



## GUIDELINES FOR FOOD PRODUCTS SOLD AT EVENTS SPONSORED BY POLITICAL SUBDIVISIONS

The Georgia Department of Agriculture has always strived for an inspection program that would both protect the consuming public and not be overly restrictive to food producers and small merchants. With to the increase in popularity of events such as Arts & Craft Shows, Local Farmers Markets, and Festivals where processed food is being sold; the Department of Agriculture has issued the following guidelines:

### EXEMPTION FROM GDA FOOD SALES LICENSE

Food products will be considered exempt from the inspection and licensing required by the GA Food Act, unless the sales of such items are prohibited by other **State Laws** or by the **FDA's Federal Code of Regulations (CFR's)**. To qualify for the exemption, the products must be sold directly to the consumer, and occurs at an event that:

1. Is sponsored by a political subdivision of this state, and lasting 120 consecutive hours or less; **or**
2. Events sponsored by the county, municipality, or an organization exempt from taxes under paragraph (1) of subsection (a) of Code Section 48-7-25 or under Section 501(d) or paragraphs (1) through (8) or paragraph (10) of Section 501(c) of the Internal Revenue Code, as that is defined in Code Section 48-1-2; **and**
3. May be conducted pursuant to a permit<sup>1</sup> issued by the municipality or county in which it is conducted.

### WHAT PRODUCTS CAN BE SOLD?

Food products that DO NOT require temperature control for food safety, and which are not governed by additional State or Federal laws and regulations. For example:

- **Breads**
- **Cakes**
- **Cookies**
- **Fresh Produce**
- **Jams**
- **Jellies**
- **Honey**
- **Pies<sup>2</sup>**

### WHAT PRODUCTS CANNOT BE SOLD?

Products that are governed by specific State or Federal laws and regulations. For example:

- **Meat Products** – Governed by Georgia Meat Compliance Laws
- **Eggs** – Governed by the Georgia Egg Law
- **Dairy Products** – Governed by the Georgia Dairy Law
- **Organic Products** – From Growers or Processors without an Organic Certification
- **Low Acid/Acidified Foods (Canned Vegetables, Pickles, Salsa, etc.)** – Unless the Processor has a Food Sales Establishment License and has completed Better Process Control School.

### LABELING

All processed products **should** be labeled with:

1. The **COMMON NAME** of the food.
2. The **NAME/ADDRESS/PHONE NUMBER** of the person who made the item.
3. A list of **INGREDIENTS** with the common name of each ingredient.

<sup>1</sup> Permits issued shall be valid for a period of up to 120 consecutive hours and another permit shall not be issued to the organization holding such permit until five days have elapsed from the date of the expiration of the permit (O.C.G.A. § 26-2-391(b)(1)).

<sup>2</sup> Some pies do require refrigeration to limit the growth of foodborne illness pathogens. If you are unsure if a type of pie requires refrigeration, please contact the Food Safety Division for additional guidance on which pies would be considered safe, based on their pH and water activity.

## **PRODUCTS MADE OUTSIDE OF GEORGIA**

All vendors that process their food outside of Georgia must have a certificate, license, or documentation indicating they are permitted by their respective Regulatory Agency governing food sales; and that their firm is in compliance with their respective state's food safety laws and regulations.

## **ADDITIONAL INFORMATION**

**For assistance or questions concerning Food Sales Exemptions or instructions on how to obtain a Food Sales Establishment License, please contact the Georgia Department of Agriculture – Food Safety Division at 404-656-3627.**

For information on the **Georgia Grown Program** (including becoming a **Georgia Grown Market**, **Georgia Grown Certification**, and a **Georgia Grown Market Weblink** for your market featured on the Department's website), please contact 404-656-3680.

**For information or questions concerning Organic Registration and/or Certification, please contact the Georgia Department of Agriculture – Plant Industry Division 404-586-1140.**

The website for the Georgia Department of Agriculture is [www.agr.georgia.gov](http://www.agr.georgia.gov).

*(This document is intended to be a "Guideline" which describes in simple terms a number of basic requirements which must be met before conducting food sales)*