



## Regulations for Specific Products

### Selling Ready-to-Eat Foods

In general, “ready-to-eat” foods are those foods that are considered safe and edible without any additional preparation. Also referred to as “prepared foods,” they are popular products at farmers markets, farm stands, festivals, events and county fairs. Some ready-to-eat food vendors have connected with farmers to feature local vegetables on pizza, in seasonal soups, and soft fruit and berry smoothies. Businesses serving foods and beverages that are ready-to-eat are regulated by the Washington State Retail Food Code, not the WSDA. These businesses are classified as “retail food service establishments” and, with some exemptions, require permits from the local health jurisdiction. A list of local health jurisdiction offices is available at:

[www.doh.wa.gov/AboutUs/PublicHealthSystem/LocalHealthJurisdictions.aspx](http://www.doh.wa.gov/AboutUs/PublicHealthSystem/LocalHealthJurisdictions.aspx). This fact sheet covers the regulations for selling ready-to-eat foods, including:

- Examples of ready-to-eat foods;
- Retail Food Service Establishments and Food Handlers Permit; and
- The new Cottage Food Permit.

#### Examples of Ready-To-Eat Foods

A range of foods from salads to soups, pies to fruit smoothies are classified as “ready-to-eat.” More specifically, ready-to-eat foods include qualified cooked meat, fruits and vegetables that are held hot; bakery items such as bread, cakes, pies, fillings, or icing for which further cooking is not required for food safety. See also the following Cottage Food Permit information.

In addition, ready-to-eat meat products include those produced in accordance with USDA guidelines and that have received a “lethality treatment for pathogens.” This includes dry, fermented sausages, such as dry salami or pepperoni; salt cured meat and poultry products (i.e., prosciutto ham, country cured ham, and Parma ham; and dried meat and poultry products, such as jerky or beef sticks.

#### Retail Food Service Establishments and Food Handler Permit

Ready-to-eat food at a farmers market, on-farm, at a food truck, at a restaurant, or at any event, espresso stand, or grocery store must be prepared by a “Retail Food Service Establishment” permitted by the local county health jurisdiction where the product is made and sold. Retail Food Service Establishments must prepare food in a commercial kitchen that is inspected by the health department.

In addition, workers in a retail food establishment must have their Food Handlers Permit and it must be available at the workplace. The food handler's course and test is now available online at [www.foodworkercard.wa.gov](http://www.foodworkercard.wa.gov). A food handlers permit study guide is available through the Washington State Department of Health.

### **Exemptions to the Retail Food Service Establishment Permit**

Businesses that only serve the following products may be exempt from licensing from the Retail Food Service Establishment Permit.

- 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 where you will be selling your product. Contact your local Health Department for a complete and updated list of exempt items.

### **Cottage Food Permit**

In 2011, Washington State passed a Cottage Food Law that allows permitted farmers and food businesses to sell specific ready-to-eat, low risk items that have been prepared in their home kitchen. These products can only be sold directly to the end consumer. For a complete list of products and permitting information see the fact sheet “Cottage Food Permit.”

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### **Recommended Fact Sheets**

- 4. Licensing
- 19. WSDA Food Processor License and Facilities
- 20. Cottage Food Permit

*For further information, to provide comments, or suggest a resource to add to this fact sheet, please email [smallfarms@agr.wa.gov](mailto:smallfarms@agr.wa.gov) or call (360) 902-2888.*