

Permit Requirements for Farmers



Market Vendors

The following serves as a guide to assist farmers market managers in determining the permits, licenses, and certificates that vendors selling at farmers markets are required to have. This list is meant to be a general guideline rather than a comprehensive list of all regulations that vendors are responsible for following. Please consult with the proper agency for further assistance and for additional information regarding compliance of regulations.

Fresh Produce

- No permits, licenses, or certificates are required, if the produce is raw, uncut, and unprocessed.
- A scale is not required for the sale of whole produce. Produce may be sold by count, bunch, basket, etc.
- If a scale is used, the scale used must be a National Type Evaluation Program (N.T.E.P.) approved scale. All scales must be tested annually by the Mississippi Department of Agriculture and Commerce, Weights and Measures Division.
- Completed Annual Produce Safety Rule Exemption Application on file with the Mississippi Department of Agriculture and Commerce, Produce Safety Division.

Eggs

- A Retail Food Sanitation License - Eggs from the Mississippi Department of Agriculture and Commerce, Consumer Protection Division is required.
 - A copy of the Retail Food Sanitation License - Eggs must be displayed and made available to the purchaser at the location where the eggs will be offered for sale.
 - Clean shell eggs must be maintained at or below 45°F ambient temperature under mechanical refrigeration (in a refrigerator and/or cooler with a/c or d/c power).
- For any eggs sold off the farm, the layers shall have NPIP (National Poultry Improvement Program) testing by the Mississippi Board of Animal Health.
- Proper packaging and labeling is required.

Honey/Syrup

- A Food Permit from the Mississippi State Department of Health is required only if the vendor loses possession of the product and/or produces more than 500 gallons annually.
- If the honey being sold is not pure honey, the added ingredients must be properly listed on the label.

- Proper packaging and labeling is required.

Baked Goods/Processed Foods

- Based on the risk level of products being sold, vendors (with the exception of cottage food operators) must obtain the proper Food Permit from the Mississippi State Department of Health.
- Cottage food operations are exempt from permitting requirements.
 - To be considered a cottage food operation, annual gross sales of cottage food products cannot exceed thirty-five thousand dollars (\$35,000).
 - Cottage food products are non-potentially hazardous food products. This includes products such as baked goods, jams, jellies, and acidified foods. Typically, foods that do not require refrigeration are considered non-potentially hazardous foods. Some products may need to be evaluated on a case-by-case basis. If there is some doubt as to the safety of some foods, documentation of proper processing may be required.
 - Producers of acidified foods (salsas, pickled products, etc.) are highly encouraged to get training in special requirements and procedures for these foods. This will help to ensure these products are both legal and safe.
- Proper packaging and labeling required.
 - Along with other labeling requirements, cottage food products must have the following statement printed in at least ten-point type in a color that provides a clear contrast to the background of the label: "Made in a cottage food operation that is not subject to Mississippi's food safety regulations."

Meats

- A vendor selling meat must obtain a Mobile Retail Food Sanitation License from the Mississippi Department of Agriculture and Commerce.
- Products being sold must be properly inspected by the United States Department of Agriculture or the Mississippi Department of Agriculture and Commerce.
- For products sold by weight, the scale used must be a National Type Evaluation Program (N.T.E.P.) approved scale. All scales must be tested annually by the Mississippi Department of Agriculture and Commerce, Weights and Measures Division.
- Proper packaging and labeling is required.

Shrimp/Seafood

- A Seafood Dealers License from the Mississippi Department of Marine Resources or a Food Permit from the Mississippi State Department of Health is required for vendors selling raw shrimp or seafood.
- If the shrimp is being cooked/steamed, a Food Permit is required from the Mississippi State Department of Health.

- For products sold by weight, the scale used must be a National Type Evaluation Program (N.T.E.P.) approved scale. All scales must be tested annually by the Mississippi Department of Agriculture and Commerce, Weights and Measures Division.

Dairy Products (Milk, cheeses, and other dairy products such as yogurt, butter, and sour cream)

- A vendor must obtain the proper processing permit from the Mississippi State Department of Health.
- A vendor selling dairy products must obtain a Mobile Retail Food Sanitation License from the Mississippi Department of Agriculture and Commerce.
- For products sold by weight, the scale used must be a National Type Evaluation Program (N.T.E.P.) approved scale. All scales must be tested annually by the Mississippi Department of Agriculture and Commerce, Weights and Measures Division.
- Proper packaging and labeling is required.

Plant Sales

- No person can deal in plant materials that are known to harbor noxious plant diseases or invasive weeds/plants or sell plants that are on the noxious weed list per the Mississippi Department of Agriculture and Commerce, Bureau of Plant Industry.

Fresh Cut Flowers

- No permits, licenses, or certificates required.

Contacts:

Mississippi Board of Animal Health, National Poultry Improvement Program (NPIP):
(601) 359-1170

Mississippi Department of Agriculture and Commerce, Bureau of Plant Industry:
(662) 325-3390

Mississippi Department of Agriculture and Commerce, Consumer Protection Division:
(601) 359-1148, henri@mdac.ms.gov

Mississippi Department of Agriculture and Commerce, Farmers Market Certification Program:
(601) 359-1118, donna@mdac.ms.gov

Mississippi Department of Agriculture and Commerce, Weights and Measures Division:
(601) 359-1149, brent@mdac.ms.gov

Mississippi Department of Agriculture and Commerce, Produce Safety Division:
(601) 359-1104, davis@mdac.ms.gov

Mississippi State Department of Health, Office of Food Protection:
Serena Johnson (601) 576-7689

Mississippi Department of Marine Resources, Licensing:
(228) 374-5000

Mississippi State University, Department of Food Science, Nutrition & Health Promotion:
(662) 325-3200, jls46@msstate.edu

For questions regarding sales tax, please contact your local Mississippi Department of Revenue Office.