafety@agr.wa.gov. There is also a fee due with the application. The fee is based on sales volume and starts at \$55.00 per year for gross sales up to \$50,000.

WSDA Food Processor License Fee Schedule

If gross annual sales are:	The license fee is:
\$0 to \$50,000	\$ 55.00
\$50,001 to \$500,000	110.00
\$500,001 to \$1,000,000	220.00
\$1,000,001 to \$5,000,000	385.00
\$5,000,001 to \$10,000,000	550.00
Greater than \$10,000,000	825.00

Once Food Safety reviews your application, a local Food Safety Officer will contact you within 4 to 6 weeks. He or she will need to inspect your processing site to ensure it meets all the state requirements and to answer any questions.

WSDA Poultry Processing Facility and Water Requirements

The Special Poultry Permit and Food Processor License have different requirements for facilities, lighting, bathrooms and water (from private wells). The sanitation and cooling and refrigeration requirements are the same.

WSDA Special Poultry Permit*Facilities*

No permanent building is required.

Protection from overhead, side and ground contamination is required. When insects, dust, mud, pests, or other contamination is likely to occur, a temporary set up including tarps, canopies, floor mats, etc., may be used. A grassy, clean and pesticide-free pasture could qualify. If there is no potential for overhead/ground contamination, the entire slaughter processing, and bagging operation could occur outside.

At least one hand washing station must be accessible on site (temporary options are available).

Lighting

Lighting only needs to be provided if slaughtering at night or in low light conditions.

Bathroom

At least one toilet must be available and conveniently located at the poultry slaughter site. This can be an adequate home bathroom.

Water

Public or municipal water supplies meet requirements for potable water.

If you are on a private well, your local or county health department or Washington State Department of Health (DOH) must approve the water source. Water source approval means the structure used to deliver the water must meet the State DOH requirements for potable water.

Additionally the water must have a passing bacterial test conducted within 60 days previous to permit application.

Potable water may be hauled into the processing site as long as the water is safe and sanitary. The transport vessel that is used must be capable of maintaining the sanitary quality of the water.

Please see Attachment C “Water Supply Requirements” of the Special Poultry Permit application for detailed information.

WSDA Food Processor License

You must have a separate facility dedicated to the commercial processing operation only. Your home kitchen cannot serve as this facility; however, your separate processing facility may be located in your home.

Slaughtering and plucking may occur outdoors in a covered area.

Facilities

The rest of the processing must occur indoors. Specific requirements include:

- Equipment, worktables and counters must be in good repair and have surfaces that are easily cleaned and non-corrosive.
- Floors must be made of material that can be cleaned and must be in good repair. Typically vinyl linoleum or tile floor coverings are sufficient for small operations where vacuuming and wet mopping provide sufficient clean up. *Unfinished wood floors are NOT suitable in any areas.*
- Walls must be covered with a washable, non-porous, non-corrosive, smooth material that will not deteriorate when it gets wet.
- Sinks may be 3-compartment or 2-compartment; please check with your inspector. Food handlers must have access to one or more hand washing facilities with hot and cold running water, soap, single service towels, and hand wash signs.

Lighting

Adequate lighting must be provided and be shatter-proof. The fixtures should be located above equipment or areas where food is exposed.

Bathroom

An adequate home bathroom is sufficient if only family members work in the processing facility. When a processor hires anyone outside of the immediate family to process poultry, then a separate bathroom is required.

Water

Public or municipal water supplies meet requirements for potable water.

If you are on a private well, you will need to meet Washington State Department of Health's requirements for a Group A or B water system. The system required will depend on the number of employees and the number of days you operate.

Please see Attachment E "Water Supply Testing Requirements" of the Food Processor License application for detailed information.

Sanitary practices for both Specialty Poultry Permit and Food Processor License

Hand washing is critical to food safety, regardless of your permit or license. Hands must be washed thoroughly before starting *and* between each preparation step as well as after every break. At least one hand washing station must be accessible on site (see above).

Cooling and refrigeration requirements for both Special Poultry Permit and Food Processor License

Processed poultry must be cooled to 45 degrees Fahrenheit within four hours of slaughter (unless they are sold within four hours). Producer will need to demonstrate the availability and efficiency of your equipment -- coolers, boxes, refrigerators, freezers (only for Food Processor License), etc -- for storage and transport prior to permit or license approval.

When poultry is processed, a temperature control must be used to monitor slaughter cool down temperatures to ensure proper chilling. A calibrated thermometer inserted into the first bird slaughtered and then monitored will work. You must record this cooling time.

Co-packing under the WSDA Food Processor License

The Poultry Products Inspection Act's (PPIA) "exemption to the exemption" can be requested by a WSDA licensed facility to process birds from multiple producers (also known as co-packing). It states: "The facility used to slaughter or process the poultry is not used to slaughter or process another person's poultry unless the Administrator of FSIS grants an exemption [PPIA Section 464(c)(3); Title 9 CFR 381.10(b)(2)]."

The term "exempt" means that certain types of poultry slaughter and processing facilities may qualify to operate without daily Federal inspection or a grant of Federal inspection. Such facilities are exempt from continuous bird-by-bird inspection and the presence of inspectors during the slaughter of poultry and processing of poultry products.

However, a facility operating under such an exemption must still comply with all other requirements of the PPIA and all facilities slaughtering or processing poultry for human use, including exempt operations, must produce products that are not adulterated or misbranded.

All poultry processed under any exemption of the PPIA and offered for sale must have a label with the producer's name, producer's address, and the statement, "Exempt P.L. 90-492." If the poultry is processed by another facility operating under this exemption, the label must state that the bird was processed by that facility and distributed by the producer of the bird.

To request an exemption to the PPIA, contact the regional **USDA Food Safety & Inspection Service District Office** in Denver at (303) 236-9800 or www.fsis.usda.gov.

Mobile Poultry Processing Units

Mobile Poultry Processing Units (MPPUs) are allowed to operate in the state of Washington. MPPUs can be a feasible way for small producers to process poultry and share in the cost of the facility with other producers. The mobile unit must meet regulatory requirements for a WSDA Licensed Food Processing facility. It must be fully enclosed; however, killing and plucking can occur, under cover, outside of the unit. Each producer using the mobile unit must obtain a WSDA Food Processor License and can process up to 19,999 birds, each, per year.

The first WSDA-licensed Mobile Processing Poultry Unit serves Ferry and Stevens Counties and was a joint project of Community Agricultural Development Center (CADC) and WSU Stevens County Extension. For more information contact Al Kowitz with CADC at (509) 499-1360 or go to: www.communityagcenter.org/Poultry%20Unit.htm. Additional information from WSU Stevens County Extension is at <http://stevens.wsu.edu/Agriculture/poultryproject.htm>.

The Puget Sound Meat Producers Cooperative is planning to add poultry processing to their MPU in the spring of 2010. Please check their website at www.psmc.com for updates or contact Cheryl Ouellette at (253) 278-3609.

USDA Inspected Poultry Processing Facilities in Washington

USDA inspection is required for businesses that slaughter and process 20,000 or more birds per year and/or sell their birds outside of Washington State. Please contact the USDA Food Safety and Inspection Service for more information.

USDA Food Safety & Inspection Service District Office (for Washington)

Denver Federal Center, PO Box 25387, Building 45, Denver, CO 80225
(303) 236-9800 or www.fsis.usda.gov

The FSIS has a listing of USDA inspected plants online that is updated monthly; search for “poultry inspection directory” from the FSIS home page. You should find a “Meat, Poultry and Egg Product Inspection Directory.” www.fsis.usda.gov/regulations_&_policies/Meat_Poultry_Egg_Inspection_Directory/index.asp.

A helpful publication to determine if a farm is exempt from USDA inspection, “Guidance for Determining Whether a Poultry Slaughter or Processing Operation is Exempt from Inspection Requirements of the Poultry Products Inspection Act” can be found at: www.fsis.usda.gov/OPPDE/rdad/FSISNotices/Poultry_Slaughter_Exemption_0406.pdf.

Ratites and Rabbits

Large birds such as ostrich, emu, and rhea (ratites) can be processed in USDA inspected facilities or facilities that are licensed by WSDA as a Food Processor. Processors licensed by WSDA as a Food Processor may slaughter 19,999 or less large birds per year. These processors must apply to the USDA Food Safety and Inspection Service for exemption from inspection. Each bird or package for sale must be marked or tagged, “Exempted under PL 90-492” and include the name and address of the processor. For more information, please contact the WSDA Food Safety Program.

Rabbits are also allowed to be processed with a WSDA Food Processor License. There is no limit to the number of rabbits that can be processed with this License.

Selling and Labeling Certified Organic Poultry

If any operation makes organic claims (i.e. on a label, farm name, etc.) and it grosses over \$5,000 annually, it must become certified by an accredited certifying agency. In the Northwest most producers either certify with the WSDA Organic Food Program or Oregon Tilth. In addition, Oregon’s Department of Agriculture is now accredited to do organic certification.

Producers, who process their own birds and want to sell chicken labeled “Organic Chicken” (or turkey or duck, etc.), need to become both a certified organic producer and a certified organic processor. Organic producers may also label poultry products in this manner if they process their birds at a certified organic licensed slaughter facility.

Another option is to label the poultry “organically raised.” In this situation, the grower must be a certified organic producer, but he or she does not need to be a certified organic processor. They cannot make organic claims on the processing of their products, but they can make claims to reflect the organic production methods employed when raising the animals.

Organic Label

Organic Certifications Required

“organic chicken”

Must be raised by a certified organic producer AND processed by a certified organic processor

“organically raised”

Must be raised by a certified organic producer

Please contact the WSDA Organic Food Program to discuss your plans before you start advertising or labeling anything as “Organic.” They can be reached at (360) 902-1805 or organic@agr.wa.gov or www.agr.wa.gov/FoodAnimal/Organic.

Requirements for Selling Poultry at Farmers Markets and Farm Stands



Janelle Stokesberry holding a chicken and a dozen eggs from Stokesberry Sustainable Farms in Olympia. Photo copyright 2009 by Zachary D. Lyons.

Poultry meat sold at farmers markets or farm stands needs be processed by a licensed WSDA Food Processor.

The local health department sets the rules for the retail selling of meat and poultry products at farmers markets and farm stands in their jurisdiction (usually a county).

Rules vary from jurisdiction to jurisdiction. Some health departments allow fresh meat (whether chicken or red meat) if it is under mechanical refrigeration at 38° F. Some allow only frozen products in coolers that maintain solid frozen product at markets. Both options require producers to have permits from local health departments. Be aware that some health departments require a different permit for each different market site or day.

Permits range from \$25.00 per season to \$600 per season. Check with the health department early on to find out what options are available and the associated costs because permitting can take time.

All farmers markets will require that producers have the proper state and county licenses and permits to sell products. In addition, ask the market manager for electricity and voltage specifics before buying an electrical refrigeration unit.

To find one of the more than 110 member markets of the Washington State Farmers Market Association go to: www.wafarmersmarkets.com or call (206) 706-5198.

Poultry Processing Equipment Lending Programs

In recent years, several new programs have emerged to lend poultry processing equipment to producers for a small fee in Washington. Most of these programs provide a large, thermostatically-controlled scalding, a drum picker or plucker and kill cones. In most cases, the producer is required to provide propane, water, electricity, and all other required equipment.

Below is contact information for current Poultry Processing Equipment Lending Programs:

Mason County and Surrounding Counties

Mason County Small Farms Program
 WSU Mason County Extension in Partnership with Mason
 Conservation District
 450 W. Business Park Road
 Shelton, WA 98584
 (360) 427-9436 Ext. 14
kworkman@wsu.edu
<http://mason.wsu.edu/smallfarms>
 Contact: Kirsten Workman

Thurston County and Surrounding Counties

Thurston Conservation District
 2918 Ferguson Street SW, Building 1, Suite A
 Tumwater, WA 98512
 (360) 754-3588
mailto:tcd@thurstoncd.com
www.thurstoncd.com
 Contact: Tony Riccardo or Brian Thompson

Island, San Juan, Skagit, Snohomish, and Whatcom Counties

Northwest Agriculture Business Center
 419 South 1st St, Suite 200
 Mt. Vernon, WA 98273-2924
 (360) 336-3727 or (888) 707-2021
info@agbizcenter.org
www.agbizcenter.org
 Contact: Jake Fowler

Whatcom County

Whatcom Pastured Poultry Group
 5050 Graveline Rd.
 Bellingham, WA 98226
 (360) 384-4821
maczuga@clearwire.net
 Contact: Terry MacGuza

Benton County and Surrounding Counties

CG Ranch
 22207 W Gerrick Rd
 Benton City, WA 99320
 (509) 723-1621
russstaska@netscape.net
 Contact: Russ Staska



Helpful Resources on Poultry Processing

American Pastured Poultry Producers Association: www.apppa.org

Chicken Tractor Designs: www.puyallup.wsu.edu/soilmgmt/SusAg_PoultryCages.htm

Featherman Video Demos: www.featherman.net/videodemos.html

National Sustainable Agriculture Information Service: www.attra.ncat.org

Niche Meat Processors Assistance Network: www.nichemeatprocessing.org

Sustainable Poultry: www.sustainablepoultry.ncat.org

WSDA Food Safety Program: <http://agr.wa.gov/FoodAnimal/FSP>

WSDA Organic Food Program: <http://agr.wa.gov/FoodAnimal/Organic>

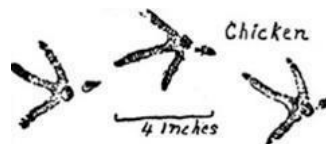
WSDA Small Farms and Direct Marketing Program: <http://agr.wa.gov/Marketing/SmallFarm>

Washington State University Small Farms: www.smallfarms.wsu.edu/animals/poultry.html

Washington State University Organic Farming Systems & Nutrient Management - Pastured Poultry: www.puyallup.wsu.edu/soilmgmt/SusAg_PasturedPoultry.htm

Recommended Fact Sheets: Eggs, Food Processing, Licensing, Meat

For further assistance or to make suggestions on how to improve this fact sheet, please email smallfarms@agr.wa.gov or call (360) 902-2057 or (360) 676-2059.



There is a growing demand for “niche meats” which creates new opportunities for producers who raise natural, pastured or grass-fed, organic, or local meat. Unfortunately, accessing meat processing facilities and selling meat can be a significant challenge.

In this fact sheet you will find information on:

- meat processing overview;
- WSDA custom meat processing;
- USDA inspected meat sales;
- USDA inspected mobile processing units;
- exotic and game animals;
- Health Department Rules for selling meat at farmers markets or farm stands; and
- Food Storage Warehouse License.

Please see “Poultry Processing and Marketing Regulations” fact sheet for information on poultry meat and processing options, including large birds such as ostrich and rheas.

Meat Processing Overview

Meat processing in the United States is regulated by the Federal Meat Inspection Act. This Act covers processing cattle, sheep, swine, and goats and in some situations also includes exotic animals, game animals and ostrich, emu, and rhea raised for meat. In order to meet the federal requirements, animals must be processed at plants inspected by the USDA Food Safety and Inspection Service (FSIS). Unfortunately, it is difficult for small producers to access these federally inspected plants. The other option is to have your animals processed by utilizing a WSDA licensed Custom Meat Slaughter and Processing Facility, also known as “custom exempt.”

	WSDA Custom Exempt	USDA FSIS Inspected Facility
What can be sold	quarter, half, or whole animal	whole, primal, or processed into cuts
Marketing options	direct to end consumer only	direct and retail
Sales allowed outside of Washington?	NO	YES

WSDA Custom Exempt Meat Processing

The WSDA Custom Meat Program licenses persons that slaughter or process uninspected meat animals for the sole consumption of the owner. In order to meet this requirement, producers sell live animals by weight (live weight) directly to the end consumer. Animals are generally sold in whole, halves, or quarters. The producer contracts with a WSDA licensed custom slaughterer (mobile truck or fixed facility) for on farm kill of the animal already sold.

Be sure to get your butcher dates well in advance to secure your slaughterer and to ensure there is space at the cut and wrap facility on the same day. August through December is a butcher’s busiest season.

Once clean, the carcass is tagged and delivered to a WSDA licensed custom meat facility for aging, cutting and wrapping, and freezing. Individual customers must call the facility with directions on how to cut the carcass. Customers make arrangements to pick up their meat.

Custom slaughtered meat is “uninspected” because it is not processed in a USDA inspected facility and cannot be resold. All packaged meat must be labeled ‘not for sale’. Only the owner of the animal and their immediate family or non-paying guests can consume it. It cannot be sold at farmers markets, to restaurants, or to grocery stores. It also cannot be donated to food banks.

For a list of WSDA licensed custom slaughter and custom meat processing facilities visit WSDA Food Safety Program at <http://agr.wa.gov/FoodAnimal/CustomMeats/> or email foodsafety@agr.wa.gov or call (360) 902-1876.

USDA Inspected Meat Sales

USDA inspection is required to sell meat from livestock and animal products (as opposed to live animals) through retail outlets, by the cut, or across state lines. Producers must have the animals slaughtered and processed in USDA inspected facilities. Some facilities require a minimum head number or work only on contract, and many process only beef. The major benefit of meat processed at USDA inspected facilities is that it may be sold at farmers markets, to restaurants and to other retail outlets.

For information regarding USDA Inspected facilities in the Pacific Northwest, contact **USDA Food Safety and Inspection Service District Office** (for Washington) in Denver, Colorado at (303) 236-9800 or visit www.fsis.usda.gov.

USDA Inspected Mobile Processing Units

USDA Inspected Mobile Processing Units (MPU) meet all of the requirements of a USDA fixed plant and the meat may be sold through retail outlets, by the cut, or across state lines. The difference is that animals are slaughtered on farm, reducing the need to transport them to a slaughter facility. USDA Inspected MPU's can provide processing where fixed facilities are not available to small or non-contracted farmers. Carcasses are then taken to a USDA inspected fixed facility for aging, cutting and packaging.

Washington currently has four red meat MPUs in operation.

Island Grown Farmers Co-op (IGFC) provides USDA-inspected mobile animal slaughter services to its members in San Juan, Whatcom, Skagit, Island and Snohomish counties. Cut and wrap, storage and some retail sales services are provided at IGFC's facility in Bow. For more information visit www.igfmeats.com, or email info@igfmeats.com, or call (360) 766-4273.

The **Puget Sound Meat Producers Cooperative** is a non-profit cooperative of local ranchers, farmers, butchers, restaurant owners and others that operates a USDA-inspected MPU serving King, Kitsap, Lewis, Mason, Pierce, Thurston and Clallam Counties. For more information, visit www.psmpc.com, email psmpc@pugetsoundmeat.org or call (253) 278.3609.

Smokey Ridge Meats in Chewelah is also a USDA Processor. The Community Agriculture Development Center owns a USDA stationary mobile processing unit where animals can be slaughtered and then processed at Smokey Ridge meats which is USDA inspected.

Thundering Hooves has a privately owned MPU that serves the Walla Walla area. For more information, visit www.thunderinghooves.net/meats/processing.htm or contact them via email info@thunderinghooves.net or by calling (866) 350-9400.

Exotic and Game Animals

Exotic animal meat (e.g. buffalo or game animals) can be sold within Washington State when slaughtered and processed at a WSDA Custom Exempt Meat Processing facility or at a USDA inspected plant. To sell exotic animal meat outside Washington State, animals must be processed at a facility that has a USDA grant of inspection for that particular species.

Hunters' game animals can be custom processed by a licensed WSDA Custom Exempt Meat Processing facility. They cannot be sold.

Elk and deer farms are not allowed in the state of Washington. The Washington Department of Fish and Wildlife prohibits the transport of elk and deer into Washington for processing.

Pigeons (squab) are considered "poultry" under the jurisdiction of USDA Meat Inspection Program. WSDA has jurisdiction under Custom Meat only where the bird is slaughtered and processed in a custom meat facility and then returned to the owner of the animal.

Rabbits can be processed at WSDA licensed poultry processing facilities. See the Poultry Fact Sheet for more information.

Health Department Rules for Selling Meat at Farmers Markets or Farm Stands

Only USDA inspected meat can be sold at farmers markets, farm stands or restaurants.

In addition, the local health department sets the rules for selling retail meat and poultry products at farmers markets and farm stands in their jurisdiction. Rules vary from jurisdiction to jurisdiction. Some health departments allow fresh meat sales (chicken or red meat) if it is under mechanical refrigeration held at 38° F or below. Some allow only frozen products in coolers that maintain solid frozen product at markets. Both options require producers to have permits from the local health department.

Be aware that some health departments require separate permits for each market site or each day. Health Department permits range can from \$25.00 per season to \$600 per season. Check with the health department early on to find out what options are available and the associated costs because permitting can take time.

All farmers markets will require that producers have the proper state and local licenses and permits to sell products. In addition, ask the market manager about the electricity and voltage availability before buying an electrical refrigeration unit.

To find one of the more than 140 member markets of the Washington State Farmers Market Association go to www.wafarmersmarkets.com or call (206) 706-5198.

Food Storage Warehouse License

To commercially store perishable foods, such as meat, a Food Storage Warehouse License is needed for your facility. This facility can be a separate freezer or refrigerator (not your household freezer) and must be located away from a domestic kitchen, such as in a barn or garage. Temperature logs must be maintained and the facility is subject to inspection.

This license enables farmers to store USDA meats for later sale. It also allows farmers to provide a service to customers and lease refrigerator or freezer space to consumers for items that require substantial storage space. This license is \$50.00 annually and expires on March 31 of each year.

For more information call (360) 902-2095, email foodsafety@agr.wa.gov or download an application at: <http://agr.wa.gov/FoodAnimal/FoodStorage/docs/ApplicationForFoodStorageWarehouseLicense.pdf>.

Recommended Fact Sheet: Poultry Processing and Marketing Regulations

For further assistance or to make suggestions on how to improve this fact sheet, please email smallfarms@agr.wa.gov or call (360) 902-2057 or (360) 676-2059.

Both State and local agencies have jurisdiction over the sale of fish directly to the end consumer. In addition to the state requirements below, businesses selling fish or shellfish must be inspected and obtain licensing and food worker permits from the local County Health Department. Contact your county health department for specific information.

This fact sheet includes:

- Washington State fish and shellfish licenses;
- selling at farmers markets;
- fish processing and HACCP; and
- aquatic farms.

Washington State Fish and Shellfish Licenses

Fish

A Washington State Department of Fish and Wildlife (WDFW) license is required for any commercial enterprise to catch and sell fresh, raw fish.

The following licenses are available:

Anadromous Fish Buyer/Dealer License

Cost: \$180.00/year. Authorizes the purchasing or selling of steelhead, trout and other anadromous game fish harvested by treaty fishermen lawfully exercising fishing rights.

Direct Retail Endorsement License

Cost: \$50.00/year. Allows a fisherman to land and sell his or her catch or harvest in Washington State to anyone other than a licensed wholesale dealer. The fisher must have a salmon, crab or sturgeon license to be eligible for this endorsement.

Fish Buyer License

Cost: \$95.00/year. Authorizes the buying and selling of food fish and shellfish at wholesale by representative of a wholesale dealer.

Wholesale Fish Dealer License

Cost: \$250.00/year. Required for any Washington State business engaging in the commercial buying or processing of food fish or shellfish, including:

- custom canning and/or processing of personal use food fish or shellfish;
- wholesale buying and/or brokering of food fish or shellfish;
- commercial manufacturing or preparation of fertilizer, oil, meal, caviar, fish bait or other by-products from food fish or shellfish; and
- a business employing a fish buyer.

For applications or more information on these licenses contact Washington State Department of Fish and Wildlife License Division at <http://wdfw.wa.gov/licensing/commercial>, or email commercialsales@dfw.wa.gov, or call (360) 902-2464.

Shellfish

A variety of shellfish are harvested in Washington's Puget Sound and coastal regions, including oysters, clams, mussels, geoduck, and scallops. These are filter feeders capable of concentrating chemicals, bacteria, viruses, or marine biotoxins. To protect consumers, commercial shellfish growing areas, certified harvest sites, and licensed processing facilities are monitored by the Washington State Department of Health (DOH).

Fishers and/or Shellfish farmers that harvest or sell molluscan shellfish (clams, oysters, mussels, and/or scallops) for human consumption are required to obtain a:

- Washington State Master Business License);
- Washington State Department of Health (DOH) Commercial Shellfish License; **and**
- Washington Department of Fish & Wildlife (WDFW) Aquatic Farmer Registration.

There are three major types of commercial shellfish operations licensed by DOH:

- harvesters who harvest shellstock (live, unshucked product) and sell only to other licensed Washington State shellfish dealers;
- shellstock shippers who grow and harvest shellstock, and buy and sell in or outside Washington; and
- shucker-packers whose activities may include those of harvesters and shellstock shippers, plus shucking product for packing in jars or similar containers.

Commercial shellfish operations are licensed for a period of one year, and licenses must be renewed annually. All operations must meet stringent state and federal sanitation standards, and are regularly inspected by the Department of Health.

To obtain a commercial shellfish license, please contact DOH Office of Shellfish and Water Protection at (360) 236-3330.

For a list of Washington licensed shellfish companies go to: www.doh.wa.gov/ehp/sf/Pubs/sf-co-alpha.pdf

For more information and licensing and permit applications contact Washington State Department of Health Office of Shellfish and Water Protection Program at 360-236-3330, or visit www.doh.wa.gov/ehp/sf/commercial.htm and/or Washington State Department of Fish and Wildlife License Division at <http://wdfw.wa.gov/licensing/commercial>, email commercialsales@dfw.wa.gov, or call 360-902-2464.

Selling at Farmers Markets

Fishers and shellfish farmers that wish to sell shellfish at farmers markets must obtain a **Retail Food Establishment License** from their local county health department. Information about this license is available in the Licensing Fact Sheet.

If shellfish are further processed (e.g., shucked, smoked, cooked, cut, frozen), a WSDA Food Processor License is also required. See Processed Foods Fact Sheet. Any fish or shellfish to be displayed on ice must have fresh ice made from potable (drinkable) water.

Fish Processing and HACCP

If you cut, clean, freeze, smoke, cook or otherwise prepare fish or fishery products for sale, you are a fish processor and will need to obtain a Food Processor License from WSDA. Visit <http://agr.wa.gov/FoodAnimal/FoodProcessors>, email foodsafety@agr.wa.gov, or call (360) 902-1876. A WDFW Wholesale Fish Dealer's License is required for commercial fish processors (see Fresh, Raw Fish section above).

Food safety hazards can be introduced when handling raw fish and shellfish as well as when processing fish or shellfish. State and federal laws require that all handlers and processors assess their operations to identify any food safety hazards that are not addressed by Standard Sanitation Operating Procedures (SSOPs). If after conducting a hazard analysis, one or more food safety hazards are still present, you are required to develop and implement a Hazard Analysis Critical Control Point (HACCP) Plan that is species and process specific for your operation.

Two different agencies regulate fish and shellfish HACCP requirements.

For **fresh, raw fish and processed fish and shellfish product**, contact WSDA Food Safety Program at (360) 902-1876 or <http://agr.wa.gov/FoodAnimal/FoodProcessors/HACCP.aspx>.

For **fresh, molluscan shellfish**, contact Washington State Department of Health Office of Shellfish and Water Protection Program at 360-236-3330, or visit www.doh.wa.gov/ehp/sf.

Aquatic Farms

An aquatic farm is “any facility or tract of land used for private, commercial culture of aquatic products.” This includes commercial culture of salmon, trout, oysters, clams, and aquatic plants, as well as U-catch trout ponds, ornamental fish growers, fish and shellfish hatcheries, etc. Anyone who raises aquatic products for eventual sale must register the aquatic farm with the Washington State Department of Fish and Wildlife. Operations where wild-caught finfish or shellfish are held temporarily, prior to sale, are excluded. Before an Aquatic Farm Registration card will be issued, a Department of Health beach certification number must be submitted for beaches used for the commercial harvest of bivalve shellfish. No fee is charged for this registration. Contact the Washington State Department of Fish and Wildlife License Division at <http://wdfw.wa.gov/licensing/commercial>, email commercialsales@dfw.wa.gov, or call 360-902-2464.

Recommended Fact Sheet: Licensing

For further assistance or to make suggestions on how to improve this fact sheet, please email smallfarms@agr.wa.gov or call (360) 902-2057 or (360) 676-2059.

Prepared foods are very popular components of farmers markets, farm stands and other direct marketing strategies. Farmers markets now have local vegetables featured on pizza, in seasonal soups, and soft fruit and berry smoothies for sale.

Foods and beverages that are ready to eat where they are served are classified as “prepared foods” and the business is providing “food service.” Such items include salads, soups, pies, hamburgers, fruit smoothies, fresh pressed cider, and more. There are some exemptions to this rule (described below).

This fact sheet covers the regulations for prepared foods and food service, including:

- licensed Retail Food Service Establishments and commercial kitchens; and
- exemptions to the Retail Food Service Establishment license.

Licensed Retail Food Service Establishments and Commercial Kitchens

In order to sell prepared food and food service items at a farmers market, on-farm, or any other location, they must be prepared by a licensed Retail Food Service Establishment or in a commercial kitchen. The Retail Food Service Establishment license is issued by the local county Health Department. This license certifies that a commercial kitchen was used to prepare foods. All workers in a retail food establishment must have their Food Handlers Permit issued from the County Health Department and available for inspection at the workplace.

In addition to licensing, local health departments also inspect Retail Food Service Establishments in Washington State including restaurants, grocery stores, farmers markets and farm stands. Food service and preparation regulations are outlined in the Washington State Food Code (RCW 69.07 and WAC 246-215).

To find a local health department office near you or to get the food handlers permit study guide, please go to www.doh.wa.gov/ehp/food/localcontacts.html or call (888) 586-9427.

Exemptions to the Retail Food Service Establishment License

Businesses that only serve the following items may be exempt from licensing from the Retail Food Service Establishment License:

- individual samples of sliced fruits and vegetables;
- popcorn and flavored popcorn;
- corn on the cob;
- roasted nuts and roasted candy-coated nuts;
- deep-fried, commercially rendered pork skins prepared for immediate service;
- caramel apples;
- cotton candy;
- machine crushed ice drinks; and
- chocolate dipped ice cream bars and bananas processed in an approved facility.

You must apply for the exemption through the local Health Department. Contact your local Health Department for a complete and updated list of exempt items.

Recommended Fact Sheets: Licensing, Food Processing, and Regulations for Specific Items, as appropriate

For further assistance or to make suggestions on how to improve this fact sheet, please email smallfarms@agr.wa.gov or call (360) 902-2057 or (360) 676-2059.

“Food processing” is defined in RCW 69.07 as “the handling or processing of any food in any manner of preparation for sale for human consumption.” This can be confused with “prepared foods.” The difference is that “prepared foods” are defined as foods prepared on the site where they are served for consumption.

“Food processing” includes common practices such as putting cleaned lettuce into packaged, ready to serve salad mix, or freezing blueberries in five pound plastic bags. Both of these items are prepared in advance of the sale and not eaten on site. Food processing enterprises are required to follow several WSDA regulations.

This fact sheet includes:

- products and processes requiring a food processor license;
- county regulations;
- technical assistance from WSDA Food Safety Program;
- WSDA food processing facility requirements;
- labeling processed foods;
- commercial kitchens and co-packing at WSDA licensed processors; and
- insurance.

Products and Processes Requiring a Food Processor License

All businesses selling processed foods direct to the consumer at farmers markets, on-farm, or any other location must obtain a Food Processors license from the WSDA Food Safety Program.

Businesses with a WSDA Food Processors License are able to market processed foods in and out of state, with the exception of meat. Poultry, custom meat and exotic meat products processed by a licensed WSDA Food Processors can only be marketed in state.

As mentioned above, food processing means the handling or processing of any food in any manner of preparation for sale for human consumption. Therefore, processed foods include dried fruits, jams, salsa, sauces, cheese, dried herbs, teas, breads, cookies, cider, blended salad greens, and other examples. Food products that are processed for sale or distribution, and foods that are custom processed for another business, are also defined as processed foods.

In addition, processed foods include repacking foods that are taken from one container in an unwrapped state and transferred or repackaged in another container.

Fresh fruit or vegetables merely washed or trimmed while being prepared or packaged for sale in their natural state does not count as processed foods, according to the Food Safety Program.

Please see the following lists to help clarify what types of food processing require licensing and what processes are exempt. You need a WSDA Food Processor License if your process falls into the following categories:

- You cook, bake, freeze, slice, dehydrate, smoke, roast coffee beans, bottle water or repackage any type of food;
- You process/package food for someone else;
- You make shelf-stable, low acid canned food i.e.; canned vegetables, canned fish, retorted pouches (vegetable or fish), bread or cake in a jar and chocolate sauce;
- You further process finished dairy products (i.e. cheese cutting, flavored dairy products, frozen ice cream desserts);
- You process dietary or nutritional supplements that do not make health claims;
- You process food that contains no more than 2% cooked or 3% raw USDA meat ingredients by weight;
- You process poultry or wild game;
- You are a license Food Service retail bakery inspected by a local health jurisdiction and sell more than 25% of your gross sales off-site;

- You are a license Food Service Establishment (i.e. restaurant, caterer, grocery store, bar) and sell food products off-site - **this includes Internet sales; or**
- You are a licensed Winery or Brewery that produces non-alcoholic products.

You are **exempt** from needing a WSDA Food Processor License if your process falls into the following categories:

- You merely wash and trim a raw agricultural product and prepare or package for sale in their natural state (i.e. fruits and vegetables);
- You are licensed as a Food Service Establishment and 100% of your sales are on-site;
- You process honey and are licensed under RCW 69.28 Washington State Honey Act;
- You are an egg handler/dealer licensed under RCW 69.25 Washington Wholesome Eggs and Egg Products Act;
- You are licensed under RCW 16.49 Custom Meat Slaughter Act and do NOT process wild game or poultry;
- You handle shellfish and have a Certificate of Compliance under RCW 69.30 Sanitary Control of Shellfish Act; or
- You are licensed by the Liquor Control Board as a Winery and Brewery operation.

State regulations for food processing are outlined in the Washington Food Processing Act (RCW 69.07).

County Regulations

You can sell some types of processed foods within your county and direct to consumer via on farm sales or farmers markets if the county health department has licensed your business as a Retail Food Service Establishment. Contact your local County Health Department for further retail licensing information.

Technical Assistance from WSDA Food Safety Program

The WSDA Food Safety Program offers one-on-one technical assistance with the licensing process, your processing facility design and construction materials, utensil and equipment requirements, heating and cooling procedures, water source and cross-connections, pest control strategies, product labeling, and food science techniques for preventing cross-contamination of your food products.

You can contact the WSDA Food Safety Program to talk with your Food Safety Officer about the licensing requirements before submitting your licensing application. Call (360) 902-1876, visit <http://agr.wa.gov/FoodAnimal/FoodProcessors>, or email foodsafety@agr.wa.gov.

WSDA Food Safety will inspect the processing facility, food processing procedures, and product labeling for compliance with regulations. When approved and licensed, unannounced inspections will take place every six to twelve months. The Food Processor license expires on June 30 of each year, and must be renewed annually. The annual cost is \$55 to \$825, sliding scale, based on gross sales.

WSDA Food Processing Facility Requirements

The WSDA Food Safety Program has web pages highlighting everything you need to know to be a licensed food processor. For detailed information on food processor facility requirements go to <http://agr.wa.gov/FoodAnimal/FoodProcessors> or call (360) 902-1876.

To be a licensed WSDA Food Processor facility requires:

- home processor facility;
- bathrooms and hand wash sinks in home processor facilities;
- processing equipment, food process and equipment cleaning sinks;
- worktables and counters;
- floor, wall and ceiling materials;
- lighting;
- ventilation;
- water supply; and
- refrigeration.

**Example of the Type of Information Available Online from
WSDA Food Safety Program about Facility Requirements
(worktables and counters)**

Worktables and counters must be in good repair and have surfaces that are easily cleaned and non-corrosive.

Recommended: Stainless steel and hi-impact, scratch-resistant plastic (Formica, Teflon, and thermal plastic) are recommended for most contact surfaces.

Satisfactory: Metal or finished wood is satisfactory.

Not Satisfactory: Unfinished wood frames, counter tops and shelves.

Exception: Hardwood tables used for bakery make-up tables.

Labeling Processed Foods

All processed foods sold direct to wholesale or retail must have labels on their packaging. This includes processed foods sold at farmers markets, on the Internet, to restaurants, or grocery stores.

The State of Washington food labeling requirements are based upon the Federal Fair Package and Labeling Act of 1966.

Creating labels for processed foods can be one of the most expensive start-up costs for new processed products. Contact the WSDA Food Safety program for technical assistance with food labels before printing.

Labels for processed food must meet all of the below requirements:

1. Language

All information must be legible and in English; other languages may also be present, but English is required.

2. Product identity

The common or usual name of the food product must be prominent on the principal display panel of the packaging (i.e. "pumpkin bread" on the front of the bread bag).

3. Ingredient statement

Ingredients must be listed by their common or usual names in descending order of their prevalence by weight.

All ingredients must be listed in the ingredient statement with all subcomponents listed in parenthesis. For example: Butter (cream, salt, annatto). Subcomponent ingredients must also be listed in descending order.

Flour must be listed as type of flour, (e.g., wheat flour or spelt flour).

Font size of ingredient statement must be at least 1/16 of an inch as measured for the lower case "o".

Food products that include spices, flavorings and colorings as ingredients may designate these products as spices, flavorings and coloring (with the exception of certified colors such as FD&C Red No. 40 or Yellow #5, 6, etc.).

Food Allergens: The following common ("Big 8") food allergens must be declared as ingredients: peanuts, tree nuts, eggs, fish, crustaceans, milk, soy, wheat.

Other ingredients that can cause a reaction by certain sensitive individuals must also be declared on the ingredient statement, including FD&C Yellow No. 5, FD&C Yellow No. 6, sulfites and carmine/cochineal extract.

Consumers with food allergies depend on accurate product labeling to choose their food products. Companies may have to recall product if foods contain allergens that are not listed in the ingredient statement.

4. Name and address

Labels must include the street address of the manufacturer, packer or distributor's principle place of business. In the case of farms, the manufacturer, packer and distributor could be an on farm licensed WSDA food processor.

If the name given is not the actual manufacturer, it must be accompanied by a qualifying phrase that states the firm's relation to the product, e.g., "manufactured for" (company name and address) or "distributed by" (company name and address).

Street address may be omitted if the business is listed in a current city or telephone directory. Company name, city or town, state, and zip code are still required.

Phone numbers and Internet addresses can be added, but cannot be used instead of the name and address.

5. Net Weight

The label also must have an accurate statement of quantity of the contents by weight in both U.S. Customary and metric values. This statement must appear within the lower 30 percent of the label panel, in lines generally parallel to the base of the package.

The net weight must appear in conspicuous and easily legible boldface print or type in direct contrast to other matter on the package.

6. Perishable Foods

Products with a projected shelf life of 30 days or less must state the pull date on the package label. The pull date must be stated in day and month, in a style and format that is easily understood by the consumer. If products require refrigeration before or after opening, such information must be on the label.

7. Nutritional Value Information

Nutritional information is required on the label for most packaged and processed foods. Private businesses and universities provide this service for a fee. USDA has a free online nutritional information program at www.ars.usda.gov/ba/bhnrc/ndl.

Food produced by small businesses may be exempt from nutritional value labeling requirements. Contact Food Safety for exemption specifics.

Businesses selling a product that makes a nutrition claim (e.g. “Supplies 100% of daily recommended amount of Vitamin C!”) are not exempt.

Contact the WSDA Food Safety Program for more information on labeling by visiting <http://agr.wa.gov/FoodAnimal/FoodProcessors/packaginglabeling.aspx>, emailing foodsafety@agr.wa.gov or calling (360) 902-1876.

Commercial Kitchens and Co-Packing at WSDA Licensed Processors

If you wish to process your farm produce but do not have the facilities or capital to invest in infrastructure, you may find a commercial kitchen that you can use. Some restaurants, community centers, and Grange halls, for instance, allow their facilities to be used for food processing.

Whether the commercial kitchen needs to be licensed by the county or WSDA depends on where you are selling your products.

If you are selling your products **within your county**, your county health department can license the commercial kitchen. Call your local county health department for locations of existing commercial kitchens.

If you are selling your processed food products **outside the county** via any commerce channels such as farmers markets, Internet, hotels, restaurants, or are processing a cheese product or low-acid canned foods, the commercial kitchen must meet WSDA requirements for food processing. Each business that processes food in a commercial kitchen must have a WSDA Food Processor License.

Another option for small producers is to have your products processed for you by a licensed WSDA Food Processor. The food industry term for this is “co-packer”. This co-packer carries insurance, and usually charges per unit (pint/quart/etc.).

Labeling on these products must include the words: “Manufactured for...” or “Distributed by...” to designate the firm’s relation to the product.

Insurance

Businesses selling processed foods should have adequate product liability insurance before selling the product. It can take time to find product liability insurance, so start early and talk to fellow farmers who produce something similar to find an insurance company that covers your product.

Recommended Fact Sheets: Insurance, Prepared Foods

For further assistance or to make suggestions on how to improve this fact sheet, please email smallfarms@agr.wa.gov or call (360) 902-2057 or (360) 676-2059.

One of the most regulated types of food businesses are those that produce and/or sell alcoholic beverages. Federal, state and local laws apply.

This fact sheet covers:

- Federal Basic Permit;
- state and local regulations; and
- requirements for selling at farmers markets.

Federal Basic Permit

According to federal law, every brewery, winery, and distilled spirits plant must have a Federal Basic Permit from the U.S. Department of the Treasury's Alcohol and Tobacco Tax and Trade Bureau (TTB). The TTB website displays requirements for beer, wine, and distilled spirits production in addition to labeling, and tax regulations. Complete information and applications for the Federal Basic Permit are available at www.ttb.gov.

Once an application packet has been completed, returned, and approved, the TTB will inspect the facility. When the facility passes inspection, an appropriate permit (i.e., license to manufacture or wine seller's license) will be issued.

State and Local Regulations

Washington State licensing regulations for wineries, breweries and distilleries fall under "Alcoholic Beverage Control," RCW Title 66. Hard cider is classified as a wine in Washington.

The Manufacturers, Importers, and Distributors section of the Washington State Liquor Control Board (WSLCB) enforces state liquor laws and administrative rules applicable to breweries, wineries, and spirituous liquor manufacturers.

If you want to produce only alcohol-containing beverages, licensing for your facility is through the WSLCB. The WSLCB requires that WSDA Food Processor License standards be maintained.

If you process or manufacture a non-alcoholic beverage or other food products in addition to alcoholic beverages, then a WSDA Food Processor License is required as well as the WSLCB license.

In addition, the building structure and license(s) are subject to approval by the local municipality or county executive in addition to approval of the WS Liquor Control Board.

To get a WSLCB "Domestic Winery or Microbrewery License," go to the WSLCB Web site at http://liq.wa.gov/publications/masterapp_nonretail.aspx. Look in the "A Non-Retail Liquor License" section.

Licenses range from \$75.00 to \$2,000 depending on the size and nature of the operation. A Master Business License is required before obtaining a liquor license.

Requirements for Selling at Farmers Markets

As of July 2003, Washington State wineries and breweries are able to sell bottled wine and beer at qualifying farmers markets (RCW 66.24.240, 66.24.244, and 66.24.170). Qualifying farmers markets must have at least five participating farmer vendors selling their own agricultural products.

Wine sold at qualifying farmers markets must be made entirely from grapes grown in a recognized Washington

appellation or from other agricultural products grown in the state. Beer must be produced in Washington.

Once qualified, a farmers market will no longer be able to obtain a special occasion license that allows for beer/wine consumption at the market.

Both the qualifying farmers market and the winery or brewery must apply for approval through the WSLCB.

The winery or brewery must submit an “Application for Added Endorsement” and the farmers market must submit an “Application for Farmers Market to Allow the Sale of Bottled Wine and/or Beer.” Complete details follow.

The WSLCB requires that the farmers markets, wineries and microbreweries must be located in Washington State. The winery or brewery must have a valid domestic winery or brewery license, and must obtain a WSLCB “Application for Added Endorsement” for \$75.00 per year available at: <http://liq.wa.gov/publications/LIQ756-Appl-for-Added-Endorsement.pdf>

This added endorsement requires that the business provide WSLCB a list of the markets that products will be sold at for the following month. This must include dates and times product will be sold. This endorsement allows to-go sales only; tasting and samples are not allowed.

Farmers Markets can apply to sell bottled wine and beer meeting the legal requirements by completing the new “Application for Farmers Market to Allow the Sale of Bottled Wine and/or Beer” available at <http://liq.wa.gov/publications/LIQ127.pdf>.

Alcoholic beverages sold at farmers markets that are members of the Washington State Farmers Market Association (WSFMA) must be produced from 95% Washington grown ingredients. For more information on WSFMA’s rule visit their website at www.wafarmersmarkets.com.

For more information on selling wine or beer at farmers markets, and requirements for qualifying farmers markets, see the WSLCB Fact Sheet “Selling Wine and Beer at Farmers Markets” available at <http://liq.wa.gov/publications/BeerWineFarmersMarkets.pdf>, or call the Liquor Control Board’s Licensing Division at (360) 664-1600.

Recommended Fact Sheets: Food Processing, Licensing

For further assistance or to make suggestions on how to improve this fact sheet, please email smallfarms@agr.wa.gov or call (360) 902-2057 or (360) 676-2059.

Personal care products fall into two categories: **dietary supplements** and **cosmetics**. Dietary supplements are products that are ingested, such as dried herbs, teas, tinctures, capsules, and tablets. These must meet regulatory requirements for processed foods as well as those listed below. Cosmetics are products that are applied to the human body for cleaning or body care.

Fresh culinary herbs are exempt from these regulations. Information on selling fresh herbs can be found in the Fresh Fruit and Vegetable Fact Sheet.

Washington State law abides by the federal food, drug, and cosmetic act and with the federal trade commission act that expressly outlaws the false advertisement of food, drugs, devices, and cosmetics. For more information, please see the Washington State Food, Drug, and Cosmetic Act (RCW 69.04) which outlines the regulations governing the sale of dietary supplements and cosmetics at <http://apps.leg.wa.gov/RCW/default.aspx?cite=69.04>.

In this fact sheet, we will review the regulations for:

- dietary supplements definition;
- dietary supplements safety and claims;
- labeling dietary supplements;
- definition of cosmetics;
- federal regulations for cosmetics; and
- cosmetics claims.

Dietary Supplements Definition

The State of Washington follows the Food and Drug Administration (FDA) definition of dietary supplements. These are considered products (other than tobacco) that are:

- Intended to supplement the diet that bears or contains one or more of the following dietary ingredients: a vitamin, a mineral, an herb or other botanical, an amino acid, a dietary substance used by humans to supplement the diet by increasing the total daily intake, or a concentrate, metabolite, constituent, extract, or combination of these ingredients; and
- Intended for ingestion in pill, capsule, tablet, or liquid form.

Dietary Supplements Safety and Claims

To manufacture a dietary supplement you are required to be licensed as a Food Processor with WSDA. The manufacturer is responsible for ensuring that the supplement is safe before it is marketed, as required by the Federal Dietary Supplement Health and Education Act of 1994. Private businesses offer testing services as do some public universities.

Claims may not be made about the use of a dietary supplement to diagnose, prevent, mitigate, treat, or cure a specific disease. For instance, statements such as "cures cancer" or "treats arthritis" may not be used. However, appropriate health claims authorized by FDA such as "calcium reduces the risk of osteoporosis" may be used if the supplement qualifies to bear that claim. The manufacturer may also describe a supplement's effects on the structure or function of the body or the "well-being" achieved by consuming the dietary supplement.

Labeling Dietary Supplements

Dietary supplements must meet all labeling requirements for processed foods. See Food Processing Fact Sheet. In addition, dietary supplements need to be identified as a "dietary supplement" on the product label. Serving

size, calories, dietary ingredients, supplement facts and more can be found by the FDA defined specific labeling requirements and guidelines online at:

www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfcfr/CFRSearch.cfm?CFRPart=101&showFR=1&subpartNode=21:2.0.1.1.2.3

Dietary supplements regulations are found under FDA Title 21 CFR Part 111 **Current Good Manufacturing Practice in Manufacturing, Packaging, Labeling, or Holding Operations for Dietary Supplements** at:

www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfcfr/CFRSearch.cfm?CFRPart=111&showFR=1

For more information, please visit the WSDA Food Safety Program online at

<http://agr.wa.gov/FoodAnimal/FoodProcessors> or email foodsafety@agr.wa.gov or by calling (360) 902-1876.

Definition of Cosmetics

According to Washington law, the term "cosmetics" refers to:

- articles intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance, and
- articles intended for use as a component of any such article; except that such term shall not include soap.

Cosmetics include lotions, salves, lip balm, skin creams, and shampoos, as well as other cosmetic items.

Soap products consisting primarily of an alkali salt of fatty acid and making no label claim other than cleansing of the human body are not considered cosmetics.

Federal Regulations for Cosmetics

If you want to sell cosmetics such as lotion at a farmers market or other venue, you must comply with the following federal regulations:

- the Federal Food, Drug, and Cosmetic Act (FD&C Act),
- the Fair Packaging and Labeling Act (FPLA); and
- and follow rules set by the FDA (21 CFR 700-740, 21 CFR 73, 74 and 82).

Producers are not required to register manufacturing establishments or formulations with the FDA or make available safety data or other information before marketing their product.

Cosmetics Claims

Cosmetics may not carry a claim that the product treats or prevents a disease, or otherwise affects the structure or function of the body. Products that do carry this claim are considered to be drugs and require FDA approval. As with dietary supplements, cosmetics are required to follow federal labeling requirements. Certain cosmetics (such as shampoos and detergent bubble bath) are also required to bear specific warnings on their label. For more information contact the U.S. Food and Drug Administration Cosmetics Division at (888) 723-3366, email industry@fda.gov or visit www.cfsan.fda.gov/%7Edms/cos-toc.html.

Recommended Fact Sheet: Food Processing

For further assistance or to make suggestions on how to improve this fact sheet, please email smallfarms@agr.wa.gov or call (360) 902-2057 or (360) 676-2059.

