

BAKERY

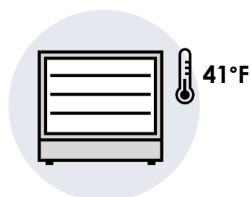
Cookies, cakes, breads, and pies

Licensing requirements

All farmers' market vendors must source and prepare food from a licensed facility.

- You **need** a transient retail food license if you sell products that need refrigeration and/or are sold in bulk.
- You **do not need** a transient retail food license if you sell shelf stable, prepackaged products.
- You **need extra licenses** if you operate at multiple events simultaneously or operate multiple stands at the same event. If you have a current transient food license from another jurisdiction, you can vend at Dane County events.

Storage, display, and handling



Keep refrigerated items 41°F or below (provide a thermometer).



Store food at least 6 inches off the ground.



Provide a canopy and cover unpackaged food.



Post a "display only" sign on foods that are not for sale.



Handle unpackaged foods with gloves, tissues, or utensils.



Set up a hand washing station if you serve unpackaged food.

Labeling

Packaged products

- Product name
- Weight or count
- Business name and address
- Ingredients including allergen information
- Nutritional information (unless exempt)" as stated in [DATCP's retail food labeling factsheet](#).

Unpackaged products

Provide a sign or binder with the product name, ingredients, and allergen information.

Questions in Dane County
Public Health Madison & Dane County
(608) 242-6515
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publichealthmdc.com/farmersmarket

Questions outside of Dane County
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CANNING

Pickled products, herbal vinegars, dressings, jellies, jams, pesto, lemon curd

Licensing requirements

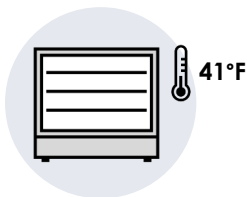
Canned food must be prepared or sourced from a DATCP licensed food processing facility.

- You **need** a transient retail food license if you sell products that need refrigeration.
- You **do not need** a transient retail food license if you sell shelf stable, prepackaged products.
- You **need extra licenses** if you operate at multiple events simultaneously or operate multiple stands at the same event. If you have a current transient food license from another jurisdiction, you can vend at Dane County events.
- For home canning licensing exemptions, see [DATCP's canning webpage](#).

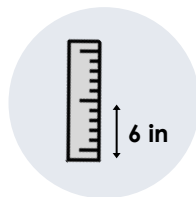
Special considerations for low acid foods

A written canning process is required for low acid or acidified foods. Contact DATCP for [canning process requirements](#) and licensing.

Storage, display, and handling



Keep refrigerated items 41°F or below (provide a thermometer).



Store food at least 6 inches off the ground.



Provide a canopy and cover unpackaged food.



Post a "display only" sign on foods that are not for sale.



Handle unpackaged foods with gloves, tissues, or utensils.

Labeling

Packaged products

- Product name and weight
- Business name and address
- Ingredients including allergen information
- Nutritional information required for special nutritional, health or quality claims
- "Keep Frozen" or "Keep Refrigerated" with date mark (if necessary)

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CAPTIVE GAME

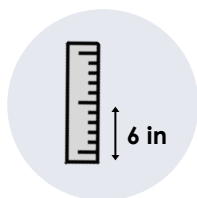
Farm-raised deer, elk, buffalo, pheasants, quail

Licensing requirements

All meat and poultry must be processed and inspected at a Wisconsin DATCP or USDA federally inspected facility.

- You **need** a transient retail food license if you sell products that need refrigeration and/or are sold in bulk.
- You **need extra licenses** if you operate at multiple events simultaneously or operate multiple stands at the same event. If you have a current transient food license from another jurisdiction, you can vend at Dane County events.

Storage, display, and handling



Store food at least 6 inches off the ground.



Keep product refrigerated or frozen.



Provide a canopy and cover unpackaged food.



Post a “display only” sign on foods that are not for sale.



Handle unpackaged foods with gloves, tissues, or utensils.



Set up a hand washing station if you serve unpackaged food.

Labeling

- Product name and weight
- Business name and address
- Ingredients including allergen information
- Handling statements such as “Keep Frozen” or “Keep Refrigerated”
- Inspection legend (USDA or WI)
- Safe Handling Instructions (below)



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CHEESE

Soft, semi soft, cold pack, hard, hard grating, pasteurized process cheeses

Licensing requirements

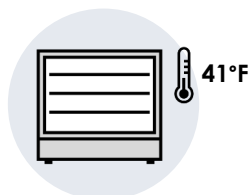
All farmers' market vendors must source cheese from a DATCP licensed dairy plant.

- You **need** a transient retail food license if you sell products that need refrigeration and/or are sold in bulk.
- You **need extra licenses** if you operate at multiple events simultaneously or operate multiple stands at the same event. If you have a current transient food license from another jurisdiction, you can vend at Dane County events.

Special considerations for raw milk cheese

Cheese produced from raw milk must meet the criteria listed in 21 CFR 133. For more information contact DATCP.

Storage, display, and handling



Keep refrigerated items 41°F or below (provide a thermometer).



Store food at least 6 inches off the ground.



Provide a canopy and cover unpackaged food.



Post a "display only" sign on foods that are not for sale.



Handle unpackaged foods with gloves, tissues, or utensils.



Set up a hand washing station if you serve unpackaged food.

Labeling

- Product name (including the word cheese) and weight
- Name and address of packer, distributor or processor
- Ingredients including allergen information
- Nutritional information required for special nutritional, health or quality claims
- Date of manufacture alphanumeric, numeric or Julian calendar date
- State ID- #55 or Wisconsin, dairy plant and vat ID number

Type	Moisture content	Refrigeration required	Examples
Soft	More than 50%	Yes	Cottage cheese, ricotta, chevre, mozzarella
Semi-Soft	Between 39% and 50%	Yes	Brick, limburger, blue, muenster, provolone, roquefort
Hard	Less than 39%	No, unless product is oiling	Colby, cheddar, swiss
Hard Grating	Less than 34%	No	Parmesan, Romano
Cold-Pack		Yes	Cheese spreads
Pasteurized		No	
Cheese Curds See Cheese Curd Fact Sheet			

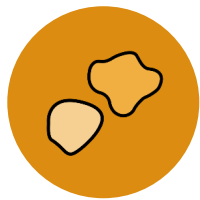
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CHEESE CURDS

Washed curds of cheese

Licensing requirements

All farmers' market vendors must obtain cheese curds intended for the production of cheddar cheese at a DATCP licensed dairy plant.

- You **need** a transient retail food license.
- You **need extra licenses** if you operate at multiple events simultaneously or operate multiple stands at the same event. If you have a current transient food license from another jurisdiction, you can vend at Dane County events.

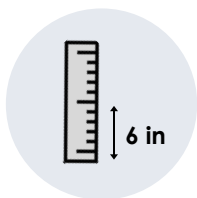
Special considerations

- Fresh cheese curds must either be held under refrigeration or held out of refrigeration using time as a public health control.
- If the cheese curds are marked with both a date and time of manufacture, they may be held up to 24 hours outside of refrigeration prior to discarding.
- If the cheese curds are marked with only the date of manufacture, they must be discarded no later than midnight on the day of manufacture when held at ambient temperatures.
- Maintain records indicating the amount of product displayed and the amount of product discarded each day.
- See [DATCP's cheese curd fact sheet](#) for more information.

Storage, display, and handling



Post a "display only" sign on foods that are not for sale.



Store food at least 6 inches off the ground.



Provide a canopy and cover unpackaged food.



Handle unpackaged foods with gloves, tissues, or utensils.



Set up a hand washing station if you serve unpackaged food.

Labeling

Packaged products

- Product name (including the word cheese) and weight
- Name and address of packer, distributor or processor
- Ingredients including allergen information
- Nutritional information required for special nutritional, health or quality claims
- State ID- #55 or Wisconsin, dairy plant and vat ID number

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EGGS

Shell egg of chicken, duck, goose, guinea, quail, ratite, or turkey

Licensing requirements

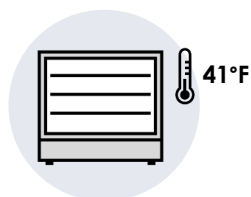
A DATCP food processing license is required on the farm for cleaning, packing, and cold holding the eggs.

- You **need** a transient retail food license if you sell products that need refrigeration and/or are sold in bulk.
- You **need extra licenses** if you operate at multiple events simultaneously or operate multiple stands at the same event. If you have a current transient food license from another jurisdiction, you can vend at Dane County events.

Exceptions

- The eggs are produced at a farm licensed as a DATCP -Wisconsin Dairy Plant.
- The producer has 150 birds or less and sells directly to consumer on the farm, at a farmers' market, or on an egg sales route.

Storage, display, and handling



Store eggs at 41°F or below (provide a thermometer).



Store food at least 6 inches off the ground.



Provide a canopy and cover unpackaged food.



Post a "display only" sign on foods that are not for sale.



Handle unpackaged foods with gloves, tissues, or utensils.



Set up a hand washing station if you serve unpackaged food.

Labeling

- Name and address of packer, distributor or processor
- Grade and size or "Ungraded and Uninspected" statement
- Date packaged
- Expiration/sell by date (not to exceed 30 days including date packaged)

Required for producers with more than 150 birds:

- Product name and quantity
- "Keep Refrigerated" statement
- Safe Handling Instructions (below)

SAFE HANDLING INSTRUCTIONS:

To prevent illness from bacteria: keep eggs refrigerated, cook eggs until yolks are firm, and cook foods containing eggs thoroughly.

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FRESH FRUITS & VEGETABLES

Strawberries, melon, carrots, radishes, broccoli, tomatoes, cut leafy greens, sprouts

Licensing requirements

For sprouts, cut melons, cut tomatoes, or cut leafy greens

- You **need** a transient retail food license.
- You **need extra licenses** if you operate at multiple events simultaneously or operate multiple stands at the same event. If you have a current transient food license from another jurisdiction, you can vend at Dane County events.

For microgreens

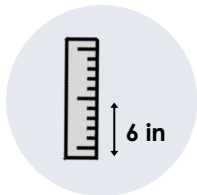
- You **need** a license for:
 - Microgreens washed or further processed after the harvest cut
 - Microgreens grown in other means than soil
- You **do not need** a license for microgreens grown in soil and removed with one harvest cut (considered a raw agricultural product).

For raw, uncut produce

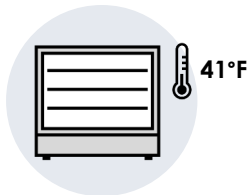
- You **do not need** a transient retail food license.

Storage and display

For processed foods (not applicable for raw, uncut produce)



Store food at least 6 inches off the ground.



Keep sprouts, cut melons, cut tomatoes, and cut leafy greens refrigerated items 41°F or below (provide a thermometer).



Post a "display only" sign on foods that are not for sale.



Provide a canopy and cover unpackaged food.

Labeling

Processed packaged produce

(Not applicable for raw, uncut produce)

- Product name and weight or count
- Business name and address
- Ingredients including allergen information if necessary
- Nutritional information required for special nutrition, health, or quality claims

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HONEY

Ungraded, comb, extracted, chunk, and cut comb honey

Licensing requirements

You do need a DATCP food processing license if any apply

- You gather or purchase honey or bee products from other beekeepers or
- You process your own or others' honey by adding color, flavors or other ingredients, including whipping with air, or
- You process your own or others' honey into other products, such as candy.
- Find more information on [DATCP's honey webpage](#).

You don't need a DATCP food processing license for "raw" honey if

- You extract, package and sell your own honey from your own bees.
- You do not process the honey, or you process it only minimally by straining, heating and/or making spun or creamed honey using starters from your own honey.
- You sell your products directly to your customers out of your home, over the internet or from a farmers' market. This includes commercial customers using your honey as an ingredient, such as a brewery.

At the Farmers' Market

You **do not need** a Transient Retail Food license.

Storage, display, and handling



Set up a hand washing station if you serve unpackaged food.



Post a "display only" sign on foods that are not for sale.



Handle unpackaged foods with gloves, tissues, or utensils.



Provide a canopy and cover unpackaged food.



Store food at least 6 inches off the ground.

Labeling

Even if you don't need a license, you do need to follow the [labeling requirements](#) listed below:

- Your name or your business name and address
- Net weight of contents; you must list the weight in pounds/ounces and in metric measure.
- If not graded, the word "ungraded"
- If graded, include grade and color of honey if it is Wisconsin No.1.

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JUICE AND CIDER

Liquid, puree, or concentrate from one or more fruits or vegetables

Licensing requirements

Juice and cider processed by someone other than the grower/harvester must be licensed, and must be produced under a HACCP plan in a food processing plant.

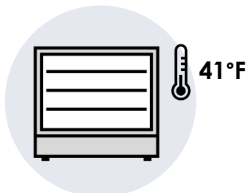
For cider

- You **need** a Transient Retail Food license if seller is not the grower/harvester.
- You **do not need** a license at the market if produced by the grower/harvester.

For juice that requires refrigeration for safety

- You **need** a transient retail food license if you sell products that need refrigeration and/or are sold in bulk.
- You **need extra licenses** if you operate at multiple events simultaneously or operate multiple stands at the same event. If you have a current transient food license from another jurisdiction, you can vend at Dane County events.

Storage, display, and handling



Store unpasteurized juice and cider at 41°F or below (provide a thermometer).



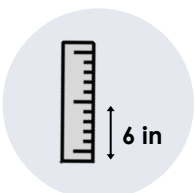
Handle unpackaged foods with gloves, tissues, or utensils.



Provide a canopy and cover unpackaged food.



Post a "display only" sign on foods that are not for sale.



Store food at least 6 inches off the ground.



Set up a hand washing station if you serve unpackaged food.

Labeling

Even if you don't need a license, you do need to follow the labeling requirements listed below:

- Product name and weight
- Business name and address
- Ingredients including allergen information
- "Keep Refrigerated" or "Refrigerate After Opening" (if necessary)
- If the juice or cider is not pasteurized, the label must have the following warning statement inside a text box:

WARNING:

This product has not been pasteurized and; therefore, may contain harmful bacteria that can cause serious illness in children, the elderly, and persons with weakened immune systems.

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MAPLE SYRUP

Grade A, processing grade, substandard, or ungraded

Licensing requirements

You do not need a food processing plant license if all of the following apply

- You sell the maple syrup or concentrated maple sap only to other processors for further processing.
- You sell less than \$5,000 during the license year. This includes sales for the combined gross receipts from all maple syrup, non-shelf-stable concentrated maple sap, and shelf-stable concentrated maple sap.
 - Note: This covers only wholesale product and the \$5,000 does not include retail sales.
- You keep a written record of every sale and retains that record for at least two years.
- You Register with DATCP before engaging in any processing activities in any license year ending March 31. A registration expires at the end of the license year. A processor shall register in writing using the maple sap processor registration form (F-fd-346).
- For more information, see [DATCP's maple syrup webpage](#).

At the Farmers' Market, you don't need a Transient Retail Food license if

- You extract, package and sell your own maple syrup from your own trees.
- You do not process the maple syrup.

Special considerations for maple butter

Maple syrup that has been heated, cooled and stirred to incorporate air to achieve a desired consistency is referred to as "maple butter." Additional licensing is required for this product. Annual sales do not determine whether or not a license is required.

Storage, display, and handling



Provide a canopy and cover unpackaged food.



Set up a hand washing station if you serve unpackaged food.



Post a "display only" sign on foods that are not for sale.



Handle unpackaged foods with gloves, tissues, or utensils.

Labeling

Even if you don't need a license, you do need to follow the labeling requirements listed below:

- Product name and net weight
- Business name and address
- Ingredients including allergen information
- Grade: WI Grade A or WI Manufacturer's Grade as per USDA color standards for maple syrup

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MEAT

Cattle, swine, sheep, rabbits, ratites, and goats

Licensing requirements

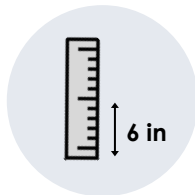
All meat must be processed, inspected and passed at a Wisconsin DATCP or USDA federally inspected facility. Rabbit must be labeled "Not Inspected."

- You **need** a transient retail food license if you sell products that need refrigeration and/or are sold in bulk.
- You **need extra licenses** if you operate at multiple events simultaneously or operate multiple stands at the same event. If you have a current transient food license from another jurisdiction, you can vend at Dane County events.

Storage, display, and handling



Keep product refrigerated or frozen.



Store food at least 6 inches off the ground.



Provide a canopy and cover unpackaged food.



Post a "display only" sign on foods that are not for sale.



Handle unpackaged foods with gloves, tissues, or utensils.



Set up a hand washing station if you serve unpackaged food.

Labeling

- Product name and net weight
- Business name and address
- Ingredients including allergen information
- Handling statements such as "Keep Refrigerated" or "Keep Frozen"
- Inspection legend (USDA or WI) (below)
- Safe Handling Instructions (below)



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MUSHROOMS

Fresh, unprocessed, non-imported, wild foraged and cultivated fungi

Licensing requirements

Requirements for sellers

- You do not need a food license to sell wild and/or cultivated mushrooms
- You may need approval and documentation for selling wild foraged mushrooms.

You do not need approval/documentation if:

- You are a grower that is cultivating wild mushroom species and/or
- You are only selling directly to consumers

You do need approval/documentation if:

- You are selling wild foraged fungi to grocery stores, restaurants, or any agent purchasing on behalf of grocery stores or restaurants.

Requirements for licensed retail food establishment buyers

A licensed retail food establishment is allowed to use foraged wild mushrooms as a food or ingredient if:

- They are a product of, AND are received from a licensed retail food establishment or food processing plant, or
- The retail food establishment has received approval to do so.

Approval is granted if the following documentation can be provided to inspection staff

- The wild mushrooms are obtained from a forager who has taken a mushroom identification course from an accredited college, university, or a mycological society.
- A copy of this documentation shall be made available to the department or its agent upon request.

For more information and certification courses

- [Wisconsin Mycological Society](#)
- [Minnesota Mycological Society](#)
- [Midwest American Mycological Information](#)

Wisconsin Wild Mushroom Currently Approved Species List

- Morels - all WI species in genus Morchella
- Chanterelles - all WI species in genus Cantharellus
- Trumpets - all WI species in genus Craterellus
- King Boletes/Porcini - all WI species in Boletus edulis clade
- Oyster mushrooms - all WI species in genus Pleurotus
- Hedgehog mushrooms - all WI species in genus Hydnum
- Lobster mushrooms - Hypomyces lactiflorum on species of Lactifluus and Russula
- Lion's Mane, Bear's Head, and Comb Tooth - all WI species in genus Hericium
- Matsutake - Wisconsin species is Tricholoma magnivelare
- Maitake/Hen of the Woods - Grifola frondosa
- Chicken of the Woods - Laetiporus cincinnatus and Laetiporus sulphureus only
- "Salisbury Steak of the Woods"/Resinous polypore - Ischnoderma resinosa
- Pheasantback/Dryad's saddle - Cerioporus squamosus
- Giant Puffball - Calvatia gigantea
- Ganoderma Species considered Reishi in WI - Ganoderma tsugae, Ganoderma applanatum, Ganoderma sessile
- Chaga - Inonotus obliquus
- Turkey Tail - Trametes versicolor

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PICKLE BILL

Pickles, sauerkraut, jams, jellies, salsa, chutney, sauerkraut, kimchi

Licensing requirements

You do not need a license if all conditions below apply

- Processor is from Wisconsin and selling at a farmers' market, flea market or community/social event in Wisconsin
- Total sales are less than \$5,000 per year
- pH of approved foods must be less than 4.6
- A sign is posted stating "These canned goods are homemade and not subject to state inspection."
- Products are sold retail only (direct from producer to consumer)

Foods that are not allowed to be sold under the pickle bill

- Pickled/canned fish or meat
- Canned foods with a pH above 4.6
- Dressings or condiments
- Canned foods that are not considered fruits or vegetables such as lemon curd, pesto, sauces, and pickled eggs.
- Marinated products such as garlic or herbs in oil

Additional recommendations

- Attend and complete an approved canning food safety course
- Use standardized recipes or have recipes reviewed by a canning authority
- Maintain batch records
- Test the pH of the product

For more information

- [DATCP Home-Canned Foods](#)
- [UW-Extension Selling Home-Canned Foods](#)

Labeling

Label each container with:

- Name and address of the person who did the canning
- Date of canning
- Statement: "This product was made in a private home not subject to state licensing or inspection."
- All ingredients in descending order of prominence, including the common name for any ingredient that originates from milk, eggs, fish, crustacean shellfish, tree nuts, peanuts, wheat, soybeans or sesame as these are ingredients that can cause severe allergic reactions in some people, who must be able to recognize when they are present.

Storage, display, and handling



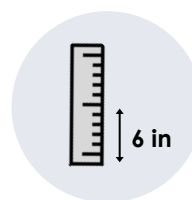
Post a "display only" sign on foods that are not for sale.



Handle unpackaged foods with gloves, tissues, or utensils.



Set up a hand washing station if you serve unpackaged food.



Store food at least 6 inches off the ground.



Provide a canopy and cover unpackaged food.

Questions in Dane County
Public Health Madison & Dane County
(608) 242-6515
LEAdmin@publichealthmdc.com
publichealthmdc.com/farmersmarket

Questions outside of Dane County
DATCP, Division of Food Safety
(608) 224-4923
DATCPDFSLicensing@wi.gov
datcp.wi.gov

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POULTRY

Domesticated birds (chicken, turkeys, ducks, geese, guineas, or squab)

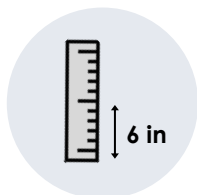
Licensing requirements

- If less than 1,000 birds are processed per year, then all poultry must be slaughtered at a Wisconsin DATCP or USDA federally inspected facility and bird by bird inspection is not required. Label package “Not Inspected.”
- If more than 1,000 birds are processed per year, then all poultry must be slaughtered at a Wisconsin DATCP or USDA federally inspected facility and bird by bird inspection is required.
- You **need** a transient retail food license if you sell products that need refrigeration and/or are sold in bulk.
- You **may need** extra licenses if you operate at multiple markets simultaneously.
- If you have a current transient food license from another jurisdiction, you can vend at Dane County events.

Storage, display, and handling



Keep product refrigerated or frozen.



Store food at least 6 inches off the ground.



Provide a canopy and cover unpackaged food.



Post a “display only” sign on foods that are not for sale.



Handle unpackaged foods with gloves, tissues, or utensils.



Set up a hand washing station if you serve unpackaged food.

Labeling

- Product name and weight
- Business name and address
- Ingredients including allergen information
- Handling statements such as “Keep Frozen” or “Keep Refrigerated”
- Inspection legend (USDA or WI)
- Safe Handling Instructions (below)



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SMOKED FISH

Hot smoked and cold smoked

Licensing requirements

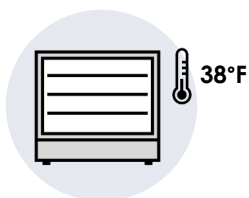
Farmers' market vendors must obtain their processed smoked fish from an approved licensed facility.

- You **need** a transient retail food license if you sell products that need refrigeration and/or are sold in bulk.
- You **may need** extra licenses if you operate at multiple markets simultaneously.
- If you have a current transient food license from another jurisdiction, you can vend at Dane County events.
- For more information, see [DATCP's webpage on smoked fish](#).

Special considerations to prevent botulism

Smoked fish is typically cured in brine, but is not a preserved food. The main hazard is botulism. To keep the botulism bacteria from producing a potentially fatal toxin, smoked fish must be held at **38°F** or below at all times.

Storage, display, and handling



Store smoked fish at 38°F or below (provide a thermometer).



Handle unpackaged foods with gloves, tissues, or utensils.



Provide a canopy and cover unpackaged food.



Post a "display only" sign on foods that are not for sale.



Store food at least 6 inches off the ground.



Set up a hand washing station if you serve unpackaged food.

Labeling

- Product name (including species) and weight
- Business name and address
- Ingredients including allergen information
- Processing date of the smoked fish
- Processor must label the package with letters the size of the product name with one of the options listed below:

PERISHABLE -

KEEP REFRIGERATED AT OR BELOW 38°F

or

PERISHABLE -

KEEP FROZEN PRIOR TO USE

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SAMPLING

Free, bite-sized portions

Licensing requirements

You do not need a transient food license if

- samples are bite-sized portions
- samples are free

You do need a transient food license if

- Packaged, time/temperature control for safety foods or unpackaged foods are sold along with the sampling activities

Guidelines for food sampling activities

- Food must be obtained from an approved source.
- Dispense samples safely to the public by serving individual portions in disposable containers, single service napkins or with disposable utensils.
- Keep time/temperature foods at the proper temperature or discard within 4 hours at ambient temperature (Time as a Public Health Control).
- Bare hand contact with the food is not allowed.
- If utensils used to prep or portion samples will need to be washed on site, set up a ware washing station for wash, rinse, and sanitizing.

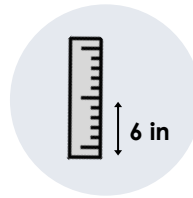
Storage, display, and handling



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Store food at least 6 inches off the ground.

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