



Fairfax County Farmers Markets 2024 Vendor Handbook & Additional Resources

Sponsored by Community Horticulture Office
Green Spring Gardens Fairfax County Park Authority



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Fairfax County Farmers Markets Mission and Vision

Sponsored by Community Horticulture Office Green Spring Gardens Fairfax County
Park Authority

Mission

The mission of the Fairfax County Farmers Markets is to provide residents access to locally grown products and create market opportunities for area farmers and food producers.

Vision

Reconnect people with locally produced food in a fun,
community atmosphere.

Fairfax County Park Authority operates 10 farmers markets across Fairfax County. Our markets are strictly producer-only, meaning that all our farmers and producers may only sell what they raise on their farms or make from scratch. Our vendors all come from within a 125-mile radius of Fairfax County, with a few exceptions for hard-to-find products such as dairy and organic produce. We encourage vendors to use local ingredients in the creation of their products as much as possible.

2024 Fairfax County Farmers Markets Schedule

Wednesdays			
McCutcheon/ Mount Vernon*	April 17 – December 18 8 a.m. – 12 p.m.	Sherwood Library, 2501 Sherwood Hall Lane, Alexandria, Va.	SNAP accepted, bonus dollar program!
Oakmont	May 1 – November 6 8 a.m. – 12 p.m.	Oakmont Recreation Center, 3200 Jermantown Road, Oakton, Va.	
Wakefield	May 1 – October 30 2 – 6 p.m.	Wakefield Park, 8100 Braddock Road, Annandale, Va.	SNAP accepted, bonus dollar program!
Thursdays			
Annandale	May 2 – November 14 8 a.m. -12 p.m.	Mason District Park, 6621 Columbia Pike, Annandale, Va.	SNAP accepted, bonus dollar program!
Herndon	May 2 – November 7 8 a.m. – 12 p.m.	700 Block of Lynn St. Old Town Herndon, Va.	
Fridays			
McLean	May 3 – November 15 8 a.m. – 12 p.m.	Lewinsville Park, 1659 Chain Bridge Road, McLean, Va.	
Kingstowne	May 3 – October 25 3 – 7 p.m.	5870 Kingstowne Towne Center, Alexandria, Va.	
Saturdays			
Burke*	April 20 – December 21 8a.m. - 12p.m.	VRE Parking Lot, 5671 Roberts Parkway, Burke, Va.	
Reston*	April 27 – December 7 8 a.m. – 12 p.m.	Lake Anne Village Center, 1609-A Washington Plaza, Reston, Va.	SNAP accepted, bonus dollar program!
Sundays			
Lorton	May 5 – November 10 8 a.m. – 12 p.m.	VRE Parking Lot, 8990 Lorton Station Blvd, Lorton, Va.	SNAP accepted, bonus dollar program!

**From the end of November into December, there is an Extended Season at the Reston, Mount Vernon, and Burke farmers markets. Current and new vendors are welcome to apply.*

VENDOR REQUIREMENTS

Producer-Only Requirement

- Fairfax County Farmers Markets are strictly producer-only, meaning vendors must grow, raise, or make from scratch all products sold at the market.
- Distributors, brokers, and the re-selling of products is strictly prohibited.
- A **producer** is defined as a grower, employee, partner, or family member who is directly engaged in the growth and production of the produce or products sold.
- Producers may include agricultural and horticultural producers, baked goods, prepared food vendors, and value-added vendors.
- All farm products sold at the market must be grown or produced by the vendor. All baked and value-added food items must be made from scratch by the vendor. Produce must be fresh and of the best quality.
- *Exceptions: Locally roasted coffee and dairy products.*

Local Requirement

- All items sold must be grown or produced by the vendor or his designee on land or in a facility owned or leased by the vendor within 125 miles of Green Spring Gardens (4603 Green Spring Road, Alexandria, Virginia).
- *Exceptions: Certified organic produce, seafood, and dairy farmers that are just outside the 125-mile limit.*

Food and Agriculture-based Requirement

- Fairfax County Farmers Markets only allow the sale of food, agricultural, and horticultural items and does not offer space to craft vendors or other non-food businesses.
- A Community Use Area (CUA) is available directly outside of our markets for non-profits, political organizations, and community groups to use on a “first come, first served” basis.
Exceptions: Crafts and body products created using materials from the vendor’s existing agricultural operation, i.e. candles or lip balms made from a honey farmer’s leftover beeswax.

PRODUCT REQUIREMENTS

Eligible Items

- Produce – vegetables, fruits, microgreens.
- Meats – chicken, turkey, pork, beef, bison, rabbit, sausage, venison.
- Seafood – finfish, shellfish & crustaceans harvested from Chesapeake Bay and other nearby tributaries.
- Dairy – milk, eggs, cheese, butter, ice cream, kefir, yogurt.
- Honey – bee pollen, beeswax bi-products.
- Baked goods – bread, cookies, cupcakes, etc.
- Prepared food – soups, sandwiches, pastas, dumplings, etc.
- Herbs – fresh & dried herbs, teas.
- Plants – vegetable starts, potted/cut herbs, potted/cut flowers
- Coffee – must be locally roasted.
- Wine – grapes and wine must be locally produced.
- CBD Products – must follow all VDACS, VDH, and USDA regulations.
- Additional Value-Added Products – Jams, Jellies, pickled products.
- Hot foods.

Prohibited Products

- Olives, olive oil, chocolate, or other non-local products except locally roasted coffee
- Crafts, body products, or any non-food items*
- Highly Invasive Plant Species, as defined by Virginia Department of Conservation & Recreation.

*Agricultural vendors have the option to sell crafts and body products created using materials from the vendor's existing agricultural operation. An example would be candles or lip balms made from a honey farmer's leftover beeswax. All non-food items must have prior approval from the Farmers Market Staff.

Dairy/Ice Cream Guidelines

Milk, Dairy and Cheese

Fresh milk must be from the dairyman's own herd or creamery. Cheese, cream, yogurt and other dairy products may be made by the vendor using milk from dairyman's own herd, or milk sourced from another local dairy farmer. Flavoring agents (fruit, herbs or honey) used in the products should come from local vendors.

Frozen Dairy or Fruit Products

Ice cream must be made by the vendor. A preference is given to vendors who uses milk or cream from the vendor's own herd or creamery, or who source milk from a local farmer. Flavoring agents

(fruit, vegetables or honey) used in the products should come from local sources. Frozen dairy or fruit products should highlight regional produce and seasonal ingredients. Out of region, necessary flavorings (such as vanilla) may be purchased.

Producer-Only Local Dairy Exemption

We allow existing FCPA Farmers Market Vendors to apply for the opportunity to resell locally sourced dairy products. Any type of vendor can qualify to resell local dairy; however, we require that vendors demonstrate that they have the appropriate infrastructure necessary to safely resale dairy products (cooling systems and thermometers).

Vendor Requirements:

- **Additional documents: Must provide proof that dairy comes from a producer-only, local partner. The resale of non-local, non-producer-only dairy is prohibited.**
- Vendors must have at least one sign displayed at all times, clearly indicating the resale of local dairy products.
 - Sign must contain dairy name, location, website, and contact information
- Packaging of dairy product must meet labeling requirements for wholesale retail, including but not limited to (depending on your states regulations):
 - Name of farm
 - Address of farm
 - Contact phone number
 - Net weight
 - Expiration date
- Vendors may be asked to discontinue the resale of dairy products, in the event that a producer-only dairy vendor offering the same products wishes to enter a market
 - If this did occur, the vendor would be notified before the market season during the vendor selection process.
 - If at all possible, we will continue to accommodate both dairy products, as long as overlap is minimal.
- Vendors Are liable for any foodborne illness that may occur.
 - We highly recommend you speak with your insurance agent and ensure your current coverage extends to the resale of local dairy products.*

Coffee Guidelines

The inclusion of locally roasted coffee at Fairfax County Farmers Markets is an exception to the producer-only rule which states that all agricultural products must be grown locally by the vendor.

Vendor Requirements:

- **Additional documents: Temporary Food Establishment (TFE) permit**
- All coffee must be locally roasted within 125 miles of Fairfax County.
- Cups of coffee and bagged beans can be sold.
- Coffee vendors must be producer-only, meaning all beans must be roasted by the vendor. Resale of locally roasted beans is not permitted.

- Coffee should be single origin, defined as sourced from one farm, mill, or co- operative.
- Vendors that demonstrate fair or direct trade relationships with small farmers will be given primary consideration during the vendor selection process.
- Vendors that demonstrate use of sustainable farming practices will be given primary consideration during the vendor selection process.
- Vendors must provide at least two trash cans for customers to use. All trash must be taken away for disposal off-site. Nothing can be left behind.
- Creamer served with coffee should be locally sourced whenever possible.
- Sustainable materials must be used for coffee served on-site. **No Styrofoam or plastic allowed.**
- Vendors must ask permission to use a generator if they require one in their tent. Not all requests to use generators will be met. Generator use is based on space available in the market, existing generator use, noise, and odor levels.

Reston is not accepting coffee vendor applications due to its proximity to locally owned brick and mortar coffee shops that sell locally roasted coffee

Value-Added Products

A Value-Added Product is defined by FCPA as **any product which has been processed or modified from a farm product or raw ingredient to add value to it.** Value-added producers include bakers, prepared food vendors, and any other vendors that grow or purchase ingredients to create a product from scratch.

Value-added products are permitted for sale if they have received prior approval from the Farmers Market Staff.

Vendor Requirements:

- Vendors should source at least one ingredient locally in value-added products
- All value-added products, including baked goods and prepared foods, must **be made from scratch by the vendor.** Using prepared mixes or repackaging of commercially prepared products is prohibited.
- Value-added Food **Vendors must submit a current copy of their kitchen inspection report from VDACS or an appropriate agency** in their home state with their application. This report must not contain any violations that pertain to kitchen cleanliness or food processing.
- VDACS does not require a home kitchen inspection for certain baked goods, jams, jellies, and candies sold at Farmers Market, provided the producer properly labels each product. Please ensure that your operation is in compliance with all VDACS and Health Department regulations and food safety requirements.

Hot Foods

Selection is based on vendor's ability to obtain appropriate paperwork, bring appropriate equipment, and their ability to source locally and/or grow their ingredients. Priority is given to

existing FCPA vendors that wish to start selling hot foods.

Vendor Requirements:

- **Additional Documents: Temporary Food Establishment (TFE) Permit**
 - VDACS Kitchen Inspection (if applicable).
 - Commercial Kitchen Inspection (if applicable).
- Must not use propane or generator without prior permission from Farmers Market Staff.
- Generators will be carefully placed to reduce noise pollution inside of the market and may not exceed 65 decibels.
- All products must be made from scratch featuring locally sourced products.
- Vendors are NOT permitted to sell hot foods prepared on-site without previous approval from Farmers Market Staff.
- Indicate your interest in selling hot foods in the regular 2024 season application.
- Food trucks are not allowed.
- **Supplies Required:**
 - Propane tanks and/or generators/extension cords secured outside of tent.
 - Cooking equipment (such as pots, grill top, burner, etc.).
 - Fire-retardant tent (if using open flame).
 - Fire extinguisher and other fire safety equipment.
 - Handwashing and sanitizing station; must follow TFE food safety guidelines.
 - Trash cans for customers consuming hot food products. Vendors will not be permitted to use Park Authority or County trash cans to dispose of farmers market waste; vendors must take their trash with them and leave their areas clean.

Reston is not accepting hot food vendors due to its proximity to locally owned brick and mortar restaurants

APPLICATION AND SELECTION PROCESS

2024 Application Process

The application process occurs on Farmspread.com, the market management software platform used by Fairfax County Farmers Markets.

JANUARY 9: Prospective Vendor Interest Meeting held virtually.

JANUARY 12: Applications open.

FEBRUARY 2: Applications close and the application fee is due at 5 p.m.

FEBRUARY 3-16: Vendor selection process.

FEBRUARY 16: Vendors are notified of selection status and invoices are sent to accepted vendors.

MARCH 1: Market space fees are due.

MARCH 1: Liability Insurance and Food Safety Certificates are due.

MARCH 29: Market space fees are not refundable after this date.

APRIL – MAY: Markets begin.

Vendors may not enter the markets until all fees are paid, insurance is approved, and applicable food safety inspections and certifications are turned in.

Selection Process

Once it is determined that a vendor meets all the requirements, final placement is based on several factors.

- Previous vendors in **good standing** receive preferential consideration for market acceptance.
- Available space at each market for new vendors.
- Special consideration is given to farmers that are certified organic or certified naturally grown.
- Preference is given to vendors who source their ingredients locally.
- Vendor's availability to consistently attend through the end of the individual market season.
Past attendance is taken into consideration.
- The vendor's capacity to produce enough products for the entire market season.
- Preference is given to vendors who are business-ready, have a website and branding, and have previous experience selling their product.
- Fairfax County Farmers Markets has identified our preferred ratio of products, for the benefit of customers and vendors. Vendors will be accepted to fill a product need for a particular market using the guidelines listed below.
 - Fruits and Vegetables: 45 – 55%
 - The remaining 45 – 55% will be split among the following vendor types, based on the needs of the market:
 - Baked goods
 - Meat and Dairy
 - Plants and cut flowers
 - Other (honey, jams, prepared food, etc.)

Fairfax County Farmers Markets reserves the right to limit vendor participation in multiple markets to allow entry of new vendors and support a wider diversity of food products.

MARKET FEES

Non-Refundable Application Fee

To apply to FCPA Farmers Markets, vendors are charged a \$50 non-refundable application fee.

- Applications and fees are due **Friday, February 2 at 5 p.m.**
- Please note that applications will not be considered until the application fee is paid.
- **Vendors only pay for one application fee, even if you apply to multiple markets.**

Market Fee Structure

Fees are calculated based on selling space (Ft²). We reserve the right to adjust and modify your requests based on available space.

- Market space fees are due **Friday, March 1 at 5 p.m.** *A \$50 fee will be applied to late payments.*
- Market space fees are not refundable after **Friday, March 29.**

SPACE REQUESTED	TOTAL SPACE FEE
100 Ft ²	\$360
150 Ft ²	\$440
200 Ft ²	\$525
250 Ft ²	\$600
300 Ft ²	\$690
400 Ft ²	\$855
500 Ft ²	\$1020

Application Fee: \$50

Pop-Up / Daily Market Fee: \$25

Extended Season Application Fee: \$50*

Extended Season Daily Space Fee: \$25

**New Extended Season vendors will pay a \$50 Application Fee and Daily Space Fees. Current vendors will not be required to submit any additional payment to participate in the Extended Season.*

Market Fee Enforcement

- While a little bit of product overflow outside of your tent or stall is OK, excessive overflow >50ft² will be charged an additional fee.
- The Farmers Market Coordinator will inspect each vendor's tent or stall space throughout

the season and notify any vendors using more space than originally requested. Those found to have purchased less tent space than is being used will be required to either relinquish the space or pay the balance.

- If space allows and with the permission of FCPA staff, you may choose to increase your stall space mid-season.

Vendor Pop-Up Program

The purpose of this program is to create more flexibility for vendors within the Fairfax County Farmers Markets and to fill in gaps as needed at markets.

Vendor Requirements:

- Vendors accepted to and attending one or more markets and qualified vendors that were unable to be placed in the Fairfax County Farmers Markets are eligible to participate.
- **Pop-up fee is \$25.00 per market day** and will be billed at least seven (7) days prior to your pop-up date and must be paid prior to participation in the market.
- Participation is at the discretion of the Farmers Market Managers and Farmers Market Coordinator.
- Pop-up availability is based on the individual needs of each market, the space available at each market, and the schedules of the regular season vendors. Pop-up opportunities are not guaranteed.
- Pop-up vendors will be allowed one 10x10 space unless otherwise discussed.
- Indicate your interest in being considered for pop-up space in the 2024 farmers market application.

PAYMENT INFORMATION

You will receive an invoice from Farmspread.com with a breakdown of your market fees. You must pay the application fee, due February 2 at 5 p.m., regardless of acceptance status. If you are accepted into a market(s) the market space fee is due March 1 at 5 p.m.

Payment Options

- Returning Vendors: Use your current username and password to access your Payment Account through the FCPA secure online portal.
- New Vendors: Once your application is received, you will receive an email with instructions on how to make a payment through the FCPA secure online portal.
- Alternative Option: Mail a check payable to “**Fairfax County Park Authority.**” **Make sure to include your business name.**
- **If you experience any technical difficulties when making your payment through the online portal, call us at 703-642-0128.**

Make checks payable to:

“Fairfax County Park Authority”

Mail checks to:

Green Spring Gardens

Attn: Fairfax County Farmers Markets

4603 Green Spring Road, Alexandria VA, 22312

Payment Plan

- A **payment plan** is available for vendors owing more than \$900.00.
- You must reference your request for the payment plan on the Farmspread application.
- **A \$50 administrative fee will be applied to your first payment.**
- Payment installments will be due on **March 1, and the first Friday of April, May, and June.**
- A minimum payment of one market space fee is due for each installment.
- Vendors with outstanding balances will not be permitted into the market until the balance is paid.
- If you choose to participate in the payment plan, we will contact you to determine the amount of each installment and method of payment.

INSURANCE REQUIREMENTS

Liability Insurance

All participating vendors at Fairfax County Farmers Markets are required to purchase Commercial General Liability insurance coverage in the amount of **\$1,000,000 per occurrence**. A current copy of the insurance certificate (Certificate of Insurance (COI)) **must always be on file with the Farmers Market Coordinator**. If you attend multiple Fairfax County Farmers Markets, only one certificate is required.

Vehicle Insurance Requirements

The Vendor agrees to maintain owned, non-owned, and hired Automobile Liability insurance indicated below, including property damage, covering all owned, non-owned, borrowed, leased, or rented vehicles operated by the Vendor. If vendor's agent does not cover both auto and general liability, a separate COI is required for both with the same additionally insured language.

Vehicle Class	Curb Weight Max	Coverage Requirement
Light-Duty Vehicle	<6,000 lbs.	\$100,000
Medium-Duty Vehicle	6,001 – 8,500 lbs.	\$500,000
Light Heavy-Duty Vehicle	8,501-26,000 lbs.	\$750,000
Heavy-Duty Vehicle (CDL Required)	>26,000 lbs.	\$1,000,000

The following additionally insured language is required by Fairfax County Risk Management, and should be placed under the Description of Operations (Additionally Insured):

“The Fairfax County Park Authority and the County of Fairfax, their officers, employees and volunteers are included as an additional insured with respects to the Liability Policies as required by written contract. Insurance provided is primary and non-contributory with respect to the liability policies as required by written contract. The certificate holder will receive 30 days’ notice of cancellation for any reason except non-payment of premium. Waiver of subrogation applies as per policy language.”

We cannot accept a certificate unless this exact additionally insured line is added. Please present this contract to your insurance agent to ensure they can provide the additionally insured coverage.

The certificate holder block must read:

Fairfax County Park Authority
Green Spring Gardens
4603 Green Spring Road Alexandria, VA 22312

Instructions for Submitting Certificates of Insurance

1. If you are approved for the 2024 season, you will receive an email with instructions on how to upload your Certificates of Insurance (COI) digitally to Farmspread.
 - If you need to send a paper copy, please have your insurance agent send the COI and any additional insurance documents to:
 - Green Spring Gardens
 - Attn: Fairfax County Farmers Markets
 - 4603 Green Spring Road, Alexandria VA, 22312
2. Please upload or send your COI by **March 1** for the 2024 FCPA Farmers Market Season.
3. COIs will be reviewed and approved on a rolling basis. If your COI does not meet the requirements listed, our Risk Management Office will inform you of what needs to be changed.
4. If your COI is denied for having incorrect or incomplete information, you will need to make the necessary changes and submit a new COI **before your first market date or acceptance to markets may be withdrawn.**
 - Please contact Randy Jouben at Randy.jouben@fairfaxcounty.gov if you are having trouble obtaining a complete and accurate Certificate of Insurance.

It is the responsibility of each vendor to make sure their insurance is up to date and on file with Fairfax County Park Authority. If your policy expires mid-season you must resubmit your insurance information to Farmers Market Staff with each renewal. Fairfax County Farmers Market Staff reserve the right to remove vendors from the market who do not resubmit up-to-date insurance.

Insurance Requirements FAQ's

Q. What is the purpose of Liability Insurance?

- Protection from financial loss is in everyone's best interest.
- General Liability for business and auto protects your financial assets.
- Additional insured protects those with whom you do business.
- Our job as public servants is to protect the assets of the County.
- Your job is to protect the assets of your company/business.

Q. What does the Additional Insured Text mean?

“The Fairfax County Park Authority and the County of Fairfax, their officers, employees and volunteers are included as an additional insured with respects to the Liability Policies as required by written contract. Insurance provided is primary and non-contributory with respect to the liability policies as required by written contract. The certificate holder will receive 30 days' notice of cancellation for any reason except non-payment of premium. Waiver of subrogation applies as per policy language.”

“The Fairfax County Park Authority and the County of Fairfax, their officers, employees and volunteers are included as an additional insured with respects to the Liability Policies as required by written contract”

Fairfax County Park Authority and Fairfax County are two separate legal entities, and both must be covered:

- Fairfax County Park Authority (FCPA)
- Fairfax County (FFX)
- FCPA and FFX have financial resources and functions carried out by people.
- The people, officers, employees, and volunteers could be sued individually, even as representatives of the organizations.
- This statement protects the organizations and the people.

“Insurance provided is primary and non-contributory with respect to the liability policies as required by written contract”

- Primary means: The vendor's insurance responds first.
- Non-contributory means: The additional insured doesn't pay for or contribute to the claim.
- As required by written contract means: the contract the vendor signed to participate in the market.
- WHY are these needed? To show who pays first and who isn't responsible for paying claims.
- This avoids the county going after a vendor for part of a claim that would otherwise not be covered by the vendor's insurance.

“The certificate holder will receive 30 days’ notice of cancelation for any reason except non-payment of premium.”

- The Certificate holder is Fairfax County Park Authority.
- FCPA and Green Spring Gardens are not alerted when policies expire. Vendors are responsible for submitting new copies of insurance by the expiration date.

“Waiver of subrogation applies as per policy language.”

- Waiver of subrogation means:
 - The Vendor’s insurance company cannot ask the County to pay the insurance company back for any claims it paid on behalf of the vendor.
 - In simple terms: your insurance company can’t sue my insurance company to recover its claims payments.
 - As per policy language means: we need to read the policy itself for the policy details.

Q. How many COIs do you need?

- One COI, if your insurance agent handles both your general liability and auto insurance (and umbrella, if needed).
- Two COIs, if you have one agent for general liability and one agent for vehicles.
- The additional insured language must appear on all COIs.

FOOD SAFETY REQUIREMENTS

[Click here](#) for the VDACS Food Safety Overview Presentation.

[Click here](#) for the VAFMA Food Safety Webinar.

[Click here](#) for more information on VDACS Regulations for Farmers Markets.

[Click here](#) for VCE Guide to selling raw, processed, & prepared food at market.

VDACS Inspections

An inspection from the Virginia Department of Agriculture and Consumer Services (VDACS) is required for vendors selling food and food products at Farmers Markets (unless you qualify for the Home Kitchen Processing Exemption). If a vendor operates in a different state, they must submit an inspection certificate from an appropriate agency in their state.

Commercial Kitchens:

- If you operate out of a commercial kitchen [click here](#) to access the VDACS Application.

Home Kitchens:

- If you operate out of a home kitchen, [click here](#) to access the VDACS Application.
- [Home Kitchen Processing Exemption:](#)
 - Foods prepared under this Exemption do NOT require a VDACS inspection but MUST adhere to the following criteria:
 - Products must be made in your home AND
 - Sold directly to end consumer from home or at a Farmers Market AND
 - Not sold to other business for resale AND
 - Not offered for sale over internet or across state lines AND
 - Each product labeled with the following: your name, physical address and telephone number, date of food production and statement: “NOT FOR RESALE – PROCESSED AND PREPARED WITHOUT STATE INSPECTION”
 - Products allowed under this exemption:
 - Pickles and acidified vegetables with pH 4.6 or lower.
 - Pure honey.
 - Low risk foods: candies, jams and jellies, baked goods that do not require temperature control, dried fruits, dry herbs, seasonings, dry mixtures, coated and uncoated nuts, vinegars and flavored vinegars, popcorn, cotton candy, dried pasta, dry baking mixes, roasted coffee, dried tea, cereals, trail mixes, granola.
 - Products NOT allowed under this exemption:
 - Canned fermented foods, canned foods that require refrigeration for safety, canned acid foods, canned fruits, low-acid canned vegetables.
 - Baked goods that require temperature control.

Please submit the appropriate VDACS certificate to Farmspread by March 1.

Temporary Food Establishment Permit

The following vendors are required to get a **Temporary Food Establishment (TFE) permit** from the Fairfax County Health Department:

- Vendors selling foods and or beverages that are cooked, warmed, or prepared on site (this includes coffee vendors).
- Vendors providing more than six types of food samples.

How to obtain a TFE permit:

- Submit one TFE permit for **each market location** you are accepted into annually through the [Fairfax County PLUS Portal](#).
- Vendors only have to pay one \$40 fee, regardless of how many permits you need. The fee needs to be paid every year and covers the entire state of Virginia.
- [Click here](#) for instructions on how to apply for a TFE permit through the PLUS portal.
- The TFE Permit must be displayed in booth at all times.

A copy of the TFE permit must be submitted to Farmspread by March 29.

Safe Sampling

No TFE Permit is required for Product Sampling if the following conditions are met:

- Maximum of only six types of products being sampled at a time.
- All Sanitation Requirements are being followed:
 - Food must be from an approved sourced.
 - Fruits and vegetables must be washed under potable running water prior to cutting.
 - A three-compartment washing station is required.
 - A handwashing station is required.
 - Hands must be washed prior to handling food; gloves must be worn.
 - Use disposable utensils to distribute samples.

[Click Here](#) for Safe Sampling Guidelines from the Fairfax County Health Department

[Click here](#) for VDACS Safe Sampling Guidelines

Covers for Food for Sale and Samples: The Retail Food Establishment Regulations state that food on display must be protected from contamination. All vendors must have unpackaged food under a tent. Adequate counter protection devices (sneeze guards or shielding) must be provided to protect non-packaged foods from contamination. Storage containers, single service items, equipment and utensils shall be stored at least six (6) inches off the floor or ground surface must be covered.

Labeling Requirements

[Click Here](#) for Labeling Requirements from VDACS

All value-added Food Vendors, including bakers and prepared food vendors, are required to follow the food labeling law as outlined by VDACS.

All individually wrapped baked goods must have the following on the label. Labels may be typed or handwritten in permanent ink or a combination of both:

- **Statement of identity** (common name of product).
- **Ingredient statement**, including sub-ingredients and allergens.
- Allergens: if your product contains milk, eggs, shellfish, fish, tree nuts, wheat, peanut, soybean, or sesame it must be declared in the ingredient statement OR separate "contains..." statement. These 9 major allergens must be identified as allergens on the label.
- **Net quantity or weight statement** in standard and metric units.
- **Name and address of manufacturer**, packer, or distributor.
- Placed together with ingredient statement and nutrition facts panel.
- Must include full street address.
- Small businesses with less than 10 employees and 10,000 units sold will be exempt from Nutritional Labeling. **If any nutrient content or health claim is made, the nutritional labeling is required.**
- If product falls under **Home Kitchen Exemption**, the following labeling is required: **Your name, physical address and telephone number, date of food production, and statement: "NOT FOR RESALE – PROCESSED AND PREPARED WITHOUT STATE INSPECTION"**

Example Label

CHOCOLATE CHIP COOKIES

Ingredients: Bleached, enriched wheat flour (bleached wheat flour, malted barley flour, niacin, iron, thiamin mononitrate, riboflavin, folic acid), semi-sweet chocolate chips (sugar, chocolate, cocoa butter, milkfat, soy lecithin-an emulsifer, natural and artificial flavor), pecans, vegetable shortening (partially hydrogenated soybean and cottonseed oils, mono and diglycerides), sugar, brown sugar (sugar, cane molasses), eggs, sodium bicarbonate, salt, vanilla.

Contains: Wheat, Milk, Pecans, Eggs

Grannie's Cookies, 111 Happy Lane, Anytown, VA 22554

Net wt. 10 oz (283 grams)

It is the responsibility of the vendor to ensure that their operations and products follow all VDACS, VDH, and USDA requirements and inspections.

REGARDLESS of inspection status, ALL foods must follow: [Virginia Food Laws; 21 CFR 117 Current Food Manufacturing Practices; 21 CFR 101 Food Labeling; and other regulations](#) depending on type of food.

Links to Additional Food Safety Resources

- [VAFMA Food Safety Webinar](#)
- How to sell at Farmers Markets:
 - [Packaged meals \(refrigerated/frozen\)](#)
 - [Kombucha](#)
 - [Refrigerated dips, spreads, dressings, and salads](#)
 - [Jams, preserves, jellies, and fruit butters](#)
 - [Fermented vegetables](#)
 - [Dehydrated foods](#)
 - [Meat and poultry](#)
 - [Baked goods](#)
 - [Eggs](#)
 - [Honey](#)
 - [Acidified foods](#)
 - [Maple syrup](#)
 - [Samples](#)
- [Guide to selling raw, processed, and prepared food at farmers markets](#)
- [Virginia Department of Agriculture and Consumer Sciences: Farmers Market Vendors](#)
- [Virginia Department of Health](#)
- [USDA Food Safety and Inspection Service](#)
- [Virginia Farmers Market Association Food Safety](#)
- [Virginia Cooperative Extension Resources for Food Safety](#)
- [Application for a Home Food Processing Operation](#)
- [Application for a Commercial Kitchen Food Processing Operation](#)
- [Home Kitchen Food Processing Exemptions](#)
- [Safe sample guidelines](#)
- [What do I need to know about labeling my foods for sale?](#)
- [Memorandum of Understanding between VDH and VDACS Relating to Food Vendor Operations at Farmers Markets](#)
- [Temporary Food Establishments Requirements & Information Packet](#)

AT-MARKET RULES

Basic Conduct at the Market

- All vendors must be set up at least 15 minutes before opening. Vendors arriving after the market's opening time will be permitted to participate in that day's market only at the discretion of the Market Manager.
- A vendor who disrupts the market by arriving chronically late, or frequently leaving early, after two written warnings, **may be expelled by the Farmers Market Staff** for the remainder of the season. No fees will be refunded.
- The market will be open for sales during regularly scheduled market hours. Opening and closing times will be enforced by the Market Manager.
- Follow Market Manager instructions in the case of Inclement Weather
- **No Sell Before the Bell:** The markets will be open for sales to customers only during regularly scheduled market hours. Customers may bag items 15 minutes prior to the market opening but no sales are allowed until the market begins.
- All vendors are expected to remain at the market for the duration of the market times. **Vendors may not leave the market nor start taking down their stand before the closing bell.**
- **Early departure is not usually permitted.** Exceptions may be made for emergencies. The Market Manager must be notified so that they can make sure the departure is safe.
- At the close of market, vendors may wait on customers already under their canopy. **Selling after the market is closed will not be tolerated. If a vendor continues to sell after the market closes, they will be expelled from all Fairfax County Markets.** No fees will be refunded.
- There is no haggling or bargaining with customers. Vendors may offer a price to a customer but negotiating any price after the original offer is not an acceptable practice at the Fairfax County Farmers Markets.
- Refrain from profanity or playing music with profanity in the lyrics at the market.
- No smoking/vaping in the market. Smoke/vape at least 50ft away from market.
- Basic customer service includes being courteous in both words and actions towards customers, fellow representatives, employees and FM office staff and volunteer Market Managers. The FCPA Farmers Market will not tolerate any vendor who berates others at the market, by phone or by email. Please always conduct yourselves in the most courteous manner possible.
- Leave assigned area free of all trash and debris and take your trash with you when you leave. Vendors are not permitted to dump trash in on-site Park trashcans. Fairfax County Farmers Markets can refuse a vendor's participation if they fail to clean their area.
- Cars/trucks should not be idling in the market for an extended period of time.
- No dogs are allowed in the market. Only service animals are permitted.

Attendance

Scheduled Absences:

- Each vendor will be **allowed two scheduled absences per market, per season.**
- Scheduled market absences should be specified by the vendor on their Farmspread application at the beginning of the season.

Unexpected Absences:

- Unexpected absences may be considered excused by the Farmers Market Coordinator on a case- by-case basis.
- **Vendors must notify the Farmers Market Coordinator of an unexpected absence as soon as possible.**
 - Vendors will be given a contact list of Farmers Market Staff for notification of an absence.
- **A vendor with excessive unexpected absences may be suspended or expelled from markets** by the Farmers Market Staff. No fees will be refunded.

No Show Policy:

- If vendor does not communicate with the Farmers Market Coordinator prior to an unexpected absence, vendor will receive a written warning.
- If vendor receives three written warnings, they will not be considered for that market in the following season.

Inclement Weather

Fairfax County Farmers Markets operate rain or shine. If markets remain open and vendors feel unsafe traveling to the market due to inclement weather, we will allow an excused absence if the Farmers Market Coordinator is alerted before the market starts.

High Winds:

- If hurricane winds, either gusting or sustained, are forecasted to be 30mph or greater, 24 hours before scheduled markets, **the markets will be closed.** Vendors will receive email notification that the markets will be closed on that market day.
- If high winds, either gusting or sustained, are forecasted to be 30mph or greater (outside of a hurricane) the market will remain open, **but vendors will not be permitted to use tents.**

Air Quality:

- If an Air Quality alert is issued and labeled as Code Orange or Code Red, the markets will open as scheduled.
- If the Air Quality is predicted to be labeled as Code Purple, staff will follow the recommendations of FCPA emergency personnel and may close the markets.

Heat Advisory:

- If a Heat Advisory alert is issued markets will open as scheduled for Code Green and Orange Heat Advisories.
- If Code Red is predicted, Farmers Market Coordinator will poll the vendors 24 hours in advance of the market to see how many plan to attend. If it is less than 50%, she will recommend that the markets be closed.

Procedures for Closing a Market in Progress:

- Vendors must follow Market Manager instructions if a market in progress is shut down.
- If market is shut down prematurely due to lightning, vendors must:
 - Finish sales in progress and do not encourage further shopping.
 - Seek safe shelter in your vehicle until the Market Manager says it is safe to resume the market.
 - The Market Manager will close the market and won't re-open until 30 minutes after the last lightning sighting or thunder sound.

Tent Weights

We require that every tent, canopy, and umbrella used at any market be weighted down at all times. All tents, canopies and umbrellas must be sufficiently and safely secured **from the moment the stall cover is erected at the start of the market day to the moment immediately before it is taken down at the end of the market.** This mandatory requirement will be enforced to ensure our vendors and customers' safety. If high winds are predicted outside of a hurricane and gusting winds are predicted at 30 mph or greater vendors will not be permitted to use tents.

Tent Weight Requirements:

- Minimum of 25lbs per leg
- Weights must be secured in a manner that does not create a safety hazard.
- Weights must not cause a tripping hazard
- Weights must be tethered with lines that are clearly visible
- Weights must be securely attached
- Weights must be sitting on the ground (NOT suspended in the air)
- Weighting the back of the canopy down by tying it to a vehicle is acceptable; however, the front legs must still be anchored with weights
- Weighting the canopy down by tying it to display tables is NOT acceptable.
- Vendors are responsible for determining if more than 25 lbs per leg is required for their specific tent, canopy or umbrella.
- Disk Weights are not preferred, but if they are used they must add up to at least 25 pounds of weight on each tent leg, and be attached securely.

If tents, canopies, umbrellas or signs are NOT adequately secured, we will require the Vendor to take them down and sell without them. If these items need to be taken down in the middle of the market, Vendors are expected to direct customers to a safe place so they will not be injured while doing so.

Examples of sufficient and safe weights include:

- Filling an empty paint can with cement and tying this to each corner of the tent with a rope or bungee long enough for the weight to sit on the ground. It is NOT sufficient to place the can on the feet of the tent.
- Filling containers, such as canvas bags or plastic buckets/containers that have a handle through which a rope or bungee can be secured, with sand/cement that can be anchored or secured with a rope or bungee long enough for the weight to sit on the ground.
- PVC pipe capped and filled with cement can be secured to the inside of canopy poles if it cannot collide with customers and the base rests on the ground.

Plastic Bags in the Market

In 2024 we will continue to encourage vendors to reduce plastic in markets.

Produce vendors will be provided:

- Compostable bags on rolls (you are permitted to hang these in your tent).
- Customer shopping baskets to be made available at the entrance of your tent.

All other vendors will be provided:

- Compostable bags on rolls (you are permitted to hang these in your tent).

ALL VENDORS MUST:

- **Remove hanging plastic bags in your tent (please keep them behind the counter)**
- Bag customer's purchase with compostable bags. Only use plastic bags at the customer's request.
- Encourage customers to bring their own reusable bags.

Vendors may charge a fee at their discretion for plastic bags, but do not charge customers for compostable bags. If customers need a reusable bag, Market Managers will have reusable and compostable bags available.

We will be celebrating National Plastic Free July at all market locations for the month of July 2024. During this month, we will provide larger, sturdier compostable bags for produce vendors to accommodate heavier purchases e.g., peaches and corn. **NO plastic shopping bags will be allowed during this month.** Plastic packaging of produce or prepared foods will be allowed.

Propane and Generator Use & Safety

Please indicate if you would like to run a generator or use propane on your Farmers Market application. Use of propane and generators IS NOT guaranteed. Farmers Market Staff will reach out individually to confirm use.

Vendors cooking or warming foods or beverages on-site must follow propane and generator safety rules:

- Propane tanks must be securely attached to a stable object and located outside of your tent
- Fire extinguisher must be readily available for use (including Class K fire extinguisher if cooking with grease)
- Tent must be flame retardant if cooking with open flame
- Extra gas must be stored away from operating generators
- Limit one 10-gallon propane tank per vendor

Required Information to Display

At the markets, every vendor must have this information clearly displayed at their booth and/or on their products:

- Business Name.
- Product Prices.
- Product Labels and Ingredients List.
- Temporary Food Establishment Permit (if applicable).
- Local Sourcing Partnerships (if applicable).
- SNAP Tokens Accepted (if applicable).
- We recommend that vendors use signs or banners to display business name, prices, product selection, production methods, and partnerships.

You, the business owner, are responsible for ensuring that all vendor representatives and employees are fully aware of and will comply with all Vendor rules, guidelines, and behavioral expectations as outlined above.

Please notify the Market Managers for day-of attendance issues and delays.

Make sure all vendor representatives have their contact information.

VENDOR PREPARATION CHECKLIST

Market Rules Reminders:

- Arriving on time:** Vendors must arrive at least 30 minutes before market opening and be ready to sell on time. Arriving late and leaving early is a hazard to customers and will not be allowed without the Market Managers explicit approval. **Consistently late arrivals or early departures will result in an official warning from the FMC and possibly result in suspension or expulsion.**
- No Sell Before or After Bell:** The market will be open for sales during regularly scheduled hours. Vendors may not make any sales before the opening bell. After the closing bell, only customers inside your tent may complete transactions.
- Tent weights:** Tent weights must be securing your tent at all times. **Each leg** should have at least **25lbs** of tent weight, a minimum of 100lbs per tent. Weights should be safely secured and resting on the ground. **NO WEIGHTS = NO TENT.**
- Safe Sampling:** If you are cutting samples to serve on-site you will also need to provide a handwashing station. You must provide toothpicks or other utensils to prevent contamination. Melon or other perishable samples must be kept cool.
- Closing Procedures:** You must leave your assigned area free of all trash and debris. Do not use on-site trash cans to dispose of trash. Vendors must bring a trash can and broom to each market. **Please clean your area and take your trash home with you.**

Tent and Product Appearance:

- Displayed Business Name:** It is important to brand your business so that customers and staff can locate your business. Please be sure to clearly display the name of your business/farm. This is not only helpful, but good marketing!
- Price Labels:** All vendors must display product prices so that they are easily accessible to customers.
- Product Labels:** All products must have the following information clearly visible on their primary product label:
 - name of product.
 - name and address of manufacturer.
 - telephone number of the person preparing the food product.
 - date the food product was processed.
 - net weight statement.
 - ingredient statement, including sub-ingredients and allergens.
- Temporary Food Establishment (TFE) Permit:** All vendors cooking, warming, or preparing food or beverages on-site must display a Fairfax County Health Department TFE Permit at booth.

COMPLAINT PROCEDURES

Producer-Only Rule Violations

The process for investigating a violation of the Producer-Only/Local Rule is:

1. A complaint must be made in writing against a producer regarding the origin of produce or goods and sent to Farmers Market Staff. The identity of the person making the complaint will be held in confidence.
2. In response to a written complaint, the Farmers Market Staff will notify the vendor and Market Manager that an investigation will be conducted.
3. After the investigation, the vendor will be informed in writing as to the nature of the complaint, the results of the investigation and any decision.
4. The vendor, if found to be selling items in violation of the Producer-Only or Local Rule, will be asked to stop selling those items in the Fairfax County Farmers Markets. If the vendor does not comply with this request, the vendor will be expelled from all Fairfax County Farmers Markets.
5. The vendor, if expelled, may file a written appeal for further investigation within 14 days of receipt of the expulsion notice.

Other Terms of Agreement Violations (late arrivals, violations, etc.)

1. Complaints can be made verbally or in writing to the Market Manager or to the Farmers Market Coordinator.
2. These complaints may be resolved by agreement of all parties involved or, failing this, by decision of the Farmers Market Staff.
3. Violations of rules specified in the Terms of Agreement will be subject to the following disciplinary actions:
 - a. Verbal warning with immediate resolution by the Market Manager.
 - b. Repeated offenses will result in a written warning by the Farmers Market Staff.
 - c. Continued violations will result in expulsion from the market. Fees will not be returned.
4. The vendor, if expelled, may file a written appeal for further investigation within 14 days of receipt of the expulsion notice.

During the appeal process for Producer-only Rule Violations and Other Terms of Agreement Violations the vendor may continue in the market(s). If, after a re-investigation the violations are deemed chronic and excessive, the vendor will be expelled from all Fairfax County Farmers Markets and may not apply for re-admission to the markets within two years of the expulsion. No fees will be refunded.

FCPA FARMERS MARKETS VENDOR AGREEMENT

- I have read, accept, and agree to abide by all rules, regulations, and terms of agreement** as outlined in the Fairfax County Farmers Markets Vendor Handbook.
 - Including tent weight policy, attendance policy, producer-only and local policies, stated hours of sales, required product labeling, display of business name, prices for all products.
 - You, the business owner, are responsible for ensuring that all vendor representatives and employees are fully aware of and will comply with all rules, guidelines, and behavioral expectations as outlined in the Vendor Handbook.

- I certify that I am in compliance with all relevant laws of applicable regulatory agencies, including but not limited to, the Virginia Department of Agriculture and Consumer Services (VDACS), the Virginia Department of Health (VDH), the United States Department of Agriculture (USDA), Fairfax County Health Department, and the Virginia Department of Taxation.

- I agree to cooperate with market management by turning in paperwork and paying market fees on time.
 - Application fee due **February 2 at 5 p.m.**
 - Market fees due **March 1 at 5 p.m.**
 - Insurance and Food Safety Certifications (if applicable) due **March 1 at 5 p.m.**
 - TFE Permits (if applicable) due **March 29 at 5 p.m.**

- I understand that Market space fees are not refundable after **March 29**.
- I understand that participation in the market does not guarantee a place in next year's market.
- I agree to comply with on-site inspection as needed for verification of producer-only production. This includes site inspections with little to no advance warning.

- I agree to indemnify and hold harmless Fairfax County, the Fairfax County Park Authority, their officers, agents and all employees and volunteers, from any and all claims for bodily injury, and personal injury and/or property damage, including cost of investigation, all expenses of litigation, including reasonable attorney fees and the cost of appeals arising out of any claims or suits which result from errors, omissions, or negligent acts of the user, his agents or employees.

- The Vendors located in the Reston Farmers Market hereby release LARCA and Smoot Property, its officers, directors, members, employees, and agents from any claims it may have related to damage to its materials and equipment while operating the event on the LARCA and Smoot Property Common Elements. This provision shall expressly survive the termination, cancellation, or expiration of this Agreement.

- The Vendors located in the Kingstowne Farmers Market hereby release Federal Realty, its officers, directors, members, employees, and agents from any claims it may have related to damage to its materials and equipment while operating the event on the Federal Realty Common Elements. This provision shall expressly survive the termination, cancellation, or expiration of this Agreement.

- I acknowledge that failure to comply with all market rules, and failure to submit insurance, certifications, and payments on time, could result in suspension or expulsion from Fairfax County Farmers Markets at the discretion of the Farmers Market Coordinator.

By submitting this application, I acknowledge that I have read and agree to all the rules outlined in the Fairfax County Farmers Market Vendor Handbook and agree to all of the conditions listed above.

Signature: _____ **Date:** _____



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

Guidelines for Sampling at Temporary Events: Farmers Markets, Fairs, Conventions, and Festivals

Sampling: A food product promotion where only a sample of a food is offered free of charge to demonstrate its characteristics. A sample cannot be a whole meal, an individual hot dish or a whole sandwich. **No permit for sampling is required if the following conditions are met:**

1. A maximum of only six (6) products are being sampled at a time:
 - A product made by mixing two or more primary ingredients (i.e., a dip made by mixing dried herb packet with sour cream, olive oil mixed with dried herb packet, etc.) will count as one product.
 - A variety of one type of manufactured, packaged food product (i.e., baked goods, candies, jellies, jams, salsas, honey, etc.) will count as one product.
 - A variety of the same type of cut fruit or vegetables (i.e, samples of different varieties of apples or peppers) will count as one product.
2. **All** department **SANITATION REQUIREMENTS** are being followed.

SANITATION REQUIREMENTS:

- All food being sampled must be from an approved source. Processed foods must be manufactured in or purchased from a licensed food establishment or processing facility. To verify an approved food source, the Health Department may request copies of retail food establishment permits, food manufacturer licenses, and/or receipts showing date of purchase.
- All fruit and vegetables must be washed under running potable water prior to cutting. Washing removes dirt, soil, and any other contaminants.
- A three-compartment washing station is required. Use this setup to wash, rinse, and sanitize knives, cutting boards, and other multi-use equipment and utensils used to prepare and handle food products.
- Food handling at the event requires easy access to a handwashing sink or a handwashing station that consists of:
 - a 5-7 gallon container equipped with a hands-free dispensing valve
 - a 5 gallon catch basin for wastewater
 - potable water
 - liquid hand washing soap in pump or squeeze bottle
 - paper towel supply for the entire day.
- Wash hands prior to handling food products and then frequently throughout the event, especially any time hands are contaminated and between glove uses. After shaking patrons' hands or handling money, hands must be rewashed before handling food products.

- There can be no bare hand contact when working with food products. Obtain disposable gloves for use when cutting and handling products. Do not reuse gloves after touching contaminated surfaces or money.
- Obtain sampling containers with sneeze and handling protection.
- Use toothpicks, wax paper, paper sampling cups, tongs, or disposable utensils to distribute samples. This is to prevent patrons' hands or fingers from touching the samples or contaminating the food.
- All samples (including the original source container) may only be used for a length of four (4) hours during a single event. All unused samples (including the original source container) must be disposed of after four (4) hours.
- Use a plastic bag lined waste basket to collect and discard waste from food preparation and patrons.
- Know where toilet and "greywater" dumping facilities are located for proper discard of wastewater from food preparation and hand washing. Do not empty wastewater on the ground or pavement or down a storm drain.

Fairfax County Health Department

Division of Environmental Health
Consumer Protection Program

10777 Main Street, Suite 100, Fairfax, VA 22030
Phone: 703-246-2201 TTY: 711 Fax: 703-385-9568
www.fairfaxcounty.gov/hd



Required items for proper sampling

Top left to right: Waste basket with liner, disposable latex or plastic gloves

Bottom left to right: disposal single-use utensils, covered sampling container, tongs, knife and cutting board



Examples of Fairfax County Health Department approved sampling methods

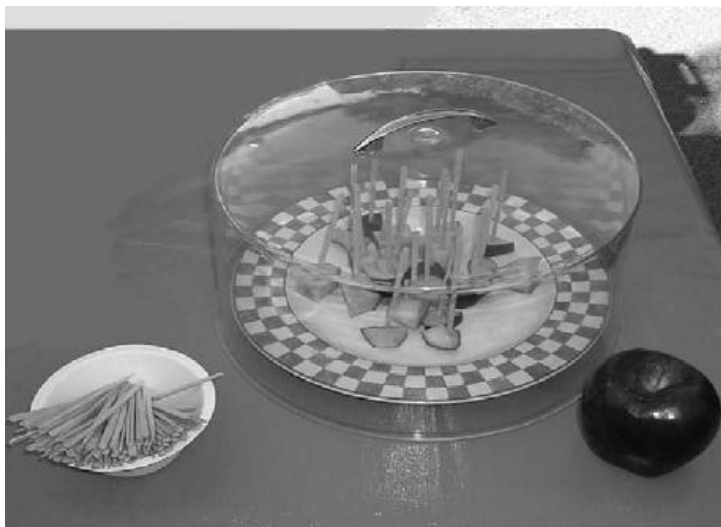
Provide containers with hinged covers to prevent food contamination.

Use of tongs to give out sample.

This method provides the best way to keep the food samples from being contaminated. Vendor is in complete control of the sampling process. This method is highly recommended.



Here is another example of how to protect your samples. Notice the samples have tooth picks already so customer does not have to touch the sample. Cake cover acts as a sneeze protector.



If you are sampling nuts of any kind, you must use a nut-shaker similar to the ones pictured.



A temporary hand washing station must consist of, at least, running water, soap, paper towels, a discard bucket and trash can. If a sink is not available, a large thermos or container in which water is held for dispensing for hand washing can be used. The container must have a spout that allows the water to remain running without holding or pushing the dispensing mechanism. A container needs to be placed under the water container to catch the wastewater. As a food vendor you must provide this set up in your stand.



Temporary Food Establishments Requirements & Information Packet

CARNIVALS, FAIRS, FESTIVALS, AND OTHER EVENTS

All vendors who wish to prepare and serve food to the public during a temporary event in Fairfax County, City of Fairfax, and Falls Church must have a permit issued by the Fairfax County Health Department. Vendors are required to apply online and pay any required application fees to obtain the Permit to Operate a Temporary Food Establishment and are subject to a Health Department inspection. During events, vendors are required to post their permit from the Health Department and follow all food safety guidelines pursuant to Chapter 43.2, Fairfax County Food Code.

This packet includes the following information:

1. Permit Application Process, *including timelines & fees*
2. Requirements for Temporary Food Permits
3. Application

TEMPORARY PERMIT APPLICATION PROCESS

A **Temporary Food Establishment** is a type of food establishment that operates for a period of no more than 14 consecutive days in conjunction with a single event or celebration, including carnivals, fairs, festivals, and other events. A temporary food establishment includes at least [one of] the following:

- A food establishment with a current and valid Permit to Operate issued by the Fairfax County Health Department. The food vendor remains subject to inspection by the Health Department; however, the Health Department will allow the establishment to operate under their existing Permit to Operate. The owner/operator must post in public view a copy of their Permit to Operate at the point of food service on their stand/ booth. There will be no assessment of an additional application fee to operate as a food vendor;
- A restaurant with a food establishment permit or license issued by a health jurisdiction other than Fairfax County that is participating as a food vendor;
- A firm that is under an inspection program conducted by the Virginia Department of Agriculture and Consumer Services (VDACS) offering unpackaged samples of their product, including cutting or slicing produce items at a farmer's market; (*See Sampling Guidelines*)
- A gourmet food vendor who offers unpackaged samples of their product to the public; (*See Sampling Guidelines*)

- A mobile food unit without a permit issued by the Fairfax County Health Department;
- A demonstration cooking booth where samples are offered to the public; and
- A restaurant that donates or sells food to a 501c3 organization.
- An organization that does not meet tax-exempt status (501c3), whether sponsoring or participating as a vendor in an event.
- Please contact the Health Department at 703-246-2201 if you are not sure your operation meets the definition of a temporary food establishment. (For a list of exemptions to these requirements, please refer to Title 35.1-25 of the Code of Virginia: [§ 35.1-25. Exemptions](#))

The **Event Coordinator** is responsible for organizing the event and provides food vendors with the “**Requirements for Temporary Food Establishments**”. Event Coordinators submit an application to the Health Department online at [PLUS - Accela Citizen Access\(2\) \(fairfaxcounty.gov\)](#)

- **THE EVENT COORDINATOR WILL PROVIDE A LIST OF PARTICIPATING FOOD VENDORS WITH CONTACT INFORMATION FOR EACH VENDOR THROUGH THE APPLICATION PROCESS IN PLUS.**
- The Event Coordinator can request food vendor training as part of their application in PLUS but will be responsible for contacting the Health Department to determine if there is a training requirement prior to the event. Advance notice of at least 2 weeks must be given to schedule training.



Temporary Food Vendors are required to submit applications to the Health Department online at [PLUS - Accela Citizen Access\(2\) \(fairfaxcounty.gov\)](https://plus.accelacitizenaccess.com/fairfaxcountygov) along with any required application fees.

The completed application and fee must be received at least ten (10) days prior to the event. Upon completion and submission of the application in PLUS, the applicant is acknowledging an agreement to comply with applicable requirements.

a) If operating out of a commissary or restaurant, please include the name and location of the facility

being used on the application. Please note that a vendor who uses a commissary or restaurant as a base of their food operation is more likely to be issued a permit to operate prior to the event.

- b) Permits are not transferable to another food vendor or event and are valid only for the period of time specified.
- c) Only those food items listed on the application may be offered for sale, sample, or service unless changes are approved in advance by the Health Department.
- d) Temporary food establishments shall not open for business until a permit has been issued.

REQUIREMENTS FOR TEMPORARY FOOD ESTABLISHMENTS

The following requirements are pursuant to Chapter 43.2, Fairfax County Food. **These requirements address the safe handling, preparation, transportation, storage and protection of food items prepared and served to the public from temporary food establishments at such events as carnivals, fairs, festivals, and craft shows.**

The purpose of the requirements is to reduce risk factors known to contribute to foodborne illnesses associated with temporary food establishments. Risk factors include improper personal hygiene, inadequate cooking temperatures, improper holding temperatures, and unapproved food and water source. Inspections of the temporary food establishments are conducted by the Health Department to ensure that the operator has implemented control measures to reduce and/or eliminate the conditions associated with these risk factors.

Note: the Applicant shall comply with all requirements of the Fairfax County Health

Department. If violations are found, the operator must take corrective action immediately or as directed by the Health Official. Failure to correct the violation(s) will result in the revocation of the Health Department Permit and immediate cessation of the food service operation. Failure to comply may also affect Health Department issuance of a permit at future events.



PHYSICAL FACILITIES:

a) Food booths shall have overhead protection and a cleanable floor surface. The preferred floor surface is asphalt or concrete; however, plywood, tarp or a similar non-slip surface may be used if the booth is located on grass, loose gravel or dirt. Overhead

protection where there is cooking must be approved by the Fire Department.

- b) An adequate supply of potable water must be available at each booth. Water must be from an approved source.
- c) Containers with tight-fitting lids shall be provided for liquid waste. Wastewater (i.e. wash water, rinse water, sanitizing water, drained ice water, etc.) may not be disposed of on the ground surface. Sewage connections shall be sanitary, non-leaking, inaccessible to insects and rodents, and approved by the health department prior to the event.
- d) Adequate and sanitary toilet facilities must be available and conveniently located for food employees.
- e) The person in charge is responsible for keeping the preparation and service areas and the surrounding grounds free of litter, trash and garbage. All garbage/refuse shall be containerized and properly disposed of during and after the event.

PERSONAL HYGIENE:

- a) Persons having open cuts or sores on his/her hands or arms may not prepare or serve food.
- b) Persons with acute respiratory infections such as colds or flu, or persons with communicable diseases involving organisms that can be transmitted by food are not allowed in food service operations and are subject to immediate exclusion if found handling food in a temporary food establishment.
- c) No eating, drinking, or smoking shall take place in the food preparation area, serving area, or cleaning and storing area of a temporary food establishment.
- d) Hands must be washed frequently and fingernails kept trimmed and cleaned. A container with a spigot containing water from an approved source must be provided for hand washing with a separate container to catch wastewater. Liquid hand soap and paper towels must be provided. Gloves or chemically treated hand wipes (hand sanitizers) are not a substitute for handwashing.
- e) **Food handlers that use the toilet facilities, smoke, eat or drink must wash their hands before returning to work.**
- f) Hair restraints are required for all food handlers. Hair nets, caps, visors, etc., are acceptable means of hair restraint.

- g) The outer garments of food handling employees shall be clean. Jewelry should be limited. Excessive hand jewelry may not be worn.

FOOD AND BEVERAGE:

- a) All food products including beverages, ice and water shall come from an approved source. The use of HOME CANNED or HOME PREPARED FOOD is strictly prohibited.
- b) A vendor who uses an approved commissary or restaurant to store and prepare food items is more likely to be issued a permit to operate prior to an event.
- c) Food temperatures shall be maintained safe for perishable (potentially hazardous) foods as follows:
 - **Cold foods** - maintain food temperature of **41°F or below**.
 - **Hot foods** - maintain food temperature of **135°F or above**.
 - Food in transit must be protected from contamination and must meet the temperature requirements noted above.

Note: Sufficient equipment is essential for cooking foods and maintaining temperatures of all perishable foods (i.e. steam tables, chafing dishes, refrigerators, ice chests, etc.)

- d) **Temperature Control for Safety (TCS) foods** that have been cooked, cooled and refrigerated must be reheated

for hot holding to 165°F within 2 hours.

- e) Foods shall be stored at least six (6) inches off the floor.
- f) The manager, operator, or person in charge shall provide and use a properly calibrated metal stem bayonet thermometer or digital thermometer with a range of (0-220°F) in +/-2°F increments for checking internal food temperatures. The thermometer shall be properly sanitized prior to each use and periodically calibrated.
- g) Food and utensils must be protected from contamination.
- h) Ice for human consumption shall be stored in cleanable, covered, self-draining containers and dispensed with handled scoops, tongs, or other approved methods.
- i) Food condiments such as mustard, catsup, relish, etc. must be served in individual packets, squeeze bottles, or pump type dispensers. Cream and sugar shall be served in individual packets only. Milk products shall be refrigerated to 41°F or below. In instances where dispensers or individual packets are not available, food handlers must add condiments or ingredients requested by the patron.
- j) Foods that are contaminated, adulterated in any way or held at improper temperature are subject to immediate condemnation and discarding.



FOOD PREPARATION, HANDLING, DISPLAY AND SERVICE:

- a) Bare hand contact with ready-to-eat foods is prohibited. Provide disposable gloves, tongs, spatula, tissue paper or other utensil(s) for use to prevent bare hand contact with ready-to-eat foods.
- b) Food preparation is to be kept to a minimum and prepared in small quantities.
- c) Food preparation and cooking must be separated from public access.
- d) Adequate counter protection devices (sneeze guards or shielding) must be provided to protect non-packaged displayed foods from contamination.
- e) Packaged food shall not be stored in contact with water or undrained ice.
- f) Toxic items such as cleaners must be labeled and stored away from food and food preparation surfaces.

- g) An adequate number of leakproof and flyproof garbage containers shall be provided and serviced as needed. Plastic garbage bags should be used to line the garbage containers. Arrangements must be made for clean-up and final disposal of all solid waste.

EQUIPMENT AND UTENSILS:

- a) Sufficient cold and/or hot holding facilities shall be provided which are capable of maintaining TCS foods at proper temperature of 41°F or below and 135°F or above. Ice chest with adequate ice may be used for keeping foods cold.
- b) Storage containers, single service items, equipment and utensils shall be stored at least six (6) inches off the floor or ground surface.
- c) Only single service utensils may be provided for use by the consumer. If wrapped single service utensils are not provided, then the utensils must either be handed to each consumer by the food worker, or stored in a manner where the food contact surface is not exposed and handles are presented to the consumer.
- d) Hoses used for potable water must be food grade and labeled to indicate that

they are commercial grade or NSF approved. Back-flow prevention devices must be provided also if deemed necessary.



- e) Three containers of adequate size shall be provided for washing, rinsing and sanitizing food contact surfaces of equipment and utensils.
- f) Equipment and utensils shall be cleaned and sanitized after each possible contamination (i.e. dropped on ground, working with different products, etc.).
- g) Appropriate test strips shall be provided by the operator or person in charge and used to check sanitizing concentration strengths.



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 Fairfax, VA 22030
 703-246-2201, TTY 711

[Food Safety | Health \(fairfaxcounty.gov\)](http://www.fairfaxcounty.gov/health)



FOOD SERVICE VENDORS

Those who prepare food on site at a Farmer's Market

Food Service Vendors, except those offering for sale primarily packaged food products or samples of such products not subject to Virginia Department of Health (VDH) inspection, must obtain a VDH food establishment permit. The local health department issues these permits and inspects food service vendors. Vendors who do not hold a food establishment or mobile food establishment permit need to apply to the local health department for a temporary food establishment permit and submit the applicable fee at least 10 days prior to operation.

Food Service Vendors must have:

- 1) An on-site warewashing set up that includes three basins: one each for washing, rinsing, and sanitizing. The appropriate strength of sanitizing solution should be used and confirmed with the appropriate sanitizer test strips. Wares should be cleaned and sanitized after use with raw animal foods and before use with ready-to-eat foods, including raw fruits and vegetables, or if they have been contaminated.
- 2) An on-site handwashing station is also required. Hands must be washed frequently including before beginning food preparation or putting on gloves; and after eating, drinking, smoking, using the restroom, handling raw animal foods, or whenever the hands may have been contaminated. Avoid bare-hand contact with ready-to-eat foods by using gloves, tongs, deli paper, etc. Don't work if you are sick.
- 3) Overhead protection for vendor operation is required (tent, canopy, awning, table umbrella, permanent structure, etc.). Food preparation must occur on smooth cleanable surfaces such as tables. Slicing must be done on cutting boards. Use wrapping or other effective barriers to protect from customer handling. Stored food should be in a clean, dry location, at least 6 inches off the ground.

TCS foods ** must be kept hot, at 135°F or higher, or cold, at 41°F or lower. Use a calibrated metal stem thermometer to ensure you are meeting the required temperatures. Ice should be drained frequently at an approved dump site.

**Time and Temperature Controlled for Safety (TCS) Foods: Please see important note in bottom right of previous page.

VDH, VDACS & VCE CONTACTS FOR MORE INFORMATION

Your local agency contact	Name	Address	Phone number	e-mail
Virginia Cooperative Extension				
Virginia Department of Health Inspector				
Virginia Department of Agriculture and Consumer Services inspector				

Virginia Tech Food Innovations Program*:

Food Product Testing Services

Website:

<http://ext.vt.edu/food-health/food-innovations.html>

Farmers' Market Resources:

Virginia Grown:

www.vdacs.virginia.gov/vagrown/frmsmkt-farmvend.shtml

Virginia Farmers' Market Association:

<http://www.vafma.org/>

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GOING TO MARKET



A Guide to Selling Raw, Processed and Prepared Food Products from Your Home, at Farmers' Markets, Stores & Roadside Stands

Do I need to get inspected? By whom?

On the following pages Farm Market & Food Service Vendors will find the answers to these questions, which vary depending on the type of food product and preparation process used. The contact information for permitting and/or inspection requirements is on the back page.

By Renee Boyer, Associate Professor, Extension Specialist & Joell Eiffert, Director of Food Innovations Center, Food Science & Technology Department, Virginia Tech

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FARM MARKET VENDORS

Inspected by VDACS unless vendor prepared food and samples at the market (see food service vendor)

VDACS INSPECTION REQUIRED		VDACS INSPECTION REQUIRED: UNLESS EXEMPTION CONDITIONS BELOW ARE MET			VDACS LICENSE REQUIRED
MEAT		DAIRY	BAKED GOODS, JAMS AND ... *	EGGS	PET TREATS
<p>All meat that is to be sold must be slaughtered at a USDA/state-inspected facility.</p> <p>The VDACS Office of Meat and Poultry Services (OMPS) provides free inspections for amenable species (cattle, hogs, sheep, goats, chickens, turkeys, ducks, geese, guineas, raities and squabs).</p>	<p>All dairy products to be sold must be inspected. Sale of raw milk is prohibited.</p> <p>Sale of cheese made from raw milk must be aged at least sixty days above 35 degrees. Contact the VDACS Office of Dairy & Foods.</p>	<p>Includes jams and jellies (no low-acid ingredients), candies, dried fruits/herbs/seasonings/ mixes, (un)coated nuts, (flavored) vinegars, popcorn (balls), cotton candy, dried pasta, roasted coffee, dried tea, cereals, trail mixes and granola and baked goods that don't require time or temperature control.</p>	<p>Those who process & prepare honey in their private residence from hives they own, who sell less than 250 gallons of honey a year, & who do not process or sell other food products (except as noted here) are exempt from inspection.</p> <p>Infused honey products are not exempted.</p>	<p>Exempt from Virginia Egg Law and do not need inspection if selling less than 150 dozen of your own eggs per week or less than 60 dozen of another producer's eggs per week.</p>	
EXEMPTIONS	LABELING	ACIDIFIED CANNED FOODS *	LABELING	LABELING	
<ul style="list-style-type: none"> 1,000 Bird Exemption 20,000 Bird Exemption Custom Exemption: with permit from OMPS, allows businesses to slaughter animals, only for their owners consumption, without an inspector present. 	<ul style="list-style-type: none"> Product Name Net Weight Ingredient Statement Name & Address of Manufacturer/Distributor Sell-by date 	<p>Acidified low-acid foods (pickled products, salsa, pumpkin/sweet potato butter, barbeque sauces, chow-chow, relishes, hot pepper jelly, hot sauces, garlic in oil, etc.) must achieve a pH of 4.6 or lower (verified by an electronic pH meter you purchase). Low-acid canned foods are not permitted to be made in the home.</p> <p>Completion of 'Better Process Control School' course and process approval by a processing authority strongly advised (Virginia Tech Food Innovations Program: Food Testing Services).</p> <p>Must not exceed \$3,000 in total annual gross sales for all acidified products produced.</p>	<p>The standard label must contain:</p> <ul style="list-style-type: none"> Product name Net weight Ingredient statement Name & address of manufacturer/distributor/packer Nutritional labeling (exemptions apply) List of allergens NOT FOR RESALE – PROCESSED AND PREPARED WITHOUT STATE INSPECTION 	<p>If you grow and sell fresh produce, and make < \$25,000 in annual sales (3 yr. avg), you are not covered under the Produce Safety Rule and do not need to be inspected.</p> <p>Growers that make >\$25,000 may fall under the PSR and may need to be inspected.</p> <p>Sprouts, hydroponic operations and farm raised mushrooms are considered produce regulated by the PSR. (not covered if <\$25K).</p> <p>Wild mushrooms require VDACS food safety applications harvesting and retail sales.</p>	<p>Home/facility inspection by VDACS not required, but it is suggested to contact your local health department for any local inspection requirements.</p> <p>You must obtain licensing and permitting through VDACS. Product registration may also be required.</p>
LABELING	AT MARKET	LABELING	LABELING	AT MARKET	LABELING
<ul style="list-style-type: none"> Product Name Net Weight List of Ingredients Name/address of Responsible Party Inspection Legend (plant number that did the work) Safe Handling Statement <p>For Custom Exemption: "NOT FOR SALE"; 20,000 Bird Poultry Exemption Label, if applicable.</p>	<p>Keep frozen products frozen and other products at 41°F or lower. If storing products on ice, drain often.</p> <p>Products offered as samples should be prepped on-site or in your VDACS approved facility.</p> <p>Un-refrigerated samples may be left out for tasting no more than 4 hours (any leftovers then cannot be re-cooled or used again, they must be thrown away).</p>	<p>The standard label must contain:</p> <ul style="list-style-type: none"> Product name Net weight Ingredient statement Name & address of manufacturer/distributor/packer Nutritional labeling (exemptions apply) List of allergens NOT FOR RESALE – PROCESSED AND PREPARED WITHOUT STATE INSPECTION <p>You must also have a label displaying the name, physical address and telephone number of the person preparing the food product and the date the food product was processed.</p>	<p>The standard label must contain:</p> <ul style="list-style-type: none"> Product name Net weight Ingredient statement Name & address of manufacturer/distributor/packer Nutritional labeling (exemptions apply) NOT FOR RESALE – PROCESSED AND PREPARED WITHOUT STATE INSPECTION. WARNING: Do Not Feed Honey to Infants Under One Year Old 	<p>Most fruits and vegetables only require basic coverage for protection from outside contamination, but since, for example, cut melon, cut leafy greens and cut tomatoes are a TCS Food** (see note below), they must be held at 41F or lower. This applies to samples as well.</p>	<ul style="list-style-type: none"> 1. Product Name 2. Intended Species 3. Quantity Statement 4. Guaranteed Analysis 5. Ingredient Statement <p>Name and Address of Manufacturer/Distributor</p>
AT MARKET	AT MARKET	AT MARKET	AT MARKET	AT MARKET	AT MARKET
<p>Keep products at 41°F or lower</p> <p>Please keep your most recent VDACS inspection reports on hand with you at the market.</p>	<p>Cover baked goods to protect them from environmental contaminants, such as flies and dirt.</p> <p>If providing samples, prepare them at your VDACS approved and inspected facility prior to arriving at the market. Cut baked goods into pieces at your inspected facility, place them on a tray, insert a toothpick into each piece, and keep the tray covered in food safe wrapping, such as plastic wrap.</p>	<p>You must also have a label displaying the name, physical address and telephone number of the person preparing the food product and the date the food product was processed.</p>	<p>Eggs must be clean and held at 45°F or lower at all times.</p> <p>Note: Reusing egg cartons runs the risk of contamination; consider asking patrons to bring their own</p>	<p>Eggs must be clean and held at 45°F or lower at all times.</p> <p>Note: Reusing egg cartons runs the risk of contamination; consider asking patrons to bring their own</p>	<p>Can be sold either pre-packaged or in a bulk, self-serve style.</p>
<p>* Exemptions: Apply to ACIDIFIED CANNED FOODS and BAKED GOODS, JAMS AND ...: Must be produced in a private home. Must be sold at farmers markets, from the private home where product is manufactured or to an individual for their own consumption. These products cannot be sold to other businesses (ie. grocery stores), for resale, on the internet or across state lines.</p> <p>You do not have to pay the \$40 annual fee to VDACS, although you are still required to comply with all applicable laws and regulations (outlined here).</p> <p>**Time and Temperature Controlled for Safety (TCS) Foods require temperature control because they are capable of supporting the growth of various infectious microorganisms or toxins. These foods include meats, dairy products, eggs, mushrooms, cut melons, cut tomatoes, cut leafy greens, and heat-treated plant food such as cooked rice, beans, and vegetables.</p>					