

# Bringing Farm to Market:

What to know before selling your fresh produce.



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**Acronyms:** OAC – Oklahoma Administrative Code  
ODAFF – Oklahoma Department of  
Agriculture, Food and Forestry  
OSDH – Oklahoma State Department of Health

## Q What are the requirements for selling fresh fruits and vegetables at a farmers market?

**Answer:** There are no licensing requirements for farmers selling fresh, whole, uncut fruits and vegetables at a farmers market in Oklahoma.

**Answer:** If you are selling more than \$25,000 in annual produce, there are some rules.

**Highlights:** Selling more than \$25,000 in average annual produce sales requires registering your farm with the ODAFF Produce Safety Program

**Cost:** None

**Credentials:** ODAFF Produce Safety Program

**Link:** [bit.ly/ProduceSurvey](https://bit.ly/ProduceSurvey)



## Q Should I wash my produce?

**Answer:** Uncut produce is not required to be washed.

In many cases, it is recommended to not wash your produce to prevent decay and cross-contamination. Consumers and chefs are responsible for washing produce prior to use.

It is recommended a sign be placed at the point of sale to remind consumers to wash produce before eating.

**Answer:** You can, but there are some recommendations.

If you do wash your produce, use water from a city/district water supply or a well tested to have no generic E. coli.

Sanitizer in the water is not required, but it is recommended when washing with recirculated or batch water. The sanitizer must be labeled for use in washing fruits and vegetables and be used as is stated on the label. Water that has become visibly soiled needs to be replaced, as sanitizers are not effective in dirty water.

## Q Can I sell cut, sliced, diced, or shredded produce?

**Answer:** Yes, but there are a few requirements.

Once cut, fruits and vegetables fall into the category of processed food. This is only permitted at a location licensed and inspected by the Health Department or in a home following the Homemade Food Freedom Act. Therefore, cut/sliced/diced/shredded produce is not typically prepared at a farmers market, a temporary event, an unlicensed location or farm.

Cut produce is a time-or-temperature control for safety food and is required to be held under refrigeration. It also must be labeled according to state laws.



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## Q Can I offer samples of products or a food demonstration at farmers markets?

**Answer:** Yes, just follow a few simple rules.

**Documentation:** OSDH, Food Establishments (OAC 310:257)

**Highlights:** Hand sink or hand washing station must be conveniently located, sneeze guards must be present, temperature-controlled is mandatory if necessary for the type of food, and individual portion containers must be used.

**Cost:** None

**Credentials:** None, as long as food is not being sold in conjunction with the sample. If food is being sold, a food establishment license must be obtained.

**Link to fact sheet:** [bit.ly/FoodSampling](http://bit.ly/FoodSampling)

## Q Can I advertise that my products are organic?

**Answer:** To claim that your product is organic, you must be certified by the USDA Organic program.

The use of the word “organic” is regulated by federal law. ODAFF can certify your farm or products as certified USDA Organic. This will allow you to call your products “organic” and use the USDA Organic seal.

**Credentials:** Organic Certificate

**Link:** [bit.ly/OKOrganicProducts](http://bit.ly/OKOrganicProducts)



## Q Is coring, removing outside leaves, or creating hearts of lettuce heads allowed without a license?

**Answer:** Yes it is, with just a few rules.

Coring, removing outside leaves, and creating hearts of lettuce is allowed without a license when performed in a field, hoop house, or greenhouse as it is considered part of the harvesting process.

If the head of lettuce is harvested and then cored, trimmed, or cut in a separate facility, then it is a manufacturing process and requires licensing and inspection by the health department.

## Q Can I sell a salad mixture of assorted lettuce leaves without a license?

**Answer:** Yes, but there are some suggestions.

A farmer can sell a salad mixture if the harvested leaves are intact and not cut more than the harvesting cuts/trims.

If the salad mixture is made off the farm, sliced, shredded, or has added ingredients that are not leafy greens grown on your farm then you will need to make the food in a facility licensed and inspected by the health department or a home making foods under the Homemade Food Freedom Act. These foods would be Time- or -Temperature-Controlled-for-Safety foods and require refrigeration.



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## Q Can I sell mushrooms?

**Answer:** Yes, but with some food safety guidelines.

Raw mushrooms are considered fresh produce and follow the same rules as produce. They can be sold whole and uncut without any licensing.

If you are packaging mushrooms, do not package them in an airtight container. In an airtight container, there is a potential for botulinum toxin to develop. Don't wash them or they will begin to rot.

## Q Can I sell sprouts?

**Answer:** Yes, but you should understand they are a high risk food and may require training.

**Highlights:** You can sell sprouts, but be aware sprouts are one of the top causes of life threatening foodborne illnesses and you are taking on this liability risk by growing and selling them. Sprout farms must also register if selling more than \$25,000 a year in produce sales. Large farms must have training and will be inspected by FDA.

**Cost:** None

**Credentials:** ODAFF Produce Safety Program

**Link to Registration:** [bit.ly/ProduceSurvey](https://bit.ly/ProduceSurvey)

**Link to Training:** [bit.ly/SproutSafety](https://bit.ly/SproutSafety)



## Q Can I have a concession stand or serve dinner on my farm?

**Answer:** Yes. But you must have credentials if you are selling anything other than items that fall under the Homemade Food Freedom Act of 2021.

**Documentation:** OSDH, Food Establishments (OAC 310:257)

**Highlights:** Requirements for equipment and facility may vary depending on what food you want to sell or serve.

**Cost:** \$425 one-time plan review fee, \$425 credential fee, \$375 annual renewal fee

**Credentials:** Food Establishment License

**Link to Regulation:** [bit.ly/FoodEstLicense](https://bit.ly/FoodEstLicense)

**Link to Credential Information:** [bit.ly/OSHDFood](https://bit.ly/OSHDFood)

## Q Can I sell microgreens or wheatgrass?

**Answer:** Yes, but with some food safety guidelines.

Yes, microgreens and wheatgrass that is grown in a soil or substrate and harvested above the soil line are produce and not sprouts. You can sell the harvested leaves of microgreens, or it is also common for them to be sold unharvested in a tray growing in soil/substrate for the consumer to harvest them.

Unharvested microgreens should be transported and sold in a tray and not in a bag to prevent the water and soil from contaminating the leaves.

Microgreens are different from sprouts as they are harvested above the soil line typically after the emergence of "true" leaves. With sprouts, the entire product is eaten, including the root.





# Important Contacts

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Disclaimer: This document highlights only state guidelines. There are some cities and counties in Oklahoma that require additional health department credentials or have extended regulations concerning these subjects. Always check with your city/county health department before selling affected products. This document was approved as accurate on April 1, 2022, by the Oklahoma Department of Agriculture, Food and Forestry.