



What makes the farmers market such a special place is that you're actually creating community around food. - Bryant Terry

OXCM OPERATING GUIDELINES 2023

Updated February 23, 2023

History

Oxford *Community* Market used to be Oxford *City* Market. How we became the Community's market is the result of a lot of hard work to build a community to support our farmers and food producers.

The City of Oxford founded Oxford City Market in May 2013. In January 2015, a determined group of local food stakeholders undertook the task of ensuring that OXCM continued by forming an advisory committee and starting the process of forming a nonprofit organization. In November 2016, Oxford City Market officially became Oxford Community Market.

With very little to start off with and just a couple of market seasons under its belt, this scrappy little farmers market was determined to make it. And that's exactly what we've done! We have intentionally, thoughtfully and through sheer force of will and a lot of elbow grease, spent the last nine years building a community of farmers, food producers, customers, musicians, makers, volunteers and partners to sustain a vibrant weekly year-round farmers market.

OXCM is a beautiful farmers market - but it is much more than a market...it is the heart and soul of our community.

Our Commitment

OXCM is a farmers market. What is a farmers market? According to the Farmers Market Coalition: *"A farmers market is a public and recurring assembly of farmers or their representatives selling the food that they produced directly to consumers. Farmers markets facilitate personal connections and bonds of mutual benefits between farmers, shoppers, and communities."*

OXCM is a nonprofit organization focused on improving access to fresh, healthy local food. We operate a weekly, year-round Mississippi Certified Farmers Market along with programs to make healthy, local food accessible to all people in our community by reducing barriers that make it hard for folks to get farm fresh food on their tables.

OXCM has worked for a decade to build a thriving, bustling farmers market. Now we have to plan to sustain what we have grown. OXCM envisions carving out a permanent space in our community for local food activity to take place so that what we've built can continue to grow and thrive. We are building a community around local food!

We are a community of practice focused on expanding opportunities for farmers/food producers, addressing nutrition insecurity in underserved communities, and developing partnerships that increase interest and excitement in local food systems development.

OXCM fosters community bonds, strengthens local economies, educates consumers, advocates for farmers, and improves access to fresh, healthy, local, and sustainable goods for all citizens, including those traditionally underserved.

Our OXCM Vendor Partners

At OXCM, our farmers and food producers are more than just vendors who show up occasionally to sell their wares - they are our PARTNERS in building a sustainable local food system. We work **hard** to drive customers to the market and to provide a unique set of benefits and opportunities for our OXCM Vendor Partners. Our job is to elevate and showcase our farmers and food producers and build a local food system development program to help GROW farm and food businesses.

OXCM Vendor Benefits include:

- Increased sales through OXCM Nutrition Incentive programs, projects and partnerships - ex. WIC/Senior Vouchers; purchases for Pantry; Market Fresh Gift Cards; plus sourcing from vendors for cooking demos, classes, community and campus events. All of this equals increased revenue for vendors along with huge marketing benefits and better brand recognition!
- Broad exposure and brand-building through OXCM's 12K+ social media followers and 20K+ website views
- Creative seasonal marketing showcasing your business and products: print, media, events, etc.
- Exclusive invitation for Full-Season Vendors to participate in OXCM Goes to College Campus Markets
- Paid opportunities to teach Farmers Market 101 Classes showcasing OXCM vendors and products
- 36 weeks of local food educational/outreach programming to increase interest in local farmers and food producers
- Individual technical and marketing assistance
- Connections with restaurant, retail and institutions that source from local farmers and food producers

Market Director

The market director will maintain a safe, welcoming environment at all times. If concerns arise during market hours, they will be promptly and professionally addressed.

The market director is available to address concerns or challenges by phone or email and will make every attempt to resolve issues before the next market day.

The market's philosophy is that most problems can be easily resolved if all parties are willing to listen and offer solutions. The market is a place of business. It is vitally important that professionalism and common courtesy be maintained at all times.

Hours of Operation

The market day will be Tuesday from 3:00-6:30 p.m. The market site is under the Old Armory Pavilion at the corner of University Ave. and Bramlett Blvd., Oxford, MS 38655 from January-Oct. Due to recent changes, the market will relocate in Nov. and Dec. The regular "big" market season runs from April - December. OXCM Winter Market Season is January-March on Tuesdays from 3-6:30 p.m.

Operational Guidelines

OXCM is a Mississippi Certified Farmers Market. We promote the sale of fresh, local, healthy and sustainable agricultural and consumable products to achieve a successful market atmosphere and a healthy community. To permit fair and equal opportunity for all sellers and to ensure good treatment for buyers, some basic rules of operation must be followed. The following market guidelines have been developed, which will be revised and updated as needed.

- ITEMS PERMITTED FOR SALE by OXCM includes, but is not necessarily limited to, all varieties of locally grown (or raised or caught) produce, plants, flowers, trees or seedlings, vegetables, fruits, edible plants, shelled peas and beans, nuts, herbs, spices, bedding plants, eggs, honey, cheese, condiments, preserves, jellies, jams, pastries, baked items, spreads, dried/fresh floral arrangements, poultry, fowl, sausages, milk, seafood, meat, and cut firewood.
- OXCM IS PRIMARILY A PRODUCE AND FOOD MARKET, but a very limited number of booths for artists and crafters may be approved. Vendors or members of the vendors' households must produce all the craft items sold at the market. Absolutely no resales are permitted. Artisan/handmade crafts vendors will be accepted at the discretion of the market director. Handcrafted usable items with direct relation to home & garden, food preparation & consumption, or connection to the Oxford and Lafayette County area will be given priority. For approval to sell at the Oxford Community Market use the OXCM vendor application but please attach as many pictures as necessary to illustrate your product.
- ALL FOOD ITEMS MUST BE MADE FROM FRESH INGREDIENTS (no mixes), and those incorporating local ingredients will be given priority.

- No smoking, smokeless tobacco, or vaping, by vendors or patrons, is allowed within the market perimeter, the market perimeter extends to the parking lot surrounding the market green.
- Vendors and guests are responsible for children brought to the Market. Children shall not be left unattended during the market for safety.
- We ask dog owners to please be considerate of other shoppers, respectful of vendors and food products, and to follow common sense rules about good behavior. All dogs must be kept on a very short leash. Dogs that misbehave will be required to leave the market.
- The sale of live animals (puppies, chicks, etc.) is not permitted.
- The Oxford Community Market reserves the right to prohibit anyone from selling at the market and to cancel the privileges of any vendor who in the opinion of the market director has violated the rules governing the market. Participant or vendor may appeal a decision of the market director to the OXCM Board of Directors, within five (5) days of such decision. The Board of Directors at its next regularly scheduled meeting shall hear such appeal. Participants or members wishing to return to the market following expulsion must reapply and pay appropriate fee(s) prior to selling.

Becoming a Vendor Partner

All vendors must complete and sign a vendor agreement with the Oxford Community Market. OXCM seeks vendors who are committed to partnering with us to build a sustainable local food system that provides robust, year-round direct sales opportunities for local farmers and producers. Preferred vendors commit to regular market attendance and who produce on a scale that provides for regular attendance with sufficient quantities to meet consumer demand. Vendors are added based on available space at the market, product quality/quantity/variety, and the market's needs for additional product to maintain good selection for our customers.

Any vendor wishing to participate in OXCM is subject to a site visit if deemed necessary by the market director. Pursuant to this, the market director reserves the right to visit any participant or member's farm, by appointment, to ensure compliance with market rules and regulations. The primary purpose of a farm visit will be to determine whether the participant/vendor is in fact producing all that he or she is selling at the market.

Reservations, Booth Assignments, Advertisement & Set-Up

For detailed information on securing a 2023 booth space, please contact Betsy Chapman at

662-816-7413 or email at oxcmkt@gmail.com. 10 ft. x 10 ft. stalls may be secured on a daily, monthly or yearly basis. Booth locations may be reserved and location chosen by vendors based on seniority and timely request. Booth relocation requests will be considered as space is available. OXCM can only guarantee fixed spaces for vendors who attend weekly for the full market season April-Dec. However, we will make every effort to accommodate reasonable requests.

A. Application/Booth Fees/Spaces

- Yearly \$10 application fee for Lafayette County residents/\$20 for non-residents.
- Booth fee structure farmers/cottage food producers/agricultural products/by-products:
 - Weekly** - \$10/week per 10 ft. x 10 ft. stall
 - Monthly** - 10% Discount based on number of weeks in month per 10 ft. x 10 ft. stall
 - Yearly** - \$280/year per 10 ft. x 10 ft. stall (20% Discount)
- Vendors needing more space may purchase up to 2 booth stalls as space allows or may reserve 2 spaces for the full season if paying in-full prior to the first day of market.
- \$5/week during Winter Market Season.
- Farmers/cottage food producers/agricultural products/by-products who commit to the FULL MARKET SEASON and attend every market will receive the last two months of booth space at no charge.
- Food Truck Vendors: \$35/week
- Prepared Food-Certified Kitchen (Without Brick & Mortar Location): \$20/week
- Artisan/Crafter/Maker: \$15/week
- OXCM is a farmers market that seeks to provide customers a choice among vendors/producers selling a wide variety of high-quality produce or products. In order to maintain a balance among available produce/product and customers, the OXCM Director may at times limit vendors of a specific product; however, no vendor will be granted exclusive privileges of providing an individual item, or items for sale.

B. Intent to sell:

- Vendors who have not committed to the full market season must confirm their intent to sell or, if planning **not** to attend, let the director know that they will not be in attendance no later than 12:00 p.m. NOON on Sunday prior to the Tuesday market. To confirm your intent to sell, e-mail oxcmkt@gmail.com or call

662-816-7413. Leave a message if there is no answer. Space will be confirmed pending availability.

- No day-of “pop-up” vendors will be permitted to sell. You must have confirmed your attendance and received approval before setting up.
- **Last minute cancellations hurt the market.** If you confirm your attendance and fail to show up on market day or let the market director know that you will not be present, you will be charged a \$5 fee in addition to booth rental fee at the next market you attend.

C. Advertising and Marketing:

- To be listed in market emails and vendor lineup promotions, vendors **MUST** send confirmation of attendance and a list of items to be sold to oxcmkt@gmail.com no later than 12:00 p.m. Sunday prior to the Tuesday market. This applies to all vendors.

D. Set-Up

- Set-up begins no earlier than 1:30 p.m. unless prior arrangements are made with market director.
- All vendors should arrive at the market by 2:30 p.m. Tuesday to begin setup, or have informed the Market director before 12 p.m. that they will attend but may be late.

E. Market Opening

- Market sales are not permitted before 3 p.m. when the market officially opens.

F. **OXCM is a farmers market.** Our market is mission-driven to remain farm and food focused to support local food system development. The majority of booth spaces are reserved for farmers and cottage food producers. Pending available space some booths may be offered to other types of vendors that add variety to the marketplace. Types of Vendors Permitted to Sale at OXCM Pending Acceptance - All items sold at OXCM must be homegrown or handmade by the producers. Please note that resale of non-food items is not permitted. Prepared food vendors utilizing local ingredients from OXCM farmers are preferred.

- Farmer/Rancher/Agricultural Producer
- Cottage Food Producer
- Artisan/Maker - Handmade/Handcrafted Goods*
- We may consider the following types of vendors if deemed beneficial to the local farming community: Food Truck/Prepared Food from Certified Kitchen**

* (Useful items for home and garden preferred/very limited booth space availability for non-food vendors.)

** (Vendors who source local ingredients from OXCM farmers/producers preferred. Must provide confirmation of local sourcing.)

Market Transactions

Customers shopping with SNAP for EBT eligible food items will be able to purchase 50 cent, \$1 and \$3 SNAP tokens for use with OXCM vendors. Vendors will redeem tokens at the close of market and will be reimbursed with checks on the first market day of the month. This process is simple, utilized by many markets across the country, and helps grow the number of people who frequent the market. SNAP/EBT tokens may only be used for eligible food items or plants used to grow food (vegetables/herbs). SNAP/EBT tokens may NOT be used for non-food items or ready-to-eat/hot foods

Vendor Responsibilities

- Vendors are required to clearly post their business sign or farm name in a visible and attractive manner. Vendors must also display in plain view any necessary licenses or permits.
- Vendors must come prepared to deal with all modes of weather: Adapting to heat, cold, rain and wind are variables that are part of outdoor events. Even with the cover of the pavilion, we cannot guarantee protection of products from the elements at an outdoor event. For example, if a vendor has a product that is sensitive to heat, it is the vendor's responsibility to adapt their booth space to protect their product. We cannot guarantee a space that does not get sunlight at an open-air market.
- Vendors must sell their own locally grown or made products. Vendors may, with rare exception and prior approval, supplement their own crops with another Mississippi-grown product, but no more than 20% of their product variety may be supplemented. These items must be clearly labeled with origin, granted permission in advance by market director, and must not compete with items grown locally by other vendors. (Example: Seasonal items like citrus fruit from south Mississippi might be an appropriate and approved product.) Please obtain permission from the OXCM director in advance to avoid unnecessary misunderstanding.
- Vendors must notify the market director if adding any new inventory not previously listed on the vendor application. Market director will then approve and publicize the vendor's new items.
- Vendors selling baked goods or other processed foods are allowable under the Mississippi Cottage Food Operation laws, but for the health and safety of our market must meet all regulations of the law, which can be found at: http://www.msdh.state.ms.us/msdhsite/_static/resources/5375.pdf.
- Vendors are expected to be in place and open promptly at market time. Tardiness may affect your vendor status.
- The use of the term "ORGANIC" is not permitted unless the producer can show that they

have a certificate from the State of Mississippi that their produce is, in fact, organic. Vendors may use “pesticide free” and/or other terms, but State and Federal law controls the use of the word “ORGANIC.”

- Vendors are responsible for collecting and reporting sales tax, when applicable. Vendors will be responsible for determining what items are taxable and for collecting their own sales taxes. The market is not responsible for tax calculations or reporting. According to Mississippi Certified Market regulations, vendors selling homegrown Mississippi produce (grown by the vendor) or Mississippi home processed foods (made by the vendor), from a MDAC certified market, are exempt from the collection of sales tax. Processed food vendors that are an extension of an established retail outlet are not exempt from remitting sales tax. (Example: restaurants, grocers, etc.). Vendors selling agricultural food products that were not produced in Mississippi, home processed food products not made in Mississippi, landscape plants, and/or arts and crafts must remit sales tax to the Mississippi Department of Revenue.
- Vendors are responsible for setting their own pricing and for collecting payment for their own products. Any exchanges, refunds, or barter may be performed at the vendor's discretion.
- Vendors independently accepting EBT, WIC, or Senior FMNP vouchers are responsible for compliance with state guidelines. We advise you to let us know that you do so we can help you market this availability, and also advise that you feature this prominently in your signage.
- Vendors will provide all necessary items for their booths: tables, chairs, tablecloths, scales, bags for consumers, extension cords and display containers. Please do your best to maintain an attractive, neat market display.
- OXCM provides electricity and has extension cords available upon request. All necessary precautions must be taken in order to ensure safety of vendors and customers.
- Vendors are responsible for maintaining their booths in a clean and sanitary condition, and are responsible for sweeping and disposing of any debris at the close of business. All agricultural waste must be removed and taken away. Please do not dispose of large amounts of waste in the on-site receptacles. If you need assistance getting waste to the dumpster, let staff or a volunteer know and we will help you.
- No vendor shall play loud music, radio, tapes, television or anything that would be disruptive to other vendors or customers.
- Fraudulent, dishonest or deceptive practices carried on at OXCM should be reported to the Market Director and may result in revocation of permission to sell at the Market.
- Vendors are responsible for permits, licensing, and certification for food and product sales, as required by law. Permits are not the responsibility of the market. Please see the attached permit requirements on behalf of the Mississippi Department of Agriculture and Commerce. All vendors are required to adhere to these requirements.

Any variation from the Rules and Regulations may preclude a vendor's right to use the Market.

The Market Director has the authority to enforce these regulations and to exclude nonconforming vendors.

Change of Rules and Regulations

The Oxford Community Market Board of Directors reserves the right to modify these rules and regulations as needed during the season. Any vendor adversely affected by a rule change is eligible for a partial refund of seasonal fees based on the number of market days left in the season. Furthermore, any vendor may appeal a decision of the market director to the Board of Directors, within five (5) days of such decision. Such appeal shall be heard by the Board of Directors at its next regularly scheduled meeting. OXCM welcomes input from all interested individuals – if you have suggestions regarding any elements of OXCM guidelines, please contact the market director.

For more information or questions:

CALL

662-816-7413

E-MAIL

oxcmkt@gmail.com

WRITE

Oxford Community Market

P.O. Box 2221

Oxford, MS 38655

VISIT US ONLINE AT www.oxfordcommunitymarket.com



Permit Requirements for Farmers Market Vendors

The following serves as a guide to assist farmers market managers in determining the permits, licenses, and certificates that vendors selling at farmers markets are required to have. This list is meant to be a general guideline rather than a comprehensive list of all regulations that vendors are responsible for following. Please consult with the proper agency for further assistance and for additional information regarding compliance of regulations.

Fresh Produce

- No permits, licenses, or certificates are required, if the produce is raw, uncut, and unprocessed.
- A scale is not required for the sale of whole produce. Produce may be sold by count, bunch, basket, etc.
- If a scale is used, the scale used must be a National Type Evaluation Program (N.T.E.P.) approved scale. All scales must be tested annually by the Mississippi Department of Agriculture and Commerce, Weights and Measures Division.

Eggs

- A Retail Food Sanitation License - Eggs from the Mississippi Department of Agriculture and Commerce, Consumer Protection Division is required.
 - A copy of the Retail Food Sanitation License - Eggs must be displayed and made available to the purchaser at the location where the eggs will be offered for sale.
 - Clean shell eggs must be maintained at or below 45°F ambient temperature under mechanical refrigeration (in a refrigerator and/or cooler with a/c or d/c power).
- For any eggs sold off the farm, the layers shall have NPIP (National Poultry Improvement Program) testing by the Mississippi Board of Animal Health.
- Proper packaging and labeling is required.

Honey/Syrup

- A Food Permit from the Mississippi State Department of Health is required only if the vendor loses possession of the product and/or produces more than 500 gallons annually.
- If the honey being sold is not pure honey, the added ingredients must be properly listed on the label.
- Proper packaging and labeling is required.

Baked Goods/Processed Foods

- Based on the risk level of products being sold, vendors (with the exception of cottage food operators) must obtain the proper Food Permit from the Mississippi State Department of Health.
- Cottage food operations are exempt from permitting requirements.
 - To be considered a cottage food operation, annual gross sales of cottage food products cannot exceed twenty thousand dollars (\$20,000).
 - Cottage food products are non-potentially hazardous food products. This includes products such as baked goods, jams, jellies, and acidified foods. Typically, foods that do not require refrigeration are considered non-potentially hazardous foods. Some products may need to be evaluated on a case-by-case basis. If there is some doubt as to the safety of some foods, documentation of proper processing may be required.
 - Producers of acidified foods (salsas, pickled products, etc.) are highly encouraged to get training in special requirements and procedures for these foods. This will help to ensure these products are both legal and safe.
- Proper packaging and labeling required.
 - Along with other labeling requirements, cottage food products must have the following statement printed in at least ten-point type in a color that provides a clear contrast to the background of the label: "Made in a cottage food operation that is not subject to Mississippi's food safety regulations."

Meats

- A vendor selling meat must obtain a Mobile Retail Food Sanitation License from the Mississippi Department of Agriculture and Commerce.
- Products being sold must be properly inspected by the United States Department of Agriculture or the Mississippi Department of Agriculture and Commerce.
- For products sold by weight, the scale used must be a National Type Evaluation Program (N.T.E.P.) approved scale. All scales must be tested annually by the Mississippi Department of Agriculture and Commerce, Weights and Measures Division.
- Proper packaging and labeling is required.

Shrimp/Seafood

- A Seafood Dealers License from the Mississippi Department of Marine Resources or a Food Permit from the Mississippi State Department of Health is required for vendors selling raw shrimp or seafood.
- If the shrimp is being cooked/steamed, a Food Permit is required from the Mississippi State Department of Health.
- For products sold by weight, the scale used must be a National Type Evaluation Program (N.T.E.P.) approved scale. All scales must be tested annually by the Mississippi Department of Agriculture and Commerce, Weights and Measures Division.



MISSISSIPPI STATE DEPARTMENT OF HEALTH

Cottage Food Operation: Frequently Asked Questions

Revised June 2021

1. What are Cottage Food Products?

Cottage Food products are specific types of foods that you make in the kitchen of your private home. Not all food products can be sold as Cottage Food products. They must be non-potentially hazardous foods that do not require time and/or temperature controls for safety. You must also store your Cottage Food products in your home following safe food handling guidelines outlined in the U.S. FDA Retail Food Code to prevent adulteration caused by insects, household chemicals, water damage, unsanitary conditions, etc.

2. What is “private home?”

This is the place where you live, whether you own the home or are renting. So, a house, an apartment, condominium, or a rental home all could be a private home.

3. Is there a limit to how much I can sell as a Cottage Food Operator?

Yes. You are limited in the amount of sales you can have selling Cottage Foods, which is \$35,000 in gross annual sales.

4. Am I limited to the types of Cottage foods I produce in my home?

Yes. Only non-potentially hazardous foods that do not require time and/or temperature control for safety, can be safely kept at room temperature, do not require refrigeration even after opening, and have not been found by FDA to support the growth of pathogens. The following is a list of foods approved for sale by a Cottage Food operation:

- Baked goods without cream, custard, or meat fillings, such as breads, biscuits, cookies, pastries, and tortillas.
- Candy
- Chocolate-covered nonperishable foods, such as pretzels, nuts, and fruit (except for melons).
- Dried fruit (except for melons)
- Dried pasta
- Dried spices
- Dry baking mixes
- Granola, cereal, and trail mixes
- Dry rubs
- Fruit pies

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- Jams, jellies, and preserves that comply with the standard described in part 150 of Title 21 of the code of Federal Regulations:
<http://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfcfr/cfrsearch.cfm?cfrpart=150&sho wfi=1&subpartnode=21:2.0.1.1.29.2>
- Nut mixes
- Popcorn
- Vinegar and mustard
- Waffle cones
- Acidified products which meet the definition as stated in part 114 of Title 21 of the Code of Federal Regulations:

“(b) *Acidified foods* means low-acid foods to which acid(s) or acid food(s) are added; these foods include, but are not limited to, beans, cucumbers, cabbage, artichokes, cauliflower, puddings, peppers, tropical fruits, and fish, singly or in any combination. They have a water activity (aw) greater than 0.85 and have a finished equilibrium pH of 4.6 or below. These foods may be called, or may purport to be, ‘pickles’ or ‘pickled (your product).’ Carbonated beverages, jams, jellies, preserves, acid foods (including such foods as standardized and non-standardized food dressings and condiment sauces) that contain small amounts of low-acid food(s) and have a resultant finished equilibrium pH that does not significantly differ from that of the predominant acid or acid food... are excluded from the coverage of this part.”

5. Where can I get a copy of the Cottage Food Bill?

<http://billstatus.ls.state.ms.us/documents/2013/pdf/SB/2500-2599/SB2553SG.pdf>

You can also call the MSDH Food Protection Division at 601-576-7689 and we'll be glad to email, fax, or mail you a copy.

6. Do I have to replace my home equipment, stove, and/or refrigerator with commercial grade units?

No. As a Cottage Food operator, you are not required to provide equipment that meets commercial standards to make cottage food products.

7. Why are some products not allowed to be made and sold under the Cottage Food Bill?

The Cottage Food bill allows food entrepreneurs to operate small food businesses and produce a variety of food products that are low risk from a food safety standpoint, if prepared properly in a private home kitchen, while protecting public health to the greatest extent possible. The allowable products list is based on the food safety risk level associated with certain types of food. People who operate a licensed and inspected retail food facility have to meet certain requirements for training, food safety, and handling. Since Cottage Food operations are not inspected, it is necessary to limit food products allowed to those that are considered low risk, or non-potentially hazardous.

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Foods NOT allowed include, but are not limited to: meat, fish, poultry, dairy products (including custard pies), eggs (other than air-dried hard cooked eggs with intact shell), cooked vegetables, raw seed sprouts, sliced melons, garlic and other fresh herbs in oil, cooked potatoes, legumes, beans, nut butters, fruit/vegetable juices, and rice. They also include low-acid canned foods (vegetables, meats and seafood, others with pH >4.6), smoked fish, pasteurized and pre-cooked foods.

8. Do I have to put a label on my Cottage Foods?

Yes. The label must include all of the following:

- The name and address of the cottage food operation
- The name of the cottage food product
- The ingredients of the cottage food product, in descending order of predominance of weight
- The net weight or volume of the cottage food product
- Allergen information as specified by federal labeling requirements
- If any nutritional claim is made, appropriate nutritional information as specified by federal labeling requirements
- The following statement printed in at least ten-point type in a color that provides a clear contrast to the background of the label: "Made in a Cottage Food operation that is not subject to Mississippi's food safety regulations."

9. What does "allergen information as specified by federal labeling requirements" mean?

It means you must identify if any of your ingredients are made from one of the following food groups: milk, eggs, wheat, peanuts, soybeans, fish, shellfish, and tree nuts. So, if you have an ingredient made with a wheat-based product, you have two options:

- Include the allergen in the ingredient list. For example, a white bread with the following ingredient listing: 'whole wheat flour', meets the requirement of federal law.
- Include an allergen statement ("Contains") after the ingredient list. For example, a white bread, with the following ingredients: whole wheat flour, water, sodium caseinate, salt, yeast. Contains wheat and milk.

10. Are there any specific requirements for tree nuts labeling for allergens?

Yes. If your Cottage Food has tree nuts as an ingredient you must identify which tree nut you are using. For example, if you made Nut Bread, an acceptable ingredient list would be: Ingredients: wheat flour, water, almonds, salt, yeast.

The following would NOT be acceptable:

Ingredients: flour, water, nuts, salt, yeast.

11. Do I have to have any training or certificates to become a cottage food operator?

Training and certification is highly encouraged for general food safety education and for acidified canned foods. We especially encourage the courses if you will be making

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acidified or pickled products. Improper acidification can lead to botulism, which has a very high fatality rate. Improperly acidified/processed "home" acidified foods are the source of most foodborne outbreaks of this category of foods.

12. Am I required to send my Cottage Food products to a laboratory to obtain an official ingredient list?

Typically, no. If a complaint is received and there are serious doubts as to the accuracy of the ingredients list, laboratory testing may be required. Acidified foods processors are strongly encouraged to send samples for analysis (Mississippi State University offers this service) and for consultations.

13. Will my home kitchen be subject to inspections by the Health Department?

An inspection will only be conducted if a complaint is received that adulterated or otherwise unsafe food has been produced by the Cottage Food operation. Laboratory confirmation may be required.

14. Can I make Cottage Food products in an outbuilding on my property (e.g. a shed or a barn) or a rented kitchen?

No. Cottage Food products are required to be made in your home kitchen and stored in your single-family domestic residence.

15. Where can I store ingredients and finished products for my Cottage Food business?

Ingredients and finished Cottage Food products may be stored in your private home where the cottage foods are made. This includes your kitchen or attached rooms within the home that are used exclusively for storage. All rooms used for food storage must be free of insects and rodents, free of dirt, dampness/water, and free of other environmental sources of contamination.

16. Can I sell my Cottage Food product in another state?

No. Cottage Food products may be sold only in Mississippi. Likewise, Cottage Foods made in other states may not be sold in Mississippi.

17. Can I advertise my Cottage Food product on the Internet?

HB 326 (effective July 1, 2020) updated the Cottage Food Law to allow a Cottage Food operation to advertise Cottage Food products over the internet, including through social media. *Sales must be directly from the producer to the end consumer.*

18. Will I need any other permit or licenses for my Cottage Food operation?

You may. Check with your city, or county if you are outside the city limits, where your private home is located to determine if a business license or other permit is required. Other

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things to take into consideration include taxes, zoning, and insurance.

19. Can I sell my Cottage Food products to a restaurant, convenience store or grocery store?

No. The sale of Cottage Food products at wholesale or to a retail food establishment is prohibited.

20. Can I place my Cottage Food products in a store or restaurant on consignment?

No. The sale must be from the Cottage Food producer to the actual customer (person to person). You must be present to sell your food. Cottage Foods may not be sold with or associated with a regulated food business. The regulated Food Establishment will be subject to enforcement.

21. Can I operate as a caterer under the Cottage Food Law?

No. A retail permit is required for caterers.

22. Are beverages or other liquid foods Cottage Food products?

No. Cottage Food kitchens are not subject to inspection therefore the water used to make liquid foods cannot be verified as a potable water source.

23. Are canned fruits and vegetables Cottage Food products?

No. Only acidified canned plant-based foods are allowed. Acidified plant-based foods have a pH of 4.6 or less.

24. Are sugar free or reduced sugar jams/jellies Cottage Food products?

No. Jams / jellies that are made with sugar substitutes are not Cottage Foods.

25. Can I sell chocolate covered strawberries or caramel apples as a Cottage Food product?

Yes. Whole uncut fruit dipped in chocolate, or a sweet coating is allowed. Chocolate covered or candy-coated fruits cannot be punctured with any type of stick or other instrument used for holding the coated fruit. For example, caramel or candied apples must be sold intact and the consumer inserts the stick after the purchase.

26. Is there a penalty for violating the Mississippi Regulation of Cottage Food Operations?

Yes. Operations not following the regulation are considered illegal food establishments or manufacturers. Illegal operations are subject to enforcement to cease operations and a monetary fine up to \$1000.00.

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