

# DO I NEED A LICENSE?

FIND OUT THE ANSWER BEFORE YOU START SELLING

## HANDOUT 3

### IT'S A VENDOR RESPONSIBILITY

It is ultimately the responsibility of each vendor to research and secure any necessary license. Start by contacting your County Health Department. The Iowa Department of Inspections and Appeals (DIA) oversees Iowa's food code. Locally, county health departments inspect and award licenses to businesses. "A vendor who offers a product for sale at a farmers market shall have the sole responsibility to obtain and maintain any license or sell or distribute such products." - Code of Iowa, Sec. 137F8



### NO LICENSE REQUIRED TO SELL (1-3):



FARMERS MARKET LICENSING CAN BE COMPLICATED.  
DON'T HESITATE TO CONTACT THE DEPARTMENT OF INSPECTIONS  
AND APPEALS (DIA) WITH ANY QUESTIONS.



### 1) Fruits & Vegetables

Whole and uncut fresh fruit and vegetables may be sold at a farmers market to consumers without the vendor being licensed as a food establishment at the market. Once cut, fruits and vegetables may be considered "potentially hazardous foods." For example: Melons, once cut, have to be held below 41°F. If these fruits or vegetables are offered as samples, the vendor would have to keep them under temperature control and receive a license from DIA.

### 2) Baked Goods

Properly labeled baked goods which are non-potentially hazardous or shelf-stable bakery products (non-perishable items that do not require refrigeration for food safety reasons) can be sold without a license. The term "baked goods" is limited to: breads, cakes, donuts, pastries, buns, rolls, cookies, biscuits, and pies (excluding meat pies). Pies that require temperature control once they have been prepared are a "potentially hazardous food."

### 3) Shelf-stable Foods

Prepackaged, shelf-stable food products such as honey, jams, jellies, or dried noodles may be sold at a farmers market without a license. These products still require a label, which must include: 1) name of product, 2) a list of ingredients, 3) name and address of where the food is prepared, and 4) net weight, volume, or numerical count. Questions about "homestyle" canned goods should be directed to the Department of Inspections and Appeals.

# LICENSE REFERENCE GUIDE

## FOR PRODUCTS SOLD AT THE FARMERS MARKET

### LICENSE REQUIRED TO SELL (1-10):

FOOD/ITEM BEING SOLD	SALES TAX?	LICENSES OR CERTIFICATION REQUIRED									
	✓=YES	1	2	3	4	5	6	7	8	9	10
Cut Fruit & Vegetables		1									
Whole & Uncut Fruit and Vegetables		No License or Certification Required									
Bakery Products (breads, cakes, donuts, pastries, buns, rolls, cookies, biscuits)						5					
Refrigerated Bakery Items		1	2								
Jams and Jellies		No License Needed if Standard is Met; Contact DIA									
Pickled Foods		1	2								
Fermented Foods		1	2								
• Meat and Poultry (A,D)		1									10
• Dairy Products (B,D)		1			4			7			
Cultivated Mushrooms		No License or Certification Required									
Wild-Harvested Morel Mushrooms		1		3							
Alcoholic Beverages	✓									9	
Soaps	✓										
Art and Crafts	✓										
Inedible Decorative Gourds	✓										
Flowers, Seedlings and Potted Plants	✓										
Hot Prepared Food	✓	1	2		4						
• Fresh Shell Eggs (C)		No License or Certification Required									
• Seafood (A,D)		Iowa DNR Aquaculture Unit & Other Licenses May be Required									
Honey (Pure & Unflavored)		No License or Certification Required									
Pet Products	✓	IDALS - Feed & Fertilizer									
Dried Noodles		No License Needed if Noodles are Fully Dried									
Maple Syrup		No License or Certification Required									

**Meat & Poultry (A):** Meats must be processed in a USDA or state licensed and inspected plant. Each package must have either the USDA or state inspection stamp. A Warehouse License from Department of Inspection & Appeals is required to store meat at your farm.

**Dairy Products (B):** Bottled milk must be made in a Grade A Dairy. License and manufactured dairy products (cheese, sour cream, butter) must have a Grade B license.

**Fresh Shell Eggs (C):** Fresh shell eggs should be kept at 45 F° or below if you have an Egg Handling License from the Iowa Department of Agriculture & Land Stewardship.

**Temperature Controlled Foods (D):** Potentially hazardous food products include dairy products, meat, fish, and poultry and require a license.

## LICENSE & CERTIFICATION DIRECTORY

- (DIA) Department of Inspections & Appeals: PH (515) 281-6538
- (IDALS) Department of Agriculture & Land Stewardship: PH (515) 281-5321
- (ABD) Iowa Alcoholic Beverage Division: PH (515) 281-7400
- (ISU) Iowa State University (ISU) Extension: PH (515) 281-3114
- (IDR) Iowa Department of Revenue: PH (800) 262-3804

### 1) Farmers Market Food Establishment

Issued on a yearly basis to a vendor who wants to sell "temperature controlled foods" at a farmers market. Costs around \$150. ● Contact DIA

### 2) Commercial Food Processing License

A completed application will have a water test, HACCP plan, facility floor plan, a fee, and completed processing license. ● Contact DIA

### 3) Morel/Oyster Mushroom Certification

Vendors must complete a three-hour spring certification workshop and re-certify every three years to continue to sell morels. ● Contact ISU

### 4) Mobile Food License

A license is required for all Class II, III, and IV units and must go through a plan review and pre-operational inspection. \$250 ● Contact DIA

### 5) Home Food "Bakery" License

A licensed bakery located in a residence must meet 13 inspection standards and labeling requirements. Costs around \$50. ● Contact DIA

### 6) Potentially Hazardous Food License

Refers to food that requires temperature control after preparation. ● Contact DIA

### 7) Inspected & Permitted Dairy Facility

Dairy products are considered potentially hazardous food products and require a license to sell at the farmers market. ● Contact IDALS

### 8) Temporary Food License

Valid for up to 14 days in conjunction with a single event. Applications must be submitted at least 3 weekdays prior to the event. \$50 or \$250 ● Contact DIA

### 9) Iowa Alcoholic Beverages

Wineries must be formally invited to sell at a farmers market and request an off-site license that will last one year. ● Contact ABD

### 10) Warehouse License

Meats from the farmers' own animals must be licensed if the meats are sold as packaged cuts to individuals or retailers and stored between slaughter and sale.

● Contact DIA

### Sales Tax Applicable

Sales tax is applicable to all taxable items sold at the farmers market. Tax rates are available online.

● Contact IDR