

**Farmers’ Market/Temporary Food Vendor Approval Process and Guidelines**

**If you serve food to the public, you are required by NJ state law to have an approval from the local health authority prior to operating. It does not matter if the food is sold or given away. You must have an approval.**

**Step 1 – Farmers’ Market/Temporary Event Coordinator Applies**

Farmers’ Market & Temporary Event venues selling food products in Sussex County must apply to the Sussex County Department of Environmental and Public Health Services (SCDE&PHS) for approval. Farmers’ Market/Temporary Event venues typically have a coordinator or an event organizer who have control over the vendors that participate in the market or event. This department requires that the coordinator or event organizer provide the SCDEPHS with a completed application and a current list of food vendors participating in the market/event **at least 21 days** prior to the start of the event. Additional vendors may be added up to **7 days** prior to the event. No additional vendors will be permitted thereafter.

Application is available on-line @ [www.sussex.nj.us](http://www.sussex.nj.us). Go to form center and proceed to Department of Environmental and Public Health Services - Application: Farmers’ Market/ Temporary Event Coordinator and Farmers’ Market /Temporary Event Food Vendor List

**Step 2 – Vendor Applies**

Each food vendor must submit an application for review and approval to the SCDE&PHS with the appropriate fee (see below). To apply for approval, the food vendor must be invited by the coordinator to operate at the market/event and must be on the coordinator application list. Applications from unapproved vendors will be returned. This department will review and approve or deny the proposed food vendor application. The farmers’ market coordinator or event organizer will be notified of approvals and denials.

Application is available on-line @ [www.sussex.nj.us](http://www.sussex.nj.us) Go to form center and proceed to SCDEPHS Farmers’ Market/ Temporary Retail Food Vendor Application

**Vendor Categories – annual fees**

**Exempt.....No application or fee required**  
*Whole uncut, fruits and vegetables except bean sprouts, pure honey (not infused), and maple syrup.*

**Category 1.....Application required and \$25 fee**  
*Food that is commercially prepared and packaged, sealed, is not potentially hazardous and does not require preparation or temperature control.*  
*Food requires minimal preparation and handling. Examples include: kettle corn, cotton candy, dippin dots, roasted nuts, candy apples, popcorn, beef jerky, shaved ice, baked goods –made in a licensed and inspected commercial kitchen*

**Category 2 .....Application required and \$50 fee**  
*Food requires temperature control and/or minimal preparation. Examples include: hot dogs, canned chili, canned soup, frozen meats, jam, jelly, hamburgers, hot dogs*  
*Food is cooked from raw or requires advance preparation (risk type 3) in an approved kitchen.*

**No complex preparation of food is permitted at the event.**  
*Examples include: fresh salsas, chili, chicken salad, cole slaw*

**Risk type 3 food facilities are required to have at least one person in charge to be a Certified Food Manager. Certificate must be provided.**

**"Risk type 3 food establishment"** means any retail food establishment that is handling raw ingredients and preparing foods in advance which involve cooking, cooling and reheating of at least three or more potentially hazardous food or serve potentially hazardous food to a highly susceptible population.

**All food vendors must operate out of a Base of Operation that is a licensed and an inspected food establishment** (Page 5 of application).

Farmers' Market vendors must meet the minimum food safety requirements for product sales as described in the Farmers Market document found on the website and must comply to N.J.A.C. Chapter 24, *"Sanitation in Retail Food Establishments and Food and Beverage Vending Machines"*.

Food Vendor Application approval is valid for one calendar year (January to December). List all vending locations/event information and the months/days/times you intend to serve food. If you want to add a location, event or make any other changes to your initial application you must submit an **amendment/renewal form** for the changes or added information. Any changes in your operation must be reported to the health department immediately.

If your operation remains the same year to year (Set-up, Menu, and Base of Operation) you may simply submit an **amendment/renewal form** after the initial application with the annual fee.

**Step 3 – Obtain food license from Municipality**

Each temporary food vendor or the farmers' market as a whole may require a food license from the municipality in which it operates. Check with the municipality in which the market or temporary food event will be located for licensing and licensing fees.

**Step 4 – Vendors must be set up to vend at least 30 minutes before event time.**

**IMPORTANT:**

**All sections of the application must be completed. If application is incomplete and additional information must be submitted another review fee must be submitted.**

**Only vendors with current Sussex County Department of Environmental & Public Health Services approval will be permitted to operate. If a vendor is operating without current approval from this department, the vendor will be asked to leave.**

**Food vendors who lack the required equipment, who attempt to vend unsafe foods, who vend a menu they were not pre-approved for, or vend foods from an unapproved source will be required to leave and fines may be imposed.**