



## ***Broomfield Health and Human Services Department***

*Public Health & Environment Division*

*6 Garden Center*

*Broomfield, CO 80020*

*(720) 887-2220*

### **Dear Farmers' Market Coordinators and Vendors:**

Farmers' Markets have evolved over the years from venues for small vegetable and fruit producers to marketplaces that encompass much more than uncut fruit and vegetables. To ensure that vendors comply with the Colorado Retail Food Establishment Rules and Regulations (CO RFE Regulations), we ask that all vendors contact our office well in advance of the event. According to the CO RFE Regulations, Farmers' Markets are NOT considered temporary events. Therefore, vendors providing foods requiring a retail food establishment license will not be approved to operate with the minimal equipment typically found at temporary events and celebrations. The following is a summary of the requirements for vendors selling food products that require a mobile retail food establishment license.

#### **1. Exempt Foods**

The following foods are exempt from licensure at Farmers' Market sales sites:

- Whole uncut fruits and vegetables.
- Commercially pre-packaged non-Potentially Hazardous Foods (non-PHF) and beverages (without ice).
- Commercially pre-packaged ice cream and frozen yogurt novelties.
- Hot beverages.
- Popcorn, which is seasoned with salt, butter, or sugar (kettle corn).
- Dry non-PHF that must be cooked to be consumed and are portioned on-site (pasta, beans, dry spices, coffee beans and tea leaves, but not blended ingredients such as dry soup mixes).
- Samples prepared in a sanitary manner and with an approved hand washing facility. See Colorado State University Extension publication Farmers' Market Vendor Guide for Preparing and Offering Food Samples, available at: [http://www.ext.colostate.edu/safefood/farmmkt/food\\_sample.pdf](http://www.ext.colostate.edu/safefood/farmmkt/food_sample.pdf) and for additional information, [http://www.ext.colostate.edu/safefood/farmmkt/food\\_safety\\_vendors.pdf](http://www.ext.colostate.edu/safefood/farmmkt/food_safety_vendors.pdf)

#### **2. Food Made in an Approved Commercial Facility**

##### **Pre-packaged Foods:**

- A. Pre-packaged non-PHF are exempt from licensure at market sales sites (wrapped loaves of bread).
- B. Pre-packaged PHF must be stored in approved hot or cold holding units (Cambro, cooler) and require a \$115 (Mobile - pre-packaged) RFE license (frozen meats, whole pizza).

##### **Non-Pre-packaged Foods:**

- A. Non-pre-packaged foods dispensed on-site are subject to the same requirements as foods prepared on-site (unwrapped loaves of bread, candy apples, and candies) and require a \$255 (Mobile) RFE license.

### 3. Food Prepared On-site

- Food prepared or served from bulk on-site must be done from a licensed mobile unit (funnel cakes, burritos, tamales, ice cream cones, pizza slices) or a push cart (chocolate dipped fruits, hot dogs, hamburgers, shaved ice), which requires a \$255 (Mobile) RFE license.
- Food intended for off-premise consumption requires a \$115 (Mobile - pre-packaged) RFE license.
- Food intended for immediate consumption requires a \$255 (Mobile) RFE license.
- Food intended for both immediate and off-premise consumption requires a \$255 (Mobile) RFE license.

#### Notes:

1. All vendors must fill out a Farmers' Market application packet each year for each market. Once approved, vendors will receive an approval document from Broomfield Public Health & Environment that must be posted in their booth each week.
2. **Vendors will not be allowed to participate at the market without prior approval from Broomfield Public Health & Environment.**
3. Licenses issued by neighboring counties will be accepted, but a one-time application/inspection fee of \$100 is required along with the Farmers' Market application packet. If there is a change in menu or operation, a new evaluation will be required along with an additional \$100 application/inspection fee. Licenses issued by the City and County of Denver are not valid outside the City and County of Denver.
4. Mobile Retail Food Licenses issued by Broomfield Public Health & Environment are assessed a one-time \$100 application/inspection fee in addition to the State License fee below.

- \$115 for pre-packaged Mobile Retail Food License
- \$255 for Mobile Retail Food License

If a license is needed, please also include:

- Mobile Retail Food License application
- State License application
- Pages 4 and 5 of the Farmers' Market application

Applications can be found on our website at

[http://www.broomfield.org/hhs/Public\\_Health\\_Environment/phforms.shtml](http://www.broomfield.org/hhs/Public_Health_Environment/phforms.shtml)

5. Samples are exempt from licensing requirements. However, if samples are prepared on-site, minimum sanitation guidelines must be followed and must include an approved hand washing facility.
6. Bare hand contact with ready-to-eat foods will not be allowed. The use of gloves or dispensing utensils, such as tongs is required. All utensils and food-contact surfaces of equipment must be cleaned and sanitized at least every four hours, or whenever contamination occurs.
7. Any food cooked or stored at a private residence or unapproved establishment is prohibited.
8. If you are preparing food or scooping ice, you are required to have a licensed mobile unit.
9. All Retail Food Establishment Licenses expire December 31 of each year.
10. See Page 3 for a glossary of terms.

For more information, contact the Broomfield Public Health & Environment Division office:

**Broomfield Public Health & Environment Division**  
**6 Garden Center**  
**Broomfield, CO 80020**  
**720-887-2220**

## Farmers Market Guide Glossary of Terms

**Approved Facility:** see "Commissary."

**Approved Hot and Cold Holding Units:** equipment used to maintain PHF at required temperatures, or non-PHF for quality purposes, constructed of smooth, durable, and easily cleanable materials. Examples: ice chests, mechanical refrigeration.

**Commissary:** a commercial kitchen, restaurant, or other approved place in which food, containers, or supplies are kept, handled, prepared, packaged, or stored.

**Farmers' Market:** one or more vendors offering only uncut fruits and vegetables. Farmers' Markets are not retail food establishments. This also includes roadside markets.

**Immediate Consumption:** foods intended to be consumed immediately at the location where served. Examples: hot dogs, pizza by the slice.

**Mobile Unit:** a retail food establishment that reports to and operates from a commissary and is readily moveable is a motorized wheeled vehicle, or a towed wheeled vehicle designed and equipped to serve food. A mobile unit contains a hand washing sink supplied with hot and cold running water, soap, and toweling. The menu of a mobile unit is limited by the equipment installed within it (mechanical refrigeration, steam tables, grills, deep fryers, etc.) See Chapter 9 of the [Colorado Retail Food Establishment Rules & Regulations](#).

**Non-Potentially Hazardous Food (non-PHF):** a food that does not require temperature control because it does not support the growth of disease causing organisms. Examples: acidic foods with a pH of 4.6 or less, such as ketchup; dry foods with a water activity of 0.85 or less, such as jerky, cookies, or fruit pies; commercially canned foods, and frozen foods.

**Off-Premise Consumption:** foods intended to be consumed at a location other than where served after additional preparation. Examples: loaf of bread, frozen meats, frozen pizza.

**Pastries:** a sweet food baked in individual portions made of crust or dough.

**Potentially Hazardous Food (PHF):** a food that requires temperature control (41 °F or less, or 135°F or above) because it is capable of supporting the growth of disease causing organisms. Examples: meats, cheeses, cooked vegetables.

**Pre-Packaged Foods:** foods that are packed, wrapped, boxed, or otherwise sealed into a container at an approved facility.

**Push Cart:** a non-self-propelled vehicle limited to serving commissary-prepared or pre-packaged food and non-potentially hazardous food unless the equipment is commercially designed and approved to handle food preparation and service. The menu of a push cart is limited to foods requiring minimal on-site preparation (hot dogs, hamburgers). A barbeque grill may be operated in conjunction with a push cart.

**Retail Food Establishment (RFE):** a retail operation that stores, prepares, or packages food for human consumption. A RFE may be located in a fixed structure with water and sewer service, a mobile unit, a push cart or, if in conjunction with an event or celebration, a temporary RFE.

**Temporary Retail Food Establishment:** means a food establishment that operates at a fixed location for a period of time of not more than fourteen (14) consecutive days in conjunction with a single event or celebration. Examples: Broomfield Days, Fourth of July Celebration, etc. See Chapter 10 of the [Colorado Retail Food Establishment Rules & Regulations](#).