



A Quick Look: Licenses for Selling Farm Food Direct to Consumers

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We receive many questions from farm food entrepreneurs about when a license is necessary for selling meat, eggs, produce, baked goods, and similar foods directly to a consumer. This chart offers guidance for quick answers to food license questions, organized by food product. For more details, refer also to our law bulletin, *Selling Farm-Based Foods at the Farm: Do You Need a License?* and other food law bulletins in the law library on farmoffice.osu.edu. Note that situations can vary, so review and confirm your specifics with the Ohio Department of Agriculture (ODA) and your local health department.

Selling frozen meat in individual portions. You may sell cuts of beef, pork, and other livestock if the meat is processed and labeled by a meat processor that meets federal regulations and is "fully inspected" by ODA.

- The meat must display the inspection symbol on the package along with an ODA approved label. The processor can use its approved label unless you want to make special marketing claims about the product, such as "certified angus." In that case, the processor will need to submit your special label to ODA for approval.
- You don't need a license to deliver frozen meat directly from the processor to a customer.
- If you bring the frozen meat back to the farm for storage and direct sales at the farm, ODA requires you to obtain a "warehouse license" from ODA. The license involves an inspection of the storage area, which must be clean, free of pests, and separate from the house in a barn or garage. Note that ODA waived this license requirement during COVID emergencies.
- You might also need a Retail Food Establishment license from your county health department, so check in with the county. You'll definitely need an RFE license to sell the meat at a farmer's market or from a transported freezer, both of which require proper temperature control. Once you obtain the RFE license, you may use the same license to sell the meat in any Ohio county.

Selling animals for custom operator processing. You don't need a license to sell a whole, half, or quarter of an animal (but no less than a quarter) to a customer who will have it processed by a custom operator. The law allows you to deliver the animal to the processor and deliver frozen meat from the processor to the customer. You cannot bring any individual portions back to the farm for sales to other customers who did not purchase all or part of the animal.

Selling chickens processed at the farm. Growers may be surprised to learn that no license is required to process and sell up to 1,000 birds per year at the farm where the birds are raised. But if a grower sells the birds along with other food items such as produce, then the grower must register as a farm market and be inspected by ODA.

Selling eggs. A grower does not need a license to sell eggs produced at the farm where sold, as long as the grower has 500 or fewer birds. But if a grower wants to sell eggs through a farmer's market or sells other low risk foods along with eggs, either a Farm Market registration and inspection from ODA or a Retail Food Establishment license from the county health department is necessary.

Selling produce. Selling only fresh, unprocessed produce does not require any licensing. However, if selling other low risk foods along with produce, a grower must either register as a farm market through ODA or obtain a Retail Food Establishment license from the county health department.

Selling multiple food items. Regulation increases when a grower offers multiple types of food items for sale. If those items are "low risk," the grower must register as a farm market with ODA, which involves a site inspection. If higher risk foods are involved, such as meat, eggs from offsite or from more than 500 birds, or dressed poultry from offsite or from more than 1,000 birds, the grower must obtain a Retail Food Establishment license from the county health department.

Selling cottage foods and home bakery goods. Many home-prepared packaged foods such as cookies, breads, jams, granola, snack mixes and more fall under Ohio's cottage food law and require no licensing, but there are labeling requirements. Refrigerated baked goods require a home bakery license and also have labeling requirements. For more information, see our law bulletins, *Ohio's Cottage Food Law* and *Ohio's Home Bakery License: What's Required?* in the law library on farmoffice.osu.edu.

Where to find more information

- License and registration information from the Ohio Department of Agriculture is available on its website, <https://agri.ohio.gov>. Check the Food Safety Division and the Meat Inspection Division for additional information and FAQs.
- A list of federally inspected meat processors is available through an interactive county map at <https://agri.ohio.gov/divisions/meat-inspection/meat-district-coverage-map/>
- The warehouse registration is at <https://agri.ohio.gov/divisions/food-safety/licenses/Registration>
- The farm market registration is at <https://agri.ohio.gov/divisions/food-safety/forms/farm-market-registration-form>
- The home bakery registration is at <https://agri.ohio.gov/divisions/food-safety/licenses/Home-Bakery-Registration>
- Locate your local health department with this search tool from the Ohio Department of Health: <https://odh.ohio.gov/wps/portal/gov/odh/find-local-health-districts/find-local-health-districts>
- OSU's food law bulletins are available on <http://farmoffice.osu.edu/our-library/foodlaw>.