

State Requirements by Market for Products of Non-Animal Origin

APPLE CIDER (High-Risk Product) Type of Sale	Regulations
Producer selling from farm	License may be required from LHD* Cider must be pressed by the producer/seller Cider must be fully labeled including approved warning statement if not pasteurized or treated to obtain a 5-log pathogen reduction (410 IAC 7-24-152) Recommend following <i>Guide to Producing Safe Cider</i>
Producer selling door-to-door or at Farmers Market	License required from LHD Farmers Market vendor may be licensed by LHD Cider must be pressed and bottled by the producer/seller Cider must be fully labeled including approved warning statement if not pasteurized or treated to obtain a 5-log pathogen reduction (410 IAC 7-24-152) Recommend following <i>Guide to Producing Safe Cider</i>
Producer distributing from farm to grocery store, restaurant or institution	Finished product must come from a registered food processor (410 IAC 7-21) Cider must be fully labeled Must comply with juice HACCP 21 CFR 120
BAKERY ITEMS (non-potentially hazardous) Type of Sale	Regulations
Producer selling from farm, roadside stand or at Farmers Market	No license or permit required but must comply with HEA 1309 (IC 16-42-5-29), which includes specific labeling requirements Farmers Market vendor may be licensed by LHD Recommend <i>Guidance for Uniform Use of House Enrolled Act 1309</i> for complete explanation
Producers selling door-to-door or at community event	Finished product must come from a licensed retail food establishment (410 IAC 7-24) or a food processing plant (IC 16-42-5) Mobile retail food establishment license may be required for door-to-door Finished product must be fully labeled
Producer distributing from farm to grocery store, restaurant or institution	Finished product must come from a licensed retail food establishment (410 IAC 7-24) or a wholesale registered food processor (410 IAC 7-21) Food-handler certification may be required depending on food product/preparation (410 IAC 7-22) Finished product must be fully labeled
BAKERY ITEMS (potentially hazardous) Type of Sale	Regulations
Producer selling from farm	Finished product must come from a licensed retail food establishment (410 IAC 7-24) Food Handler Certification required (410 IAC 7-22) Finished product must be fully labeled
Producer selling door-to-door or at Farmers Market	Finished product must come from a licensed retail food establishment (410 IAC 7-24) Farmers Market vendors may be licensed by LHD Food Handler Certification required (410 IAC 7-22) Finished product must be fully labeled
Producer distributing from farm to grocery store, restaurant or	Finished product must come from a licensed retail food establishment (410 IAC 7-24) or a wholesale registered food processor (410 IAC 7-21)

State Requirements by Market for Products of Non-Animal Origin

institution	Food Handler Certification required (410 IAC 7-22) Finished product must be fully labeled
CANNED FOOD PRODUCTS (low acid) Type of Sale	Regulations
Producer selling from farm, door-to-door or at Farmers Market	Retail food establishment license required Must be processed in commercial kitchen meeting the requirements of 410 IAC 7-24. COMMENT: Low-acid food products, which include canned foods such as beans, corn, peas, etc., have more stringent regulations. It is difficult for small-scale producers to accomplish the required processing temperatures, attend a Better Processing School, have a processing authority and maintain extensive records Finished product must be fully labeled
Producer distributing from farm to grocery store, restaurant or institution	Finished product must come from a licensed retail food establishment (410 IAC 7-24) or a wholesale registered food processor (410 IAC 7-21). It is difficult for small-scale producers for the same reasons as stated above (Producer selling from farm, door-to-door or at Farmers Market) Finished product must be fully labeled
Dry Food Mixes and Blends Type of Sale	Regulations
Producer selling from farm, roadside stand or at Farmers Market	No license or permit required but must comply with HEA 1309 (IC 16-42-5-29), which includes specific labeling requirements Farmers Market vendor may be licensed by LHD Refer to <i>Guidance for Uniform Use of House Enrolled Act 1309</i> for complete explanation
Producer selling door-to-door or at community event	Finished product must come from a licensed retail food establishment (410 IAC 7-24) or a food processing plant (IC 16-42-5) Food-handler certification may be required (410 IAC 7-22) Mobile retail food establishment license may be required for door-to-door Finished product must be fully labeled
Producer distributing from farm to grocery store, restaurant or institution	Finished product must come from a licensed retail food establishment (410 IAC 7-24) or a wholesale registered food processor (410 IAC 7-21) Food-handler certification may be required depending on food product/preparation (410 IAC 7-22) Finished product must be fully labeled
FRUIT - Cut Type of Sale	Regulations
Producer selling from farm	Retail food establishment license required (410 IAC 7-24) Must be processed in commercial kitchen
Producer selling door-to-door or at Farmers Market	Finished product must come from a licensed retail food establishment (410 IAC 7-24) or food processing plant (IC-42-5) Food-handler certification may be required depending on type of fruit (410 IAC 7-22) Recommend following <i>Guidance for Industry: Guide to Minimize Microbial Food Safety Hazards of Fresh-cut Fruits and Vegetables</i>
Producer distributing from farm to grocery store, restaurant or institution	Finished product must come from a licensed retail food establishment (410 IAC 7-24) or a wholesale registered food processor (410 IAC 7-21) Food-handler certification required (410 IAC 7-22) Finished product must be fully labeled Recommend following <i>Guidance for Industry: Guide to Minimize Microbial Food Safety Hazards of Fresh-cut Fruits and Vegetables</i>

State Requirements by Market for Products of Non-Animal Origin

FRUIT - Frozen Type of Sale	Regulations
Producer selling from farm	Retail food establishment license required (410 IAC 7-24) Must be processed in commercial kitchen
Producer selling door-to-door or at Farmers Market	Finished product must come from a licensed retail food establishment (410 IAC 7-24) or a food processing plant (IC 16-42-5) Mobile retail food establishment license may be required for door-to-door Food-handler certification required (410 IAC 7-22) Finished product must be fully labeled
Producer distributing from farm to grocery Store, restaurant or institution	Finished product must come from a licensed retail food establishment (410 IAC 7-24) or a wholesale registered food processor (410 IAC 7-21) Food-handler certification required (410 IAC 7-22) Finished product must be fully labeled
FRUIT - Raw Type of Sale	Regulations
Producer selling from farm	No license required but should use FDA/USDA Good Agricultural Practices (GAP) Should meet recommendation in <i>Guidance on Whole Uncut Fresh Produce Storage and Distribution</i>
Producer selling door-to-door or at Farmers Market	No license required but should use GAP Should meet recommendation in <i>Guidance on Whole Uncut Fresh Produce Storage and Distribution</i>
Producer distributing from farm to grocery store, restaurant or institution	Wholesale Registration and certificate of GAP (FDA/USDA Good Agricultural Practices) or equivalent training required. Should meet recommendation in <i>Guidance on Whole Uncut Fresh Produce Storage and Distribution</i>
HERBAL AND FLAVORED VINEGAR Type of Sale	Regulations
Producer selling from farm, roadside stand or at Farmers Market	No license or permit required but must comply with HEA 1309 (IC 16-42-5-29), which includes specific labeling requirements Farmers Market vendor may be licensed by LHD Recommend <i>Guidance for Uniform Use of House Enrolled Act 1309</i> for complete explanation
Producer selling door-to-door or at community event	Finished product must come from a licensed retail food establishment (410 IAC 7-24) or a food processing plant (IC 16-42-5) Food-handler certification may be required (410 IAC 7-22) Mobile retail food establishment license may be required for door-to-door Finished product must be fully labeled
Producer distributing from farm to grocery store, restaurant or institution	Finished product must come from a licensed retail food establishment (410 IAC 7-24) or a wholesale registered food establishment (410 IAC 7-21) Food-handler certification may be required depending on food product/preparation (410 IAC 7-22) Finished product must be fully labeled
HONEY, MAPLE SYRUP, SORGHUM Type of Sale	Regulations
Producer selling from farm, roadside stand or at Farmers Market	No license or permit required but must comply with HEA 1309 (IC 16-42-5-29), which includes specific labeling requirements

State Requirements by Market for Products of Non-Animal Origin

	Farmers Market vendor may be licensed by LHD Recommend <i>Guidance for Uniform Use of House Enrolled Act 1309</i> for complete explanation
Producer selling door-to-door	Honey, maple syrup, and sorghum are considered low-risk foods Must meet requirements of <i>Guidance on Honey, Maple Syrup or Sorghum Production</i> , which are based on IC 16-42-5; does not apply to products made from honey, maple syrup, or sorghum Mobile retail food establishment license may be required for door-to-door Finished product must be fully labeled
Producer distributing from farm to grocery store, restaurant or institution	Must meet requirements of IC 16-42-5 and 410 IAC 7-21, <i>Wholesale Food Establishment Sanitation Requirement</i> Finished product must be fully labeled
JAMS AND JELLIES (traditional) Type of Sale	Regulations
Producer selling from farm, roadside stand or at Farmers Market	No license or permit required but must comply with HEA 1309 (IC 16-42-5-29), which includes specific labeling requirements Farmers Market vendor may be licensed by LHD Recommend <i>Guidance for Uniform Use of House Enrolled Act 1309</i> for complete explanation
Producer selling door-to-door or at community event	Finished product must come from a licensed retail food establishment (410 IAC 7-24) or a food processing plant (IC 16-42-5) Food-handler certification may be required (410 IAC 7-22) Mobile retail food establishment license may be required for door-to-door Finished product must be fully labeled
Producer distributing from farm to grocery store, restaurant or institution	Must meet requirements of IC 16-42-5 and 410 IAC 7-21, <i>Wholesale Food Establishment Sanitation Requirement</i> Finished product must be fully labeled
VEGETABLES - Raw Type of Sale	Regulations
Producer selling from farm	No license required but should use FDA/USDA GAP
Producer selling door-to-door or at Farmers Market	No license required but should use FDA/USDA GAP
Producer distributing from farm to grocery store, restaurant or institution	Wholesale Registration and certificate of GAP (FDA/USDA Good Agricultural Practices) or equivalent training required.
VEGETABLES - Cut Type of Sale	Regulations
Producer selling from farm	Retail food establishment license required (410 IAC 7-24) Must be processed in commercial kitchen
Producer selling door-to-door or at Farmers Market	Finished product must come from a licensed retail food establishment (410 IAC 7-24) or food processing plant (IC-42-5) Food-handler certification may be required (410 IAC 7-22) Mobile retail food establishment license may be required for door-to-door Recommend following <i>Guidance for Industry: Guide to Minimize Microbial Food Safety Hazards of Fresh-cut Fruits and Vegetables</i>
Producer distributing from farm to grocery store, restaurant or	Finished product must come from a licensed retail food establishment (410 IAC 7-24) or a wholesale registered food processor (410 IAC 7-21)

State Requirements by Market for Products of Non-Animal Origin

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VEGETABLES - Frozen Type of Sale	Regulations
Producer selling from farm	Retail food establishment license required (410 IAC 7-24) Must be processed in commercial kitchen
Producer selling door-to-door or at Farmers Market	Finished product must come from a licensed retail food establishment (410 IAC 7-24) or a food processing plant (IC 16-42-5) Mobile retail food establishment license may be required for door-to-door Food-handler certification may be required (410 IAC 7-22) Finished product must be fully labeled
Producer distributing from farm to grocery store, restaurant or institution	Finished product must come from a licensed retail food establishment (410 IAC 7-24) or a wholesale registered food processor (410 IAC 7-21) Food-handler certification required (410 IAC 7-22) Finished product must be fully labeled
VEGETABLES - Pickled (acidified) Type of Sale	Regulations
General note	Acidified foods means low-acid foods to which acid(s) or acid food(s) are added. These products 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 a finished equilibrium pH of 4.6 or below. These foods may be called, or may purport to be, "pickles" or "pickled." If these products are sold under refrigeration, they are exempt from the acidified food regulations.
Producer selling from farm, door-to-door, at Farmers Market or community event	Retail food establishment license required (410 IAC 7-24-143) Must be processed in commercial kitchen, successfully complete a Better Processing Control School, utilize a scheduled recipe approved by a process authority or from a standard Ball or similar book May be inspected by FDA** and must meet 21 CFR 108.25 and part 114 Mobile retail food establishment license may be required for door-to-door Finished product must be fully labeled
Producer distributing from farm to grocery store, restaurant or institution	Finished product must be processed in a wholesale registered food facility (410 IAC 7-21). FDA may conduct the inspections and must meet 21 CFR 108.25 and part 114 Finished product must be fully labeled
FERMENTED FOODS Type of Sale	Regulations
General note	Fermented foods , such as some kinds of vegetables (sauerkraut, cucumber pickles, and green olives, etc.), are low-acid foods subjected to the action of acid-producing microorganisms to reduce the pH of the food to 4.6 or below. Products usually do not require refrigeration for safety.

State Requirements by Market for Products of Non-Animal Origin

<p>Producer selling from farm, roadside stand or at Farmers Market</p>	<p>No license or permit required but must comply with HEA 1309 (IC 16-42-5-29), which includes specific labeling requirements Farmers Market vendor may be licensed by LHD Recommend <i>Guidance for Uniform Use of House Enrolled Act 1309</i> for complete explanation</p>
<p>Producer selling door-to-door or at community event</p>	<p>Finished product must come from a licensed retail food establishment (410 IAC 7-24) or a food processing plant (IC 16-42-5) Food-handler certification may be required (410 IAC 7-22) Mobile retail food establishment license may be required for door-to-door Finished product must be fully labeled</p>
<p>Producer distributing from farm to grocery store, restaurant or institution</p>	<p>Finished product must be processed in a wholesale registered food facility (410 IAC 7-21). Finished product must be fully labeled</p>

Authority is given to the Local Health Departments (LHD) by law for enforcement of State regulations and local ordinances. A list of Indiana Code (IC) and Indiana Administrative Rules (IAC) is available at www.foods.isdh.in.gov. Also See IC 16-42-5-29, and *Guidance on Indiana Farmers' Markets Inspection Requirements*, sent to LHDs on May 17, 2010, by Scott Gilliam, Director, ISDH Food Protection Program. Farmers Markets should be inspected by LHDs but may not be in all locales.

*LHD - Local Health Department

**GAP - Good Agricultural Practices

***FDA – U.S. Food and Drug Administration