

Direct Market Food Sales in Virginia

Direct market food sales are agricultural items or food products that are sold directly to the customer through a farmers' market, at a roadside stand, at a pick-your-own (U-PICKS), a community supported agriculture farm or directly out of their producer's home. The producer is selling directly to the consumer so there is no middleman involved. Most of these foods fall under state regulations and must be inspected.

Why purchase from a direct marketer such as a farmers' market?

Quality homegrown fruits, vegetables, meats, specialty foods, beverages and much more can be found at direct markets such as local farmers markets. Farmers' markets help sustain Virginia's working farms by keeping your food dollars in your community, which in turn is good for your local economy. Another added bonus is that buying directly from family farmers helps them stay in business.

Examples of direct markets

- **Farmers' markets** operate year round or seasonally as a venue for farmers to sell their fresh fruits and vegetables.
- **Roadside markets** are often located on a farm or orchard. Products are typically sold directly to consumers near the farm roadway. They may be operated from a year-round permanent structure, a truck, trailer, or tent during the harvest period.
- **On-farm stores** are located in a permanent structure on the farmer's property. May operate year-round, and are subject to more regulations than a roadside stand.
- **PYOs or U-pick operations** are places where consumers harvest fruits and vegetables themselves.
- **Community Supported Agriculture (CSA)** members or "share holders" cover the costs of the community farm operation and in return they receive shares of the seasonal foods throughout the farming season.
- **Other:** Mail order sales and internet marketing, Farm-to-Institution, Mobile.

Who regulates direct market food sales such as farmers' market?

Who regulates them depends on who owns them.

- **Virginia Department of Agriculture and Consumer Services (VDACS):** Regulates vendors at government-run (owned and managed by local government). For example, farmers' markets that make hot or cold food-to-order and food sales' booths located in government-run farmers' markets and private markets; state markets, roadside stands (markets), on-farm stores, home operations, PYO/U-pick operations, CSAs, mail order and internet sales, and farm-to-institutions.
- **Virginia Department of Health (VDH):** Regulates vendors operating at a private individuals' or organization's farmers' market (owned and/or operated by a private entity or group) that make food to order.

Do foods sold at these direct markets need to be inspected?

Yes, foods sold at places such as farmers market must comply with Virginia food laws and regulations unless they qualify for an exemption. Labeling requirements do apply. Foods that are processed at home kitchens for sale at direct markets must be inspected by the Virginia Department of Agriculture. See sidebar for more information about certified kitchens.

Examples of Direct Market Sale Products

- Raw Fruits
- Raw Vegetables
- Jams & Jellies
- Pickles
- Salsas
- Baked goods
- Eggs
- Milk and Dairy Products
- Candies
- Meats*
- Poultry*
- Jerky*

**Regulated by VDACS Office of Meat and Poultry; call 804 786 4569 for information*



Preparing food for sale in your home kitchen

- Some counties require that food sold to the public be produced in a certified business kitchen
- Check with your county to determine if your home-based kitchen requires certification
- Kitchen certifications are handled by VDACS

What foods sold at these direct markets qualify for an exemption?

According to the Virginia Home Kitchen Bill SB 272, there are four categories of food that can be processed without a state inspection:

- Candies
- Jams and jellies not considered to be low-acid or acidified low-acid food products
- Baked goods that do not require time or temperature control after preparation
- Honey (certain requirements apply; for more information call VDACS, 804-786-3520 or refer to the honey exemption SB 1108).

Exempt products must have standard labeling information in addition to the following statement on the label:

NOT FOR RESALE - PROCESSED AND PREPARED WITHOUT STATE INSPECTION

Products other than those listed above are NOT exempt and are subject to state inspection by VDACS. If you are producing a product considered to be exempt, but have it inspected then it does not need to carry the statement listed above on the label. The exemption applies only for foods that are direct marketed.

I want to sell my product. How do I get started?

If you are interested in selling a food product at your local farmers market, the first step is to contact the Virginia Department of Agriculture and Consumer services (804-786-3520) and request a home operations packet. Once they receive your packet, the inspector for your locality will contact you to set up a home inspection.

How can Virginia Cooperative Extension programs help?

Whether it is commercially prepared or prepared at home and sold at a farmers' market, food must be safe. If not prepared properly, microorganisms (bacteria, yeast and molds) in the food, in the environment, or transferred by the person preparing the food, may lead to spoilage or foodborne illness.

For more information about preparing and selling foods at direct markets, you can download the following publications:

- How do you know if your food is safe to sell? <http://pubs.ext.vt.edu/FST/FST-9/FST-9.html>
- Boiling Water Bath Canning – Including Jams, Jellies, and Pickled Products <http://pubs.ext.vt.edu/FST/FST-9/FST-9.html>
- Question and answer guide for starting and growing your small business <http://pubs.ext.vt.edu/310/310-100/310-100.pdf.pdf>

Virginia Tech Food Innovations Program

Virginia Cooperative Extension can assist food entrepreneurs that want to sell their foods at direct markets by providing information about food safety, food preservation, and product testing. The Food Innovations Program can help processors to verify safety, enhance quality of the product and assist in meeting compliance with state and federal food regulations. For more information on the Virginia Tech Food Innovations Program, contact the Virginia Tech Department of Food Science and Technology (www.fst.vt.edu).

Where can I find more information?

Producers and consumers can easily locate Virginia farmers' markets, farms and community supported agriculture (CSA) organizations by visiting the interactive Virginia Grown website,

<http://www.vdacs.virginia.gov/vagrown/index.shtml>.



VIRGINIA FRUIT AND VEGETABLE AVAILABILITY CALENDAR <small>www.vdacs.virginia.gov</small>	MONTHS											
	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
APPLES												
ASIAN PEARS												
ASPARAGUS												
BEEFS												
BLACKBERRIES												
BLUEBERRIES												
BROCCOLI												
CABBAGE												
CANTALOUPE												
CUCUMBERS												
EGGPLANT												
GRAPES												
GREEN BEANS												
GREENS/SPINACH												
HERBS												
NECTARINES												
ORZINI												
PEACHES												
PEPPERS												
POTATOES												
PUMPKINS												
RASPBERRIES												
SQUASH												
STRAWBERRIES												
SWEET CORN												
SWEET POTATOES												
TOMATOES												
WATERMELONS												

Virginia Department of Agriculture and Consumer Services

Interested in Direct Market Food Sales?

For more information:

Contact:
Virginia Dept. of Agriculture
and Consumer Services
Food Safety & Security
Program
(804) 786-3520
Or
Your local Extension agent
www.ext.vt.edu