

Farmers' Markets

INFORMATION ON THE SALE OF FOOD AT FARMERS' MARKETS

A Farmer's Market Food Dealer License is required to sell food, such as raw fruits and vegetables, eggs, poultry, breads, herbs, beverages, restaurant foods, etc., at any of the farmers' markets in the City of South Milwaukee unless specifically exempted from licensing per City of South Milwaukee Ordinance.

A Wisconsin law – sometimes called the “pickle bill” – allows limited sales of home-canned foods without a license. Previously you needed to register with the Department of Agriculture, Trade and Consumer Protection for these sales, but that is no longer necessary.

Under the law, you may sell up to \$5,000 worth of home-canned foods a year at farmers' markets or community social events, such as bazaars. Other provisions:

- The foods must be pickles or other processed vegetables or fruits with an “equilibrium pH” of 4.6 or lower. The pH is a measure of how acidic the foods are. Bacteria are less likely to survive in foods that are naturally acidic or acidified by adding vinegar, for example. You can find [advice on buying a pH meter](#) on the University of Wisconsin-Extension website.
- You must post a sign at your booth or other place of sale that says, “These canned goods are homemade and not subject to state inspection.”
- You must label each container with:
 - Name and address of the person who canned the product
 - Date when it was canned
 - Ingredients in descending order of prominence, including the common name of ingredients that originate from food allergens – milk, eggs, fish, shellfish, tree nuts, wheat, peanuts, and soybeans
 - This statement – “This product was made in a private home not subject to state licensing or inspection.”

Potentially hazardous food, such as eggs, meat and dairy products, needs to be maintained at 41° F or less or 135° F or greater.

Operators selling only fresh produce may operate more than one booth at the same market without needing additional licenses unless the stands are not adjacent to each other, in which case, each stand needs its own license.

If you are required to use a scale for weighing your produce, the scale must be checked for accuracy and licensed with a Weighing and Measuring Device License prior to use unless specifically exempted from licensing per City of South Milwaukee Ordinance.

All rules and regulations from the Wisconsin Food Code must be adhered to. A food safety booklet is available at the South Milwaukee Health Department to assist you in setting up a food stand if one is required.

An application and a payment of \$40.00 are required to be submitted to the South Milwaukee Health Department prior to the sale or giving away of any food.

Please contact Marty at the South Milwaukee Health Department at 786-8055 for any additional information.