

Labeling Requirements for Food Items

Produce	Must prominently and conspicuously display, at the point of purchase: name and address of farm where produce was grown. Required for domestic and international products.
Self Service Items Items that customers pick-up and take to a register	<ol style="list-style-type: none"> Statement of identity Net contents (weight, volume, count) Name and address of manufacturer or distributor Ingredient list <ul style="list-style-type: none"> Any allergens (Top 9) must be identified by their common name in the list of ingredients or immediately below the ingredient list, in a Contains statement Allergens: Wheat, soy, milk, eggs, peanuts, sesame, tree nuts (must be species-specific), crustaceans, and fin fish (must be species-specific)
Bulk Products	Employees must be able to inform customers of the same information required for self service items, prior to purchase.
Eggs	<ol style="list-style-type: none"> Name and address of manufacturer or distributor The wording 'Ungraded Eggs'
Health and Nutrient Claims	All claims must align with FDA's Nutrition Labeling and Education Act (NLEA) of 1990. All nutrient claims must be for nutrients with an established Daily Value.

Regulatory & Food Safety Contacts

Additional contacts and online resources can be found online via QR code on front page

NC Department of Agriculture & Consumer Services (NCDA&CS)

- Food, Produce, and Animal Feed Programs
 - (984) 236-4820
- Meat & Poultry Inspection Program
 - (919) 707-3180
- Apiary Program
 - (919) 218-3310
- Standards Division - Weights & Measures
 - (984) 236-4750
- State Farmers Markets - Marketing Division
 - (919) 733-7417

NC Department of Marine Fisheries

- State Office & Licensing
 - (800) 682-2632

NC Department of Health & Human Services (NC DHHS)

- State Office
 - (919) 707-5854
- Mobile Food Permits
 - (919) 868-9244

NC State Extension Services

- Process Authority E14F Program
 - (919) 513-2090
- Food Safety Lab
 - (919) 515-0303
- Seafood Extension Program
 - (252) 222-6336
- Retail Food Safety Program
 - ncsafeplates@ncsu.edu

At the Farmers Market

A Comprehensive Guide to Retailing at North Carolina's Farmers Markets

Farmers markets across North Carolina celebrate the diversity of local foods and provide access to fresh, healthy, and nutritious produce and value-added products. North Carolina has a multitude of agricultural industries, ranging from fresh seafood at the coast to apples and cider in the mountains. Not to forget that North Carolina is the #1 producer of sweet potatoes, 3rd in cucumber production and 4th in strawberry production in the United States. North Carolina also ranks 4th in national turkey production and produces over 11% of pork for U.S. consumers.

Navigating federal and state food laws and regulations can be complex. The type of food, how it is processed or prepared, packaged, and how and where the product is sold are just a few aspects to understanding which regulatory agency has jurisdiction over a food product. With public health and food safety in mind, there are several agencies that govern food sold throughout the state. These agencies include various divisions within North Carolina Department of Agriculture and Consumer Services (NCDA&CS) and the North Carolina Department of Health and Human Services (DHHS).

The purpose of this document is to support farmers markets and vendors with an overview of regulatory requirements and state government agency contact information. Contact information for inspection, compliance questions, permits or licensing and NC State Extension food safety programs can be found on the back page and online on NC State Extension's Food Safety Repository.

Food Safety Best Practices

- Prepare all food items according to your standardized procedures and use appropriate food safety practices to decrease the risk of cross-contamination.
- At minimum, handwashing facilities must be available in the processing or food handling area if you are making food or beverages on site. Those under DHHS regulation may have additional requirements.
 - Single use gloves can not be a substitute for handwashing!
- Products requiring refrigeration (41°F or less), or frozen storage (frozen solid) must maintain temperature through transportation and while at the market.
- Cover and protect baked goods and bulk items from environmental contaminants, like dust and insects.
- Utilize single-use gloves and tools (tongs, spatula, deli paper) to handle unwrapped products.
- Be allergen aware! Even when serving items from bulk containers behind a counter, employees must be able to inform consumers of any and all allergens present in products.

NC STATE EXTENSION



Scan for additional resources NC State Extension's Food Safety Repository site

Products typically under the jurisdiction of NCDA&CS Food Program

	Examples	Additional considerations*
Bakery Items	Bread, pastries, traditional jams, jellies and preserves, cakes, cookies, cheesecakes, candy, pasta, granola, infused honey, syrups	<ul style="list-style-type: none"> Some items could require evaluation by a Process Authority when shelf-stable: foods that typically require refrigeration, but food safety is controlled via other measures. Items can not contain more than 2% meat, by weight.
Cheese	Fresh & aged cheeses, cheddar, hoop cheese, chèvre, brie, parmesan, gouda	<ul style="list-style-type: none"> Cheese makers require license through NCDA&CS Food Program Cheese repackers or distributors are exempt from permitting
Grade A Dairy	Fluid milk, cream, ½ & ½, butter	<ul style="list-style-type: none"> NC dairies, and those importing Grade A products into NC, require inspection & license through NCDA&CS Dairy Program
Eggs	Shell eggs	<ul style="list-style-type: none"> Eggs must be clean & refrigerated at ≤ 45°F. Must utilize a clean egg carton and labeled as 'Ungraded Eggs' Grading & additional labeling required if selling 30+ dozen eggs per week.
Seafood	Frozen or fresh seafood: all finfish, shrimp	<ul style="list-style-type: none"> Buying fish for resale: Marine Fisheries Fish Dealer License required Wholesale sales: Seafood HACCP plan required
Acid or Acidified Foods	Pickled products (cucumbers, okra, peppers, etc.), relish, chow-chow, BBQ sauce, hot sauce	<ul style="list-style-type: none"> Items require evaluation by a Process Authority when shelf-stable. Acidified products require 'Better Process Controls School for Acidified Foods' training and product registration with the FDA. Items can not contain more than 2% meat, by weight.
Fermented Foods	Sauerkraut, kimchi, kombucha, yogurt, kefir, apple cider vinegar, miso, tempeh	<ul style="list-style-type: none"> Products must maintain refrigerated temperature (≤ 41°F) through transportation and while at the market.
Dehydrated, Processed Products	Dehydrated and/or freeze-dried items that are cut, chopped, crushed or pulverized, coffee roasting	<ul style="list-style-type: none"> Processing actions may need to be evaluated for food safety.
Ready-to-eat Packaged Foods	Hummus & dips, quiche, packaged meals & sides, fresh cut produce (diced, sliced)	<ul style="list-style-type: none"> Items can not contain more than 2% meat, by weight. Products requiring refrigeration (41°F or less) or frozen storage (frozen solid) must maintain temperature through transportation and while at the market.
Repackaged Items	Dried tea, spices and/or herb blends (not dehydrating or processing yourself), repackaged foods, candy or honey	
Tinctures	Extracts made from bark, berries, leaves or roots in alcohol or vinegar	<ul style="list-style-type: none"> If product is marketed as a Dietary Supplement, it must comply with 21CFR111

* All products must be produced using Good Manufacturing Practice guidelines



Products under the jurisdiction of NCDA&CS Produce Program

	Examples	Additional considerations
Produce	Raw agricultural commodities from traditional farms and hydroponic operations. Whole fruits and vegetables, sprouts and microgreens, whole mushrooms: foraged & cultivated, edible flowers, dehydrated whole herbs	<ul style="list-style-type: none"> Produce may be washed, but not further processed.

Products under the jurisdiction of other NC Regulatory entities

	Examples	Typical jurisdiction	Additional considerations
Foods Made On-Site	Hot dogs, tamales, sandwiches, BBQ, burgers, tacos, fish plates, catering, charcuterie boards	NC County Health Department	<ul style="list-style-type: none"> Mobile Food Unit permit or Temporary Food Establishment permit required. Additional facility and sanitation requirements per your County Health Department
	Hand-dipped ice cream, novelty frozen desserts, doughnuts, funnel cakes, popcorn, boiled peanuts, cotton candy	NCDA&CS Food Program	<ul style="list-style-type: none"> Handwashing sink is required where items are being made, can be portable with potable water.
	For direct consumption: Coffee, tea, chai, lemonade, limeade, orangeade, smoothies made from <u>frozen</u> fruits and or concentrates	NCDA&CS Food Program	<ul style="list-style-type: none"> Frozen dessert manufacturers (retail & wholesale) require licensing through NCDA&CS Food Program.
Meat & Poultry	Beef, pork, poultry, lamb, bison, elk and products containing more than 2% meat by weight. Anyone who is receiving, storing, transporting or selling USDA inspected meat and poultry.	<p>Within NC: NCDA&CS Meat & Poultry Inspection Program</p> <p>Outside NC: USDA Food Safety Inspection Service</p>	<ul style="list-style-type: none"> Must register as a Meat & Poultry Handler with NCDA&CS M&PID. Some processing activities require continuous inspection.
All shellfish & blue crabs	Shellstock shippers, reshippers, shucker-packers, and repackers	NC Shellfish Sanitation	<ul style="list-style-type: none"> Interstate shellfish dealers are required to have Seafood HACCP training.
Honey (Apiary)	Honey harvested from your own bees	NCDA&CS Plant Protection Program	
Pet Food & Treats	Animal kibble or feed, pet treats or cookies	NCDA&CS Feed Program	<ul style="list-style-type: none"> Annual registration required with NCDA&CS Animal Feed Program.
Cosmetics	Beeswax balms, salt and/or sugar scrubs, body oils, soaps	NCDA&CS Food Program	

Please note: The final jurisdiction of your food product will be decided by your regulatory authority. Contact the Compliance Offices of our N.C. Regulators with specific questions and inspection of your operation.

Company Compliance Documentation*:

- Inspection paperwork & observation sheets
- Email communication from Regulatory authority
- License or permit (when applicable)
- Process Authority documentation (when applicable)
- Paperwork from 3rd- party audits

Items prohibited from sale at NC Farmers Markets*:

- Low-acid canned foods
- Raw, unpasteurized milk for human consumption
- CBD-infused food products
- Live animals

* Not an exhaustive list