



Dear Farmers' Market Coordinators and Vendors:

Farmers' Markets have evolved over the years from venues for small vegetable and fruit producers to marketplaces that encompass much more than uncut fruit and vegetables. To ensure that vendors are in compliance with the Colorado Retail Food Establishment Rules and Regulations (CO RFE Regs), we ask that all vendors contact one of our offices (contact information is below) well in advance of the event. According to the CO RFE regs, farmers' markets are NOT considered to be temporary events. Therefore, vendors providing foods requiring a retail food establishment license will not be approved to operate with the minimal equipment typically found at temporary events and celebrations. The following is a summation of the requirements for vendors selling food products that require a retail food establishment license.

1. Exempt Foods

The following foods are exempt from licensure at market sales sites:

- Whole uncut fruits and vegetables.
- Commercially prepackaged non-potentially hazardous foods (non-PHF) and beverages (without ice).
- Commercially prepackaged ice cream and frozen yogurt novelties.
- Hot beverages (without ice), non-PH donuts, and pastries (cupcakes, bagels, cookies).
- Popcorn, which is seasoned with salt, buttered, or sugared (kettle corn).
- Dry non-PHF that must be cooked to be consumed that is portioned onsite (pasta, beans, dry spices, coffee beans and tea leaves, but not blended ingredients such as dry soup mixes).
- Samples prepared in a sanitary manner and with an approved handwashing facility. See Colorado State University Extension publication Farmers Market Vendor Guide for Preparing and Offering Food Samples, available at: http://www.ext.colostate.edu/safefood/farmmkt/food_safety_vendors.pdf

2. Food Made in an Approved Commercial Facility

- Prepackaged Foods:
 1. Prepackaged non-PHF are exempt from-licensure at market sales sites (wrapped loaves of bread).
 2. Prepackaged PHF must be stored in approved hot or cold holding units (Cambro, cooler) and requires a \$115 (Grocery) RFE license (frozen meats, whole pizza).
- Non-Prepackaged Foods:
 1. Non-prepackaged foods dispensed on-site are subject to the same requirements as foods prepared on-site (unwrapped loaves of bread, candy apples, and candies).

3. Food Prepared On-site

- Food prepared or served from bulk on-site must be done from a licensed mobile unit (funnel cakes, burritos, tamales, ice cream cones, pizza slices) or push cart (chocolate dipped fruits, hot dogs, hamburgers, shaved ice).
- Food intended for off-premises consumption requires a \$115 (Grocery) RFE license.
- Food intended for immediate consumption requires a \$255 (Restaurant) RFE license.
- Food intended for both immediate and off-premises consumption requires a \$207 (Grocery w/Deli) RFE license.

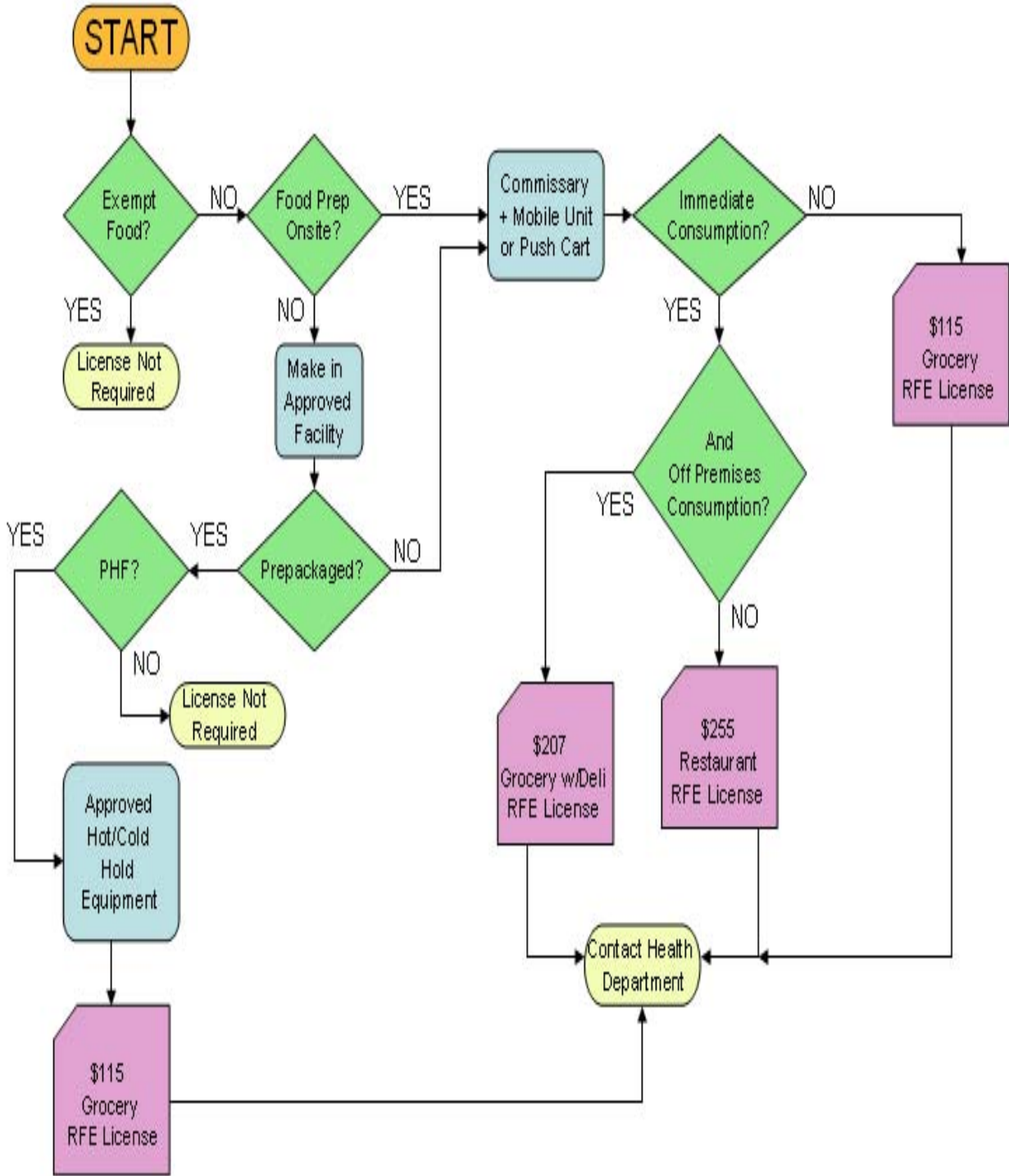
Notes:

1. Samples are exempted from licensing requirements. However, if samples are prepared on site, minimum sanitation guidelines must be followed and must include an approved hand washing facility
Bare hand contact with ready-to-eat foods will not be allowed; the use of gloves or dispensing utensils, such as tongs is required. All utensils and food-contact surfaces of equipment must be cleaned and sanitized at least every four hours, or whenever contamination occurs.
2. Licenses issued by the City and County of Denver are not valid outside the City and County of Denver.
3. Any food cooked or stored at a private residence or unapproved establishment is **prohibited**.
4. If you are preparing food or *scooping ice*, you are required to have a licensed mobile unit.
5. All Retail Food Establishment Licenses expire December 31 of each year.
6. See page 4 for glossary of terms.

The above requirements are summarized in the attached Farmers Market Licensing Guide. For more information, contact your nearest Tri-County Health Department office:

Aurora	15400 E. 14 th Pl.	303-341-9370
Belleview East	7100 E. Belleview Ave., Suite 102	303-783-7133
Castle Rock	4400 Castleton Ct.	303-663- 7650
Commerce City	4201 E. 72 nd Ave., Suite D	303-288-6816

Farmers Market Licensing Guide



Farmers Market Guide Glossary of Terms

Approved Facility: see “Commissary”.

Approved Hot and Cold Holding Units: equipment used to maintain PHF at required temperatures, or non-PHF for quality purposes, constructed of smooth, durable, and easily cleanable materials. Examples: ice chests, mechanical refrigeration.

Commissary: a commercial kitchen, restaurant, or other approved place in which food, containers, or supplies are kept, handled, prepared, packaged, or stored.

Farmers Market: one or more vendors offering only uncut fruits and vegetables. Farmers markets are not retail food establishments. Also includes roadside markets. See “retail food establishment”.

Immediate Consumption: foods intended to be consumed without delay at the location where served. Examples: hot dogs, pizza by the slice.

Mobile Unit: a retail food establishment that reports to and operates from a commissary and is readily moveable, is a motorized wheeled vehicle, or a towed wheeled vehicle designed and equipped to serve food. A mobile unit contains a handwashing sink supplied with hot and cold running water, soap, and toweling. The menu of a mobile unit is limited by the equipment installed within it; examples: mechanical refrigeration, steam tables, grills, deep fryers to make French fries, etc. See Chapter 9 of the Colorado Retail Food Establishment Rules & Regulations.

Non-Potentially Hazardous Food (non-PHF): a food that does not require temperature control because it does not support the growth of disease causing organisms. Examples: acidic foods with a pH of 4.6 or less, such as ketchup; dry foods with a water activity of 0.85 or less, such as jerky, cookies, or fruit pies; commercially canned foods, and frozen foods.

Off-Premises Consumption: foods intended to be consumed at a location other than where served after additional preparation. Examples: loaf of bread, frozen meats, frozen pizza.

Pastries: a sweet food baked in individual portions made of crust or dough

Potentially Hazardous Food (PHF): a food that requires temperature control (41°F or less, or 135°F or above) because it is capable of supporting the growth of disease causing organisms. Examples: meats, cheeses, cooked vegetables.

Pre-Packaged Foods: foods that are packed, wrapped, boxed, or otherwise sealed into a container at an approved facility

Push Cart: a non-self-propelled vehicle limited to serving commissary-prepared or prepackaged food and non-potentially hazardous food unless the equipment is commercially designed and approved to handle food preparation and service. The menu of a push cart is limited to foods requiring minimal on-site preparation; examples: hot dogs, hamburgers. A barbeque grill may be operated in conjunction with a push cart.

Retail Food Establishment (RFE): a retail operation that stores, prepares, or packages food for human consumption. A RFE may be located in a fixed structure with water and sewer service, a mobile unit, or push cart, or, if in conjunction with an event or celebration, a temporary RFE.

Temporary Event RFE: the sale or service of food in conjunction with an event or celebration. Examples: Arapahoe County Fair, Thornton Harvest Fest, etc. See Chapter 10 of the Colorado Retail Food Establishment Rules & Regulations.