



GRAHAM COUNTY

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health (928) 428-1962

826 West Main Street, Safford, Arizona 85546

FAX (928) 428-8074

FARMERS' MARKET REGULATIONS

The following are the current State regulations for various food items commonly sold at farmers' markets. For more information on food sales, call us at 428-0110.

Produce

Whole, uncut produce may be sold without state or county permits.

Honey

While not technically exempt, honey is not currently being regulated by the state. This means that no permits are *currently* required for raw honey bottled directly by beekeepers. If the honey is flavored or processed in any way, the producer must become licensed by the county as a food processor. The Arizona Department of Health Services is currently looking into how honey should be regulated, so the laws may change in the future.

Eggs

Small-scale egg producers (less than 750 dozen per year) must register, free of charge, with the Arizona Department of Agriculture as a "Nest Run Egg Producer." (<https://agriculture.az.gov/forms-library>) Some of the rules that must be observed include:

- Eggs must be unwashed and ungraded. (Whereas larger-scale producers must wash and grade eggs.)
- Eggs must be refrigerated, or kept on ice in an ice chest, at a temperature of 45° F or colder.
- Nest run eggs may not be advertised or sold as "fresh eggs" or "local eggs" because A.R.S. 3-724 requires that eggs sold as fresh or local meet the requirements for Grade A or higher. Nest run eggs cannot meet this requirement because they are not graded for quality.

Contact: Eric DeVera, Arizona Department of Agriculture
(602) 542-0805
edevera@azda.gov

Dairy

All dairy producers (milk, cheese, ice cream, etc.) must be licensed by the Arizona Department of Agriculture. If selling in Graham county, a county food permit is required as well.

Contacts: Roland Mader, Arizona Dept. of Agriculture Jeff Black, Arizona Dept. of Agriculture
(602) 542-0884 (602) 542-4189
rmader@azda.gov jblack@azda.gov

(Over)

Baked Goods

The state's Home Baked & Confectionary Goods Program allows individuals to make and sell non-potentially hazardous baked goods and candies without permit fees or inspections. You must register – free of charge – with the Arizona Department of Health Services (<http://azdhs.gov/phs/oeht/fses/goods>) Products must be:

- Non-potentially hazardous. This means no foods that require refrigeration to be safe (e.g. cream fillings, meringue pies, custards, cheesecakes, pudding, etc.);
- Prepared in the kitchen of a private home for commercial purposes; and
- Labeled with:
 - The name, address, and phone number of the individual registered with ADHS;
 - A list of ingredients in the product;
 - A statement that the product is prepared in a private home; and
 - If applicable, a statement that the product is prepared in a facility for individuals with developmental disabilities.

Green Chile Roasters

Chile roasters are not currently required to have a county permit, but the following rules must be observed:

- All chile must be roasted at the time of the order. Pre-roasting chile for later sale is prohibited.
- No homemade salsa may be sold. Canning salsa requires a processing permit from the health department. Commercially-processed canned or bottled salsa may be sold.
- Chile roasters should adhere to sanitary practices. A handwash set-up, with water, soap, and paper towels should be present and used whenever hands have become contaminated (e.g., after handling money or using the restroom).

Prohibited Foods

The following are examples of foods that may **not** be sold to the public without first becoming permitted as a food processor operating out of a commercial kitchen:

- Homemade jams, jellies, fruit butters, or preserves
- Homemade salsa, pickles, vinegars, fermented foods, oils, condiments, or sauces
- Jerky
- Spices and seasonings
- Potentially-hazardous (refrigeration required) baked goods
- Juices, smoothies, or fruit leather

This is not an exhaustive list. Please call us at 428-0110 with any questions about what foods may be sold legally and safely to the public.