



## **Processing and Selling Value Added Food Products in Maryland**

All products sold in Maryland must at a minimum be labeled with the name and address of the producer or distributor, a quantity statement (count, fluid measurement or net weight depending on the product), the identity of the product, the ingredients listed from greatest to least. The requirements listed only address food safety requirements and licenses. Local and state zoning, waste disposal and other laws may apply. Instead of obtaining the license(s) to process the value added products, a farmer can have them processed at a licensed facility and returned to the farm for sales.

### **Primary Contacts:**

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**On Farm Home Processing License:** License issued by MD Department of Health and Mental Hygiene (DHMH). Must be a farmer and sales must be less than \$40,000.00 annually. Allows the processing of some products in a home kitchen. Cost - \$30.00

**Processing License:** License issued by MD Department of Health and Mental Hygiene to persons processing food. Must meet commercial requirements. Cost \$400.00

**Process Authority:** A person(s) who has expert knowledge of thermal processing requirements for low-acid foods packaged in hermetically-sealed containers or has expert knowledge in the acidification and processing of acidified foods. This person(s) evaluation of a scheduled process must be approved by FDA or USDA depending on the food. Private Sector - fees vary.

**Scheduled process:** The process selected by the processor as adequate under the conditions of manufacture for a given product to achieve commercial sterility and/or maintaining a food that will not permit the growth of microorganisms having public health significance.

**Producer Mobile Farmer's Market License:** Issued annually by MD Department of Health and Mental Hygiene and covers sales at any farmers markets within Maryland. Required for all products covered by the "On Farm Home Processing License" and meat and poultry certified by Maryland Department of Agriculture. Not required for eggs, non processed fresh fruits and vegetables, non potentially hazardous baked goods and non potentially hazardous jams/jellies. Cost: \$100.00 Producers can obtain a license for each farmer's market from the local health department where the market is located in lieu of the Mobile Farmer's Market License.

**Seasonal Farmer's Market Producer Sampling License:** Annual license intended for farmers that serve only foods that are prepared and offered as samples by a producer of a farm product at a farmer's

market or a public event, such as: (i) Farm products as specified in §B(30)(a) of regulation COMAR 10.15.03; or (ii) Farm products that have been inspected, licensed, or certified for food safety by the Maryland Department of Agriculture. Cost: Contact your local county health department to see if this license is offered.

**Organic Certification:** Certification by a USDA National Organic Program accredited certifier required if over \$5,000 in annual sales of organic products. MDA is an accredited certifier – annual fee is \$500.00. MDA offers a registered exempt license for under \$5,000 in annual sales for \$30.00.

**Poultry and Rabbit Processing Certification:** MDA certification or voluntary USDA inspection required for USDA exempt producers to sell product intrastate other than directly to consumers on the farm. Annual renewal by MDA. Cost: \$75.00.

Product	Licenses Required	Basic Requirements
<p><b>Baked Goods</b> - with potentially hazardous toppings or fillings. Toppings, glazes, icings or fillings that must be refrigerated such as custard based, filled or topped with cream, cheese, etc.</p>	<p>Processing license from DHMH.</p>	<p>Potable water, approved sewage disposal system, commercial kitchen and refrigeration. Plan Review.</p>
<p><b>Baked Goods</b> - without potentially hazardous toppings or fillings. Pies, turnovers, fruit tarts from fruits such as apples, apricots, blackberries, boysenberries, cherries, peaches, strawberries, etc. No cream, cheese, custards, etc.</p>	<p>Can sell directly from farm or at farmer’s markets with no license. To sell to restaurants or retailers, on farm home processing license for sales less than \$40,000. Over \$40,000.00 requires a Processing License from DHMH.</p>	<p>Potable water, approved sewage disposal system &amp; home kitchen for less than \$40,000. Potable water, approved sewage disposal system, plan review &amp; commercial kitchen for more than \$40,000.</p>
<p><b>Canned Goods</b> - acidified - products that must be acidified to a pH of 4.6 or less during processing such as artichokes, asparagus, beans, beets, broccoli, cabbage, corn, cucumber, peas, most peppers, potatoes, pumpkin, etc.</p>	<p>On farm home processing license from DHMH if less than \$40,000 in sales. Processing license from DHMH if more than \$40,000 in sales. FDA Better Process School training course required.</p>	<p>Potable water, Process Authority, scheduled process filed with FDA &amp; home kitchen for less than \$40,000. Potable Water, Process Authority, scheduled process filed with FDA &amp; commercial kitchen for more than \$40,000. Plan review for both types of licenses.</p>

Product	Licenses Required	Basic Requirements
<b>Canned Goods</b> - naturally acid (pH of 4.6 or less) fruit such as apples, apricots, blackberries, boysenberries, cherries, grapes, peaches, etc.	Evaluation needed in order to sell directly from farm or at farmer's markets with no license. To sell to restaurants or retailers, on farm home processing license for sales less than \$40,000. Over \$40,000.00 requires a Processing License from DHMH.	Potable water, approved sewage disposal system & home kitchen for less than \$40,000. Potable water, approved sewage disposal system, plan review & commercial kitchen for more than \$40,000.
<b>Dairy Products</b>	Requires a license from DHMH.	Regulated by the federal Pasteurized Milk Ordinance and State.
<b>Dried Products</b>	On farm home processing license from DHMH if less than \$40,000 in sales. Processing license from DHMH if more than \$40,000 in sales.	Potable water, approved sewage disposal system & home kitchen for less than \$40,000. Potable water, approved sewage disposal system, plan review & commercial kitchen for more than \$40,000.
<b>Eggs</b>	Register with the Secretary of Agriculture annually (no fee if less than 3,000 chickens). No retail license from local health department, Producer Mobile Farmers Market License or any other health department license required if selling own production.	Chickens must originate from National Poultry Improvement Plan monitored hatchery. Must meet minimum of Grade A standards, weight requirements, labeling requirements, invoice requirements & be held at 45°F.
<b>Fermented Products</b>	Processing license from DHMH.	Potable water, approved sewage disposal system, commercial kitchen and refrigeration. Plan Review.
<b>Fruit, Butters – Pumpkin, banana or pear</b>	Processing license from DHMH.	Potable water, approved sewage disposal system, commercial kitchen and refrigeration. Plan Review.
<b>Fruit</b> , uncut and not processed	No license required from DHMH, MDA or local health department.	Recommend producer follow Good Agricultural Practices.
<b>Fruit</b> , Cut or Processed - ready to eat	Processing license from DHMH.	Potable water, approved sewage disposal system, plan review & commercial kitchen
<b>Honey</b>	No license required if no flavors added (raw agricultural product). If further processed, on farm home processing license from DHMH if less than \$40,000 in sales or processing license from DHMH if more than \$40,000 in sales.	Potable water, approved sewage disposal system & home kitchen for less than \$40,000. Potable water, approved sewage disposal system, plan review & commercial kitchen for more than \$40,000.

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<p><b>Jellies and Jams</b> – made with fruits with a natural pH of 4.6 or less such as apples, apricots, blackberries, peaches, strawberries, etc.</p>	<p>Can sell directly from farm or at farmer’s markets with no license. To sell to restaurants or retailers, on farm home processing license for sales less than \$40,000. Over \$40,000.00 requires a Processing License from DHMH.</p>	<p>No paraffin wax seals allowed – hot filled into sterile Mason jars with ¼” head space. For other than farm and farmer’s markets sales, potable water, approved sewage disposal system &amp; home kitchen for less than \$40,000. Potable Water, approved sewage disposal system, plan review &amp; commercial kitchen for more than \$40,000.</p>
<p><b>Meats</b> – cured</p>	<p>Processing license from DHMH.</p>	<p>Potable water, approved sewage disposal system, plan review, commercial kitchen.</p>
<p><b>Meats</b> - non USDA regulated (bison, rabbits, etc.)</p>	<p>On farm sales only without inspection. Can have voluntary inspection by USDA or MDA to qualify for sales off farm. If slaughtered, packaged and labeled at a USDA facility, can be returned to farm for sales. Must have a license from DHMH for on farm storage (Under \$40,000 in sales – On Farm Home Processing License, Over \$40,000 in sales – Processing License) unless farm is inspected by MDA or USDA. Producer Mobile Farmer’s Market License required to sell at Farmer’s Market.</p>	<p>For storage on farm – Commercial freezer capable of maintaining product temperature of 0°F for frozen. Refrigeration capable of maintaining product temperature of 40°F for fresh. Dry ice or mechanical freezer required for sales at markets.</p>
<p><b>Meats</b> - USDA regulated - Cattle, Swine, Sheep, Goats and Equine</p>	<p>Cannot slaughter, process, package or label without USDA inspection. Can have the product slaughtered, packaged and labeled at a USDA inspected facility and return to the farm for sales. Must have a license from DHMH for on farm storage (Under \$40,000 in sales – On Farm Home Processing License, Over \$40,000 in sales – Processing License) unless farm is inspected by MDA or USDA. Mobile Farmer’s Market license or license from local health department required for sales at farmer’s markets.</p>	<p>For storage on farm – Commercial freezer capable of maintaining product temperature of 0°F for frozen. Refrigeration capable of maintaining product temperature of 40°F for fresh. Dry ice or mechanical freezer required for sales at markets.</p>

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<b>Organic labeling</b>	Under \$5,000 in annual sales no official certification required. Over \$5,000 in annual sales must be certified by a USDA accredited certifier such as MDA.	Not certified – must follow requirements of the USDA National Organic Program and can only label the product organic – label cannot state certified or 100% organic. Certified – must have name and address of certifier.
<b>Pickles, canned</b>	On farm home processing license from DHMH if less than \$40,000 in sales. Processing license from DHMH if more than \$40,000 in sales. FDA Better Process School training course required.	Potable water, approved sewage disposal system, Process Authority, scheduled process filed with FDA & home kitchen for less than \$40,000. Potable water, approved sewage disposal system, Process Authority, scheduled process filed with FDA & commercial kitchen for more than \$40,000. Plan review for both types of licenses.
<b>Poultry</b> – less than 20,000 slaughtered annually	Can slaughter and sell directly from farm to consumers without a license or inspection. To slaughter and sell to retailers, restaurants or at a farmer’s market must be inspected by USDA or MDA. Can be slaughtered, packaged and labeled at a USDA inspected facility and returned to the farm for storage and sales. Must have a license from DHMH for on farm storage (Under \$40,000 in sales – On Farm Home Processing License, Over \$40,000 in sales – Processing License) unless farm is inspected by MDA or USDA. No DHMH or local health department license required on farm if inspected by MDA. Producer Mobile Farmer’s Market License required to sell at a Farmer’s Market.	All: Must be own production. Potable water and approved sewage disposal system. Cannot be adulterated - contaminated with filth, held under unsanitary conditions, contain any poisonous or added deleterious substance, etc. Must be held at 40°F or less if fresh, 0°F or less if frozen. Off farm sales: Must have voluntary inspection by USDA or participate in MDA’s voluntary program.
<b>Poultry</b> - more than 20,000 slaughtered annually	USDA continuous inspection required. Producer Mobile Farmer’s Market License required to sell at a Farmer’s Market.	Continuous inspection by USDA/FSIS of slaughter – poultry health and sanitation.
<b>Sampling (On Farm - Food/Drink)</b> at Farms, Farmers Markets or Wineries	Contact your local health department	Requirements differ for different licenses.

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<b>Sauerkraut</b> and other fermented products	Processing license from DHMH.	Potable water, approved sewage disposal system & commercial kitchen. Plan Review.
<b>Vegetables</b> , uncut and not processed	No license required from DHMH, MDA or local health department.	Recommend producer follow Good Agricultural Practices.
<b>Vegetables</b> , cut or processed - Ready to Eat	Processing license from DHMH.	Potable water, approved sewage disposal system, plan review & commercial kitchen