

TEXAS A&M AGRI LIFE EXTENSION

100 E. Tyler St., Suite 300
Athens, TX 75751
Phone: 903-675-6130
Fax: 903-677-7222
<http://henderson-co.tamu.edu>



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Clover Connection

By: Kate Pittack
Extension 4-H Agent

Farmers Markets are in full swing all across Texas. I came across this article from an AgriLife colleague that had a lot of good information in it!

While the popularity of farmers markets has grown, there is still a lot of misunderstanding about what certain terms mean and what is allowed to be sold there, said a Texas A&M AgriLife Extension Service program specialist.

“A lot of the terms used to describe foods are subject to misinterpretation and definitions may vary,” said Rebecca Dittmar, AgriLife Extension program specialist for food protection management based in Kerrville.

“For example, a farmers market is a designated location used primarily for the distribution and sale of food directly to consumers by farmers and other producers. But a certified farmers market is one that has met the requirements set by the Texas Department of Agriculture and has applied to become certified.”

She said while the term “locally grown” is often a consumer draw, the definition adopted by the 2008 Farm Act considers a locally or regionally produced agricultural food product to be one sold less than 400 miles from its origin, or within the state in which it was produced.

“Then there’s the term ‘organic,’ which refers to meat, poultry, eggs and dairy products from animals that are given no antibiotics or growth hormones,” she said. “Organic food is produced without using most conventional pesticides, fertilizers made with synthetic ingredients or sewage sludge, bioengineering or ionizing radiation.”

She said before a product can be labeled organic, a government-approved certifier inspects the farm where the food is grown to make sure the farmer is following all the rules necessary to meet U.S. Department of Agriculture organic standards.

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On the other hand, a product labeled “natural” is one containing no artificial ingredients or added color and is only minimally processed, she explained.

“Minimal means that the product was processed in a manner that does not fundamentally alter the product,” Dittmar said. “And the product label must include a statement explaining the meaning of the term natural, like ‘contains no artificial ingredients’ or such.”

She said if a meat product is labeled certified it implies that both the USDA’s Food Safety and Inspection Service and the Agriculture Marketing Service have officially evaluated the product for class, grade or other quality characteristics.

“However, if a product is labeled as ‘certified naturally grown’ that means it is certified by a nonprofit organization tailored to small-scale farmers and beekeepers,” Dittmar said. “Certified Naturally Grown is an independent program not affiliated with the USDA-National Organic Program, or NOP. The CNG producers do not use any synthetic fertilizers, pesticides, herbicides, fungicides or GMO seeds, just like organic farmers, but their farms are certified by other CNG farmers instead of a government agency.”

Dittmar said some of the products allowed to be sold at farmers markets include whole, uncut produce; meat and meat products; canned items such as tomatoes, relishes, salsas and pickled squash; honey, eggs and some non-food items.

“If they are selling whole, intact, unprocessed fruits and vegetables, there is no permit required in Texas,” she said. “But if selling cut tomatoes, leafy greens or melons, the producer needs to have a permit and store foods at 41 degrees or lower.”

Consumers should always avoid buying bruised or damaged produce, she added.

Dittmar said meats can be at farmers markets if they were slaughtered at a licensed facility and the vendor has proper permits. And jerky can be sold if from an approved source, so long as a licensed and inspected facility produced it.

“Fish can be sold if the vendor has a proper permit and the fisherman possesses a license from the Texas Park and Wildlife Department — or the fish was produced and raised in a facility that has an aquaculture license from the TDA.”

She said consumers at farmers markets should make sure the packages containing meats or fish have no holes or tears and the product is being stored cold.

“In the shopping basket, keep raw meat, poultry and fish away from other foods. Place them in a plastic bag and keep it in the cart away from other foods, so the juices cannot drip on them.”

She said certain canned goods can be sold if the vendor has a manufacturer's license for the products.

“Avoid buying canned goods that do not have labels or have a flawed appearance,” she advised.

Dittmar said honey can be sold by small- and large-scale producers, but large-scale producers should have a food manufacturer's license and offer a properly packed and labeled product.

“The proper labeling information is on the Food and Drug Administration's food labeling guide,” she said. “Consumers should avoid buying honey that does not have a label.”

Dittmar said eggs can be sold at farmer's markets if the seller has a temporary food establishment license from the Texas Department of State Health Services or a local regulatory authority and if the eggs are kept at an ambient air temperature of 45 degrees or lower.

“The eggs should be labeled as ‘ungraded,’ have safe handling instructions and labeling should provide the producer's name and address,” she said. “They should be refrigerated as soon as possible after cleaning and sorting to preserve internal quality and reduce the potential for bacterial growth. There are FDA, TDA and DSHS regulations for the sale of eggs.”

Dittmar said if a vendor is selling frozen food, the vendor would need the proper permit and to follow the rules for that product.

“Consumers at farmers markets should buy their frozen foods last and make sure items are frozen solid at the time of purchase and that the packages are not torn.”

She also noted often there are non-food items for sale at these markets and those items may be sold if the entity running or regulating the market allows such vendors.

“Items commonly seen include knitted items, crafts, lotions, candles, flowers and homemade jewelry,” she said.

Additional information on the regulation of farmers markets in Texas can be found at <https://www.dshs.texas.gov/foodestablishments/farmersmarkets/>.

Kate Pittack is the Henderson County Extension Agent – 4-H & Youth Development for Texas A&M AgriLife Extension Service. Contact her at: kate.pittack@ag.tamu.edu & visit our webpage at <http://henderson.agrilife.org>