

City of Austin Farmers' Market: Additional Requirements

Applying for a Permit

All applications must be submitted and approved before a permit can be issued. For application assistance call (512) 978-0300. Permits approval is based upon compliance with State & local health ordinances. Application for a permit does not guarantee that a permit will be granted. The application fee is refundable, upon request, within 180 days of payment; if the permit was not issued.

Applications must include: 1) A completed "Farmers' Market: Operational Permit" application form (Page 4 is not needed if including a valid permit)

2) **A clear copy of a valid, government-issued identification card**

3) Farmers' Market Permit Fee (*See Fee Schedule Below*)

Permit Fee Schedule

Permit Class	Austin	Bee Cave	Sunset Valley
Class A	\$150.00	\$150.00	\$150.00
Class B	\$300.00	\$300.00	\$300.00
Class C	\$650.00	\$650.00	\$650.00
Expired Permit [Late Fee]	\$95.00	\$95.00	\$95.00

Permit Lifecycle

Approval: Applications will be reviewed by the department and approved or denied. If approved, a permit will be mailed to the address provided on the application form with 10 – 14 business days.

Renewal: All permits expire 1 year from the date of issuance. Prior to expiration, a renewal notice will be mailed to the mailing address listed on the application. **The renewal form must be completed and returned to the department along with the permit renewal fee and a newly completed Farmer's Market Permit Application for the renewal to be processed.** The operator/business owner is responsible for completing the renewal application and submitting payment regardless of whether a renewal notice is sent or received. Any renewal applications submitted or received after the permit's expiration date will be assessed a late fee.

Inactivation: If the booth is no longer in operation, it is the responsibility of the booth operator/business owner to notify the department of the booth's status. The request for inactivation must be submitted to the department in writing and contain the operator/business owner's name, the name of the booth, the permit number and the last date of operation. Inactivation requests may be emailed to ehsd.service@austintexas.gov

Terminology Definitions

Bona Fide Educational Purpose: Educational booths provide cooking demonstrations only. The demonstrations may inform, train, or educate individuals how to prepare foods or provide samples in order to inform individuals of the quality or characteristics of the sample. Educational booths cannot exist in conjunction with the sale of food or food products.

Certified Farmer's Market: A certified farmer's market is one that is certified by the Texas Department of Agriculture pursuant to Subchapter D of Title 4 of the Texas Administrative Code.

Farm Produce: Herbs/Spices (natural or in a dried state), vegetables, fruits, unshelled nuts, berries, grains, honey, watermelons and other melons, and cantaloupes in their natural state.

Labeling: Food packaged in a food establishment must include the common name of the food, a list of ingredients in predominance by weight (if made from two or more products), a declaration of quantity of contents, and the name and place of business of the manufacturer, packer or distributor.

Packaged food: Bottled, canned, carton, securely bagged, or securely wrapped, whether packaged in a food establishment or a food processing plant.

Potentially hazardous food: Food requiring time and temperature control to limit pathogen growth or toxin production.

Sampling: Limited to the demonstration/promotion of a food by offering a small serving which cannot be sold.

City of Austin Farmers' Market: Requirements by Permit Type

Permit Type	Foods Allowed	Food Operation Allowed	Permit Requirements (Listed on Pages 7 & 8)
No Permit Required	Prepackaged non-potentially hazardous foods only (such as bottled honey or individually wrapped candy from a food establishment or manufacturer)	No open food sampling No on-site food preparation No open foods/beverages No potentially hazardous foods/beverages	Labeling Requirements
Class A Fee Exempt <u>City of Austin ONLY</u>	Intact raw eggs, farm produce sampling, and bona fide educational booths (only a Farmer's Market manager may apply for the bona fide educational booth permit)	Farm produce sampling (herbs, spices, vegetables, fruits, unshelled nuts, melons) and cooking demonstrations	State Licenses and Class A Permit Requirements (Page 7), Labeling Requirements
Class A Fee Exempt <u>Incorporated Municipalities</u>	Farm produce sampling, and bona fide educational booths (only a Farmer's Market manager may apply for the bona fide educational booth permit)	Farm produce sampling (herbs, spices, vegetables, fruits, unshelled nuts, melons) and cooking demonstrations	State Licenses and Class A Permit Requirements (Page 7), Labeling Requirements
Class A	Prepackaged potentially hazardous foods, and customer self-service of non-potentially hazardous beverages in enclosed containers	No open food sampling No on-site food preparation No open foods/beverages	State Licenses, Food Establishment Permit/ Central Preparation Facility, and Class A Permit Requirements (Page 7)
Class B	Foods allowed in Class A Permit, baked goods, bulk dispensing, employee operated beverages in enclosed containers	Sampling (which is a demonstration/promotion of a food by offering a small serving which cannot be sold)	State Licenses, Food Establishment Permit/ Central Preparation Facility, Food Handler Cards, and Class B Permit Requirements (Page 8)
Class C	Foods allowed in Class A & B Permit and any other foods/beverages are permitted under this permit	On-site preparation of all food is permitted (such as cooking and assembling)	State Licenses, Food Establishment Permit/ Central Preparation Facility, Food Handler Cards, a Valid City of Austin Certified Food Manager Certificate, and Class C Requirements (Page 8)

City of Austin Farmers' Market: Class A Permit Requirements

Approved Source: No home prepared foods are allowed. Foods must be obtained from an approved source.

Central Preparation Facility (CPF): Report to your CPF to store your equipment, utensils, and food before and after every Farmer's Market. No equipment, utensils, or food can be stored at an unpermitted facility (such as a private home). No open food preparation may occur at the CPF unless the Farmer's Market Booth Business Owner holds a separate and valid Food Establishment permit at the CPF location.

Labeling: All pre-packaged, self-service food items offered must be properly labeled in adherence with the Texas Food Establishment Rules.

Overhead & Floor Covering: Provide approved overhead protection above food storage and/or food sampling. Provide an adequate floor covering (such as concrete, asphalt, or a tarp over grass/dirt) that is easily cleanable and will eliminate dust.

Permit: Obtain a valid City of Austin Farmer's Market Booth permit prior to operating or legal charges may be filed. Prominently post the original permit at the booth or legal charges may be filed.

Potentially hazardous foods (PHF): Maintain PHF colder than 41°F or hotter than 135°F at all times. Intact raw eggs may be maintained at 45°F or below. Most hot foods should be initially heated to 165°F within two hours and then maintained at 135°F. Leftover food intended for re-use shall be rapidly cooled in an approved manner.

Thermometer: Provide a metal stem-type thermometer from 0°F-220° F to monitor food temperatures throughout the event. Provide accurate thermometers in all refrigeration units, including coolers/ice chests.

Water Source: Obtain potable water from an approved source.

City of Austin Farmers' Market: Class B & C Permit Requirements

Approved Source: The selling of food prepared at home is not allowed. All foods must be obtained from an approved source.

Central Preparation Facility (CPF): Report to your CPF to store your equipment, utensils, and food before and after every Farmer's Market. No equipment, utensils, or food can be stored at an unpermitted facility (such as a private home). No food preparation may occur at the CPF unless the Farmer's Market Booth Business Owner holds a separate and valid Food Establishment permit at the CPF location.

Certified Food Handler & Food Manager Certificate: Class B Permits are required to have all employees registered as Food Handlers with the City of Austin Health Department. A verification list of all employees' Food Handler credentials must be submitted at the time of permit renewal. Class B Permits are not required to obtain a Food Manager Certificate. Class C Permits are required to maintain at least one (1) employee's original and valid City of Austin Food Manager Certificate on-site *at all times*. All other employees must be registered as Food Handlers with the City of Austin Health Department. A verification list of all employees' Food Manager and Food Handler credentials must be submitted at time of permit renewal. Copies of these documents are not permitted.

Cross-contamination: Prevent cross-contamination by using a different set of utensils and preparation surfaces to prepare raw or partially cooked foods that are separate from the utensils and surfaces used to prepare fully cooked foods.

Disposable Utensils: Provide only disposable utensils, plates, and cups to consumers.

Handwashing: Provide hand soap, paper towels, a container of warm water, and a wastewater container. The water container must be designed with a spigot that allows the user to wash hands freely without continuously depressing the spigot or tilting the container.

Hot Holding Units: Insulated containers with no active source of heat and sternos are not allowed. Provide approved hot holding units that maintain potentially hazardous foods at or above 135°F.

Ice: Ice used for drinks or consumption shall not be used as a coolant for foods and beverages. Use ice scoops to dispense ice by employees only. Customers may not dispense ice. The packaging of ice should be done in a manner that prevents the cross contamination of foods. Store foods in tightly sealed containers while stored on ice.

Grease: Collected cooking grease should be held in closed containers and disposed of in an approved manner. Dumping of grease in toilets is not permitted.

Glove Usage: Following handwashing, gloves shall be used when handling ready-to-eat foods.

Labeling: All pre-packaged, self-service food items must be properly labeled in adherence with the Texas Food Establishment Rules.

Overhead & Floor Covering: Provide approved overhead protection above food preparation, cooking, serving, and utensil washing areas. Provide an adequate floor covering (such as concrete, asphalt, or a tarp over grass/dirt) that is easily cleanable and will eliminate dust.

Potentially Hazardous Foods (PHF): Maintain PHF below 41°F or above 135°F at all times. Intact raw eggs may be maintained at 45°F or below. Most hot foods should be initially heated to 165°F within two hours and maintained at 135°F. Leftover food intended for re-use shall be rapidly cooled in an approved manner. Thaw potentially hazardous foods in an approved manner and not at ambient air temperature.

Permit: Obtain a valid City of Austin Farmer's Market Booth permit prior to operating or legal charges may be filed. Prominently post the original permit at the booth or legal charges may be filed.

Protection: Protect all food, equipment and utensils from exposure to dirt, dust, vermin and insects.

Sanitizer: Use sanitizer buckets or spray bottles with paper towels to frequently wipe counters and spot clean equipment.

Testing Devices: Provide testing devices (such as chlorine test strips for measuring chlorine at 50-100 ppm) to accurately measure the sanitizer solution.

Thermometer: Provide a metal stem-type thermometer from 0°F-220°F to monitor food temperatures. Provide accurate thermometers in all refrigeration units, including coolers/ice chests.

Warewashing: Provide adequate warewashing if multi-use utensils are utilized. Provide three basins if no permanent facilities are on-site. The first basin shall contain water and detergent for washing. The second basin shall contain clear potable water for rinsing. The third basin shall contain water and bleach (1 ½ teaspoons bleach per gallon of water to obtain a concentration of 50-100 ppm chlorine) to sanitize the utensils for at least one minute. Provide overhead protection above the three basins.

Wastewater: Wastewater must be disposed of in an approved manner, never discarded on the ground or down a storm drain.

Water Source: Obtain potable water from an approved source.



AUSTIN/TRAVIS COUNTY HEALTH & HUMAN SERVICES DEPARTMENT
ENVIRONMENTAL HEALTH SERVICES DIVISION

P.O. BOX 142529 Austin, TX 78714

Phone (512) 978-0300 Email: ehsd.service@austintexas.gov

Web site: <http://www.austintexas.gov/ehsd>



Walk-in Location: 1520 Rutherford LN, NE corner of Rutherford LN @ Cameron RD, Building 1 East Entrance (Not a Mailing Address)

**City of Austin Food Handler Information
Class B & C Requirements**

All employees that handle food must complete a Food Handler Training course offered by a Texas DSHS (Department of State Health Services) approved vendor and readily make a copy of the certificate available upon request by the health authority.

Food Handler Resources:

- City of Austin Food Handler Code 10-3-34
- For State Approved Courses please visit: <http://www.dshs.state.tx.us/foodestablishments/handler.shtm#training>
- For additional Food Handler Requirement information please visit: <http://austintexas.gov/departments/food-handler-registration>

**City of Austin Food Manager Certificate Registration Information
Class C Requirements**

Step 1: Obtain a Food Manager Certificate

- 1.) Obtain a certification by passing a Department of State Health Services (DSHS) approved Certified Food Manager examination. The examination may be taken at any licensed Certification Training Program, Test Site, Online Exam or National Exam provider. (Certification is valid for 5 years.)
- 2.) This link will provide a list of Certification Training Programs:

<http://www.dshs.state.tx.us/foodestablishments/cfm.shtm#lists>

Step 2: Register the Food Manager Certification with the City of Austin

- 1.) Food Manager Certification is recognition that an individual has received certification in the safe preparation and storage of food to prevent foodborne illnesses. The City of Austin requires at least one employee to register with the City of Austin as a Certified City of Austin Food Manager and for that person's City of Austin Food Manager Certificate to be posted in a prominent location at the booth. (Please see Austin City Food Code 10-3-31 for exceptions.)
- 2.) Register your Food Manager Certificate with Austin's Health & Human Services Department: Environmental Health Services Division. Submit the following documentation to the department:

- 1.) City of Austin Food Manager Certificate Application.

Applications are available at:

<http://www.austintexas.gov/departments/business-applications-and-guides>

http://www.austintexas.gov/sites/default/files/files/Health/Environmental/fmc_app_8-6-13.pdf

- 2.) City of Austin Food Manager Certificate fee
- 3.) A clear copy of a Texas Department of State Health Services (DSHS) approved Food Manager Certificate
- 4.) A clear copy of a valid government issued photo ID (such as a driver's license) of the applicant