FARMERS MARKET PRODUCT LICENSING REQUIREMENTS

MICHIGAN FARMERS MARKET ASSOCIATION
www.mifma.org

Whatever role you serve at your farmers market, we know that you are not only dedicated to ensuring shoppers have access to delicious, locally grown food and other high-quality products, but that shoppers and the products they purchase are safe. Knowing which vendors need to be licensed is an important step you can take to help ensure the safety of the products sold at your market. Licensing requirements for your vendors can depend on the product being sold, how the product is prepared, and gross annual sales. Use the diagram below to determine the general licensing requirements for vendors selling products at the farmers market.

Food that is given away for free, such as samples from vendors or cooking demonstrations, may have different licensing requirements and should always follow the Guidelines for Providing Safe Food Samples at the Farmers Market.

For a comprehensive review of all requirements, review the resources linked in the Other Considerations & Resources tab. Note that in specific instances, other license types may be allowable for some products. You should always consult with and follow the guidance of your area's MDARD inspector on variations from the information provided here.

PRODUCT TYPE	REQUIRED LICENSE	WHO REGULATES?	OTHER CONSIDERATIONS & RESOURCES
Whole, Unprocessed Fruits & Vegetables	None; License exempt under the Michigan Food Law	MDARD Bureau of Food Safety and Animal Health	MDARD Licensing Exemptions
Cottage Foods[1]	None; License exempt under the Michigan Cottage Food Law	MDARD Bureau of Food Safety and Animal Health	Vendors must comply with labeling and other requirements. Other Cottage Food resources: • How to Check a Cottage Food Label • Cottage Food Basics for Farmers Market Vendors • Cottage Food Labels: What You Need to Know • MDARD Cottage Food Information
Value-Added Products Not Eligible Under Cottage Food Law (salsa, pickled products, dairy products, etc.)	Retail Food Establishment	MDARD Bureau of Food Safety and Animal Health	Food Establishment Licensing Details, FAQ, and Step-by-Step Guide Food Establishment License Applications
Pure Honey & Maple Syrup	Producers with gross annual sales of less than $15,001: None; license exempt under the Michigan Food Law	MDARD Bureau of Food Safety and Animal Health	Products must be of the seller's own production. Vendors must comply with labeling and other requirements.
	Producers with gross annual sales of more than $15,001: Limited Wholesale Food Processor	MDARD Bureau of Food Safety and Animal Health	Food Establishment Licensing Details, FAQ, and Step-by-Step Guide

[1] Under the Michigan Cottage Food Law, non-potentially hazardous foods that do not require time and/or temperature control for safety can be produced in a home kitchen for direct sales to consumers

PRODUCT TYPE	REQUIRED LICENSE	WHO REGULATES?	OTHER CONSIDERATIONS & RESOURCES
Eggs	Producers with less than 3,000 hens: A license is not required if the producer meets the requirements detailed here	MDARD Bureau of Food Safety and Animal Health	Producers must be selling eggs of their own production direct-to-consumer. Vendors must comply with labeling and other requirements.
	Producers with more than 3,000 hens: Retail Food Establishment License	MDARD Bureau of Food Safety and Animal Health	Food Establishment Licensing Details, FAQ, and Step-by-Step Guide
Wild Foraged Mushrooms	Wild Mushroom Expert Certification[2]	MDARD Bureau of Food Safety and Animal Health	Wild Foraged Mushroom Information
Beef, Pork, and Lamb	Retail Food Establishment License	MDARD Bureau of Food Safety and Animal Health	Meat must be processed in a facility licensed by the USDA. If the seller did not produce the animal, they must have a Food Establishment License. Vendors must comply with labeling and other requirements.
Poultry	Retail Food Establishment License	MDARD Bureau of Food Safety and Animal Health	If the producer is slaughtering and selling more than 20,000 poultry per year, the meat must be processed in a facility licensed by the USDA. If they are slaughtering and selling less than 20,000 poultry per year, they may process the meat in a facility licensed by MDARD, but must process the meat of their own production themself. If the seller did not produce the animal, they must have a Food Establishment License. Vendors must comply with labeling and other requirements.
Fish	Commercial Fishing License or Aquaculture Facility Registration	Michigan Department of Natural Resources, MDARD Bureau of Food Safety and Animal Health	Aquaculture Facility Licensing FAQ Vendors must comply with labeling and other requirements. This could also require an MDARD license depending on how the fish is sold. Contact your local MDARD inspector for more information.
Foods Prepared at the Market	Special Transitory Food Unit or Temporary Food Service Establishment License	Local/County Health Department	Local Health Department Map
Annual Plants, Cut Flowers, & Christmas Greens	None	MDARD Bureau of Environment and Sustainability	Nursery Stock Licensing FAQ
Nursery Stock or Perennial Plants[3]	Nursery Stock License	MDARD Bureau of Environment and Sustainability	License type depends on if the seller is growing the stock themselves, or reselling.

[2] Certification courses are offered by the Midwest American Mycological Information (MAMI) organization

[3] Nursery Stock includes trees, shrubs, perennials, mums, fruit trees, berry plants, rose bushes, vines, herbs, and bulbs that are capable of surviving the winter when planted outdoors

PRODUCT TYPE	REQUIRED LICENSE	WHO REGULATES?	OTHER CONSIDERATIONS & RESOURCES
Dog Treats & Pet Feed	Commercial Feed License	MDARD Bureau of Food Safety and Animal Health	Vendors must comply with labeling and other requirements.
Wine, Mead & Hard Cider	Michigan Liquor Control Commission Special Permit	Licensing and Regulatory Affairs	Wineries must produce less than 5,000 gallons per year. Other wine resources: • Wine Sales at Michigan Farmers Markets
Hulled Hemp Seeds and Hemp Seed Products	None	MDARD Bureau of Food Safety and Animal Health	Hulled hemp seeds sold individually do not require a license, however, adding hemp seeds to other products may require additional licensing depending on the product. Consult this chart and/or your area's MDARD inspector to determine the appropriate license for those products.

PRODUCTS PROHIBITED FROM SALE AT FARMERS MARKETS

- Live Poultry
- Smokable Marijuana Flower
- CBD Edibles
- Marijuana Edibles
- CBD Pet Treats
- Growable Marijuana Seeds, Starts, and Plants
- Viable Hemp Seeds, Starts, and Plants
- Tobacco Products
- Beer and Spirits
- Raw Milk
- Home Prepared Food, other than Cottage Food

WHO SHOULD I CONTACT WITH QUESTIONS?

MDARD Bureau of Food Safety and Animal Health
Email: MDA-Info@michigan.gov
Phone: (800) 292-3939
Website: michigan.gov/farmersmarkets

DNR Fisheries Division
Email: DNR-Fisheries@Michigan.gov
Phone: (517) 284-5830
Website: https://www.michigan.gov/dnr/managing-resources/fisheries

MDARD Bureau of Environment and Sustainability
Email: MDA-Info@michigan.gov
Phone: (800) 292-3939
Website: https://www.michigan.gov/mdard/plant-pest

Licensing and Regulatory Affairs Michigan Liquor Control Commission
Email: LARA-MLCC-Licensing-Information@michigan.gov
Phone: (800) 701-0513
Website: michigan.gov/lara/bureau-list/lcc

Cannabis Regulatory Agency
Email: CRA-Hemp@michigan.gov
Phone: (517) 284-0815
Website: michigan.gov/HempProcessing

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