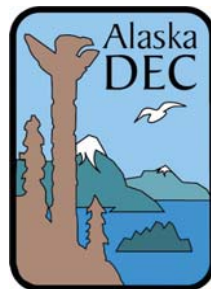


Safe, Small & Local:

Feeding Alaska through Farmer's Markets, Fairs, Bazaars, Food Pantries & Other Direct Distribution Methods.

The Food Safety & Sanitation Program's mission is to protect public health at regulated food, seafood, and public facilities. Our vision is to collaboratively work with these facilities to prevent illness, injury, and loss of life caused by unsafe sanitary practices.



This resource includes:

- A plain English guide for DEC's regulations on Exempt Activities & Facilities (18 AAC 31.012)
- An explaining of how DEC makes decisions about the risks of certain foods
- Most asked about foods for direct distribution
- Description of related food service permits
- Definition of terms
- Handwashing and dishwashing example

http://www.dec.state.ak.us/eh/fss/establishments/safe_small_local.htm

Plain English Guide on the 'Exempt Activities and Facilities' regulations of the Alaska Food Code.

This interpretation of the regulations does not supersede any of the formal regulations. This document is intended to explain, in more common terms, the intent and meaning of the regulations dealing with exempt activities and facilities and is organized by activity.

The following activities do not require a food permit, but you may need to follow certain guidelines or, depending on your location, you may fall under another Municipality, State or Federal program's regulations and inspections. Also, note that some of the regulations are repeated in this section for ease of use.

If you are selling products at venues in a borough or municipality, check with their local office for any other stipulations or requirements.

Organized Events

Homemade jams, jellies, syrup, herb vinegar, dried herbs or dried tea leaves

Selling homemade jams, jellies, syrup, herb vinegar, dried herbs or dried tea leaves is allowed without a permit –**if** sold by the individual who prepared the food. They can only be sold or used at a bed and breakfast, hostel, small hotel, farmer’s market, roadside stand, or a seasonal event like a fair or holiday bazaar. Should an individual wish to sell these items to a store or other retail outlet, would need a processors permit and may fall under the FDA’s inspection requirements.

Raw whole produce

Selling or packaging raw, whole vegetables/fruit at a farmer’s market, roadside stand, or a seasonal event like a fair or holiday bazaar, **if** the vegetables or fruit is in its natural state. The produce can be rinsed and the greens and roots cut off. Should the produce be cut, peeled or made into some other food or be a part of another food for sale, it requires a permit.

Nuts

Glazing or Roasting of shelled nuts at an event for sale directly to the consumer is an exempt activity. Nuts processed in bulk and brought to the event would need a processing permit.

A Farmer’s Market is defined as a... “seasonal market operated under the sponsorship of a community organization whose main purpose is to provide an opportunity for producers to sell agricultural products directly to consumers.” (18 AAC 31.990)

Closed gatherings

Gatherings that are serving food **ONLY** to their membership, such as potlucks, private dinners, gatherings, Native potlatches, churches or other religious groups, neighborhood picnics or family parties do not need a permit as long as the event is not advertised.

Open house events

A public open house that serves packaged, ready to eat and commercially processed appetizers for self-service by the people who attend the open house is exempt. Any appetizer that is must be temperature controlled to be safe, must be maintained at a temperature of 41° or colder or 135° or hotter. Keep hot foods hot, cold foods cold.

Temporary food services

Temporary food services lasting just one day or less do not need a permit if the foods are pre-cooked, packaged, ready-to-eat or commercially processed and only need to be reheated with minimal handling. (Ex. Hot dog stands) You must have a handwashing station and the hot foods must be maintained at a temperature of 41° or colder or 135° or hotter.

Bake sales

Bake sales that are occasional sales to the public by an organization, such as a school, club or church group at a fundraising event or a seasonal gift bazaar, can sell packaged jams, jellies, or confections, bakery-type items, including fruit/berry pies or cobblers, cookies, cakes, pastries and breads. **If** any of those items has custard, whipped cream, or meringue, they must be kept at 41°F or below after they are prepared and during the sale. No other foods, such as sandwiches, stuffed breads, meat pies or pizza, may be sold at a bake sale. If you hold a bake sale over several weeks or several weekends in a row, a temporary permit may be necessary. Contact DEC.

Bed & Breakfasts, Hostels, Federal Facilities and Camps

Bed and breakfasts, hostels, small hotel that serve a continental breakfast or a breakfast that is cooked and served immediately and that have no more than 12 guestrooms which serves no more than 24 people are exempt. The food (breakfast) must be included as part of the accommodation costs for the guests.

Anyone selling homemade jams, jellies, syrup, herb vinegar, dried herbs or dried tea leaves –if sold by the individual who prepared the food at a bed and breakfast, hostel, small hotel, farmer's market, roadside stand or a seasonal event like a fair or holiday bazaar does not need a permit. Should an individual wish to sell these items to a store or other retail outlet, they would need a processors permit and may fall under the FDA's regulations and inspections.

National parks, federal military installations, public health service hospitals and other federal facilities are exempt as long as they have oversight by another state or federal entity.

If you have a camp that is set up for no more than 14 days in a single spot for a group of 24 people or less, you don't need a permit.

If your food service has a maximum capacity of and serves 12 individuals or less a day or if you're a food service that feeds a camp of 24 individuals or less a day you do not need a permit if

- food is from an approved source,
- food is served immediately after preparation,
- the equipment of the facility can support the type of food, method of transportation, preparation, display and service.
- you have approved handwashing facilities equipped with soap, paper towels and warm water and the means to clean and sanitize food contact surfaces and clean the entire establishment.
- your water is potable or from an approved source (hailed water through a water company) and wastewater is disposed of properly.

This type of service may also be inspected by DEC, and may be subject to closure and/or civil penalties if the Alaska Food Code is violated- like any other food establishment.

Small Scale Processors

Custom processing of an individual's sport-caught seafood or game meat is exempt from permitting. This seafood or meat may not be sold to a restaurant, individual or retail store.

The sale and packaging of extracted or unextracted raw honey.

Harvesting and evaporating of tree sap. If further processing is done, including packaging, you will need a permit. Contact DEC.

Family owned businesses that employ only family members can prepare and serve food only to those family members.

Glazing or roasting nuts at an event, if the nuts are directly sold to the consumer. Nuts processed in bulk and brought to the event would need a permit.

Temporary food services lasting just one day or less do not need a permit if the foods are pre-cooked, packaged, ready-to-eat or commercially processed and only need to be reheated with minimal handling. (Hot dog stands) Must have a handwashing sink described at the end of this document and the hot foods must be maintained at a temperature of 41° or colder or 135° or hotter. Hot foods hot, cold foods cold. (If you own a business and want to give away hot dogs on a single day, this exemption would apply).

Businesses Selling Limited Food Items

A gas stations, gift shops, video stores, student stores or packaged liquor stores may sell prepackaged foods that are considered non-potentially hazardous or fresh unpeeled fruit without a permit.

A business that sells directly to customers only popcorn, cotton candy, prepackaged ice-cream items, non-potentially hazardous items like canned soda or soda that is poured from commercial containers such as 2 liter bottles into disposable cups, or are serving black coffee into disposable cups with nondairy creamers may do so without a permit.

Vending machines with pre-packaged cookies, candies, or other non-potentially hazardous foods.

What is a non-potentially hazardous food?

Any food that does not need to be temperature controlled to be safe.

Roadside Stands are informal sales usually made on private property, directly to the consumer. A Farmer's Market without home bakers is essentially a 'group of roadside stands'. This is usually an exempt activity.

Food Service Within a Facility

Child Care Facilities

Snacks (prepackaged nonpotentially hazardous foods with minimal preparation such as fruits and vegs that only require washing) prepared and served at a child care facility-if that facility has a license from Alaska Department of Health and Social Services.

Foster/Group Homes

Foster homes, group homes, child care homes, or child care group homes do not need permits if they have a license from the Alaska Department of Health and Social Services.

Assisted Living Homes

Assisted living homes with 5 or fewer residents and have a license with the Alaska Department of Health and Social Services.

Other Food Services Including Food Distribution Centers

If your food service has a maximum capacity of and serves 12 individuals or less a day or if you're a food service that feeds a camp of 24 individuals or less a day you do not need a permit **if**

- food is from an approved source
- food is served immediately after preparation
- the equipment of the facility can support the type of food, method of transportation, preparation, display and service.
- you have approved handwashing facilities equipped with soap, paper towels and warm water and the means to clean and sanitize food contact surfaces and clean the entire establishment.
- your water is potable or from an approved source (hailed water through a water company) and wastewater is disposed of properly.
- this type of service must also be inspected by DEC, and may be subject to closure and or fines if the Alaska Food Code is violated- like any other food establishment.

A food distribution center doesn't require a permit, but you may be required to take a food safety class through your partner food bank. If you are serving food during your food distribution or at other times you may need a permit.

And...

You must pay any fees that may be applicable, have a Certified Food Protection Manager, a person in charge and all workers must have Alaska Food Worker Cards unless they are volunteers.

A Food Service is...

a place where food is prepared and/or provided for consumption whether on site or off the premises- with or without charge.

A Certified Food Protection Manager

is required to ensure a food safety plan is implemented at a food service facility, that the staff are adequately trained.

Ice

Harvesting or chopping glacier ice that will be exported out of state without further processing does not require a permit.

If you are making ice and selling it in a retail situation and are not a food service, you may not need a permit **if**

- the ice making process and manufacturing is separate and/or portioned off from any sources of contamination such as animals, wastewater or any cross-contamination, such as using tools for cutting trees and the same tools for cutting the ice.
- the ice is protected from contamination by the using utensils to handle it, like scoops, specially designated shovels or picks.
- employees are washing their hands and arms- using the same methods that food handlers would have to use.
- you have a 3 compartment sink, and food-contact surfaces are washed rinsed and sanitized – using the same methods as food workers.
- you have at least one toilet facility and a handwashing sink equipped with paper towels, warm water and soap.
- water to make the ice is from an approved public water system- water can be hauled through a water company or from a municipality.
- each bag of ice is labeled with the name and address (City, State and Zip Code) of the facility and the net weight of the ice.

Approved Water Source:

Water from a Municipal source or that is otherwise permitted or treated to ensure no waterborne illnesses occur from using it.

Potable Water: Is water that is free from disease-producing organisms, poisons, and chemical, biological and radioactive contaminants that would make the water unfit for human consumption. Potable water must be kept under certain conditions and protected from contamination.

****What about food samples?**

DEC is working on a determination on how and when food samples may be served. We'll update this document when the final decision is made and list any guidelines or requirements that may be necessary. Check back soon.

Handwashing Station Example

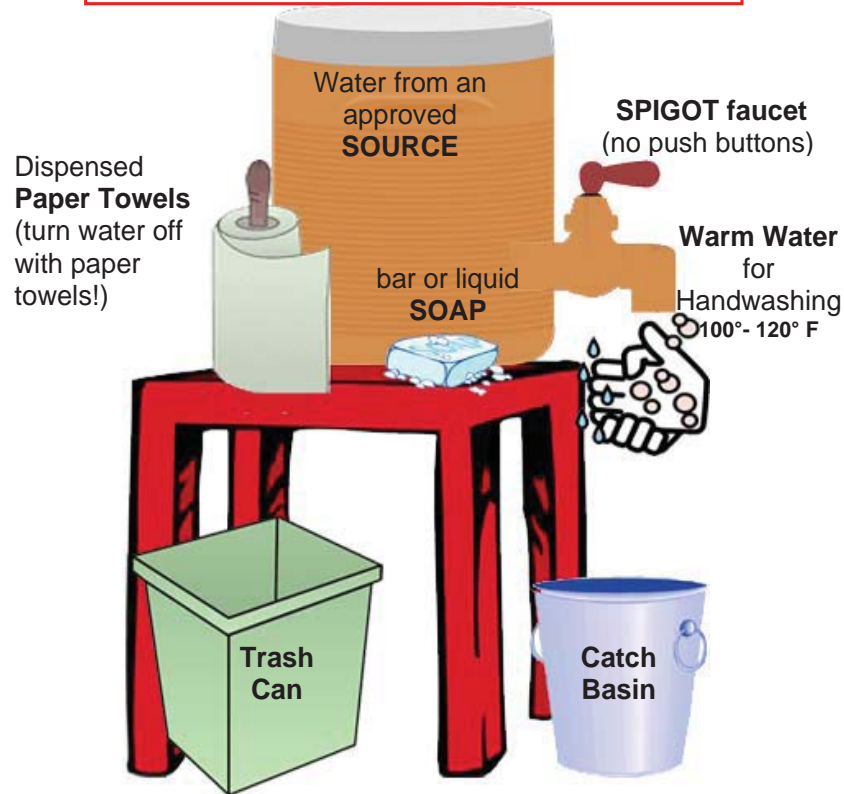
Make sure this station is separate from food preparation areas!

HANDWASHING STATION

*Use it **OFTEN!***

Use **CLEAN** water jugs:

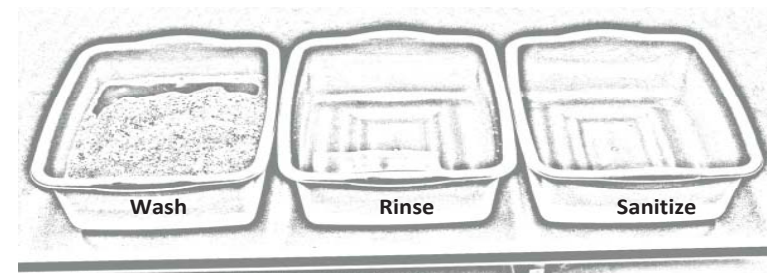
1. **SANITIZE** with 2 tbsp unscented bleach in 1 gallon of water – **SLOSH** to cover all surfaces.
2. Let **STAND** 5 minutes and **DRAIN**. **DO NOT RINSE!**
3. **FILL** with approved drinking water



Dishwashing Station Example

A dishwashing set up is required for utensils and dishware that will be reused at the food preparation site. All dishes and utensils must be washed, rinsed, sanitized and air dried.

Proper dishwashing set up for events



**Use a proper dilution of Chlorine Bleach
50-100 ppm or ½ tsp of bleach per quart of warm water***

*Or as otherwise indicated by the manufacturer's instructions 

Types of Permits Closely Related to Exempt Activities

Limited Food Service: Serve precooked, commercially processed foods that are re-heated for immediate service (no hot-holding) and only require minimal handling or portioning such as:

-hot dogs

-soft drinks, coffee, espresso drinks, alcoholic beverages or other non-potentially hazardous drinks

-cleaning of utensils, if the only food served is prepared offsite in a permitted facility

Fee is \$150.00 Plan review fees also apply.

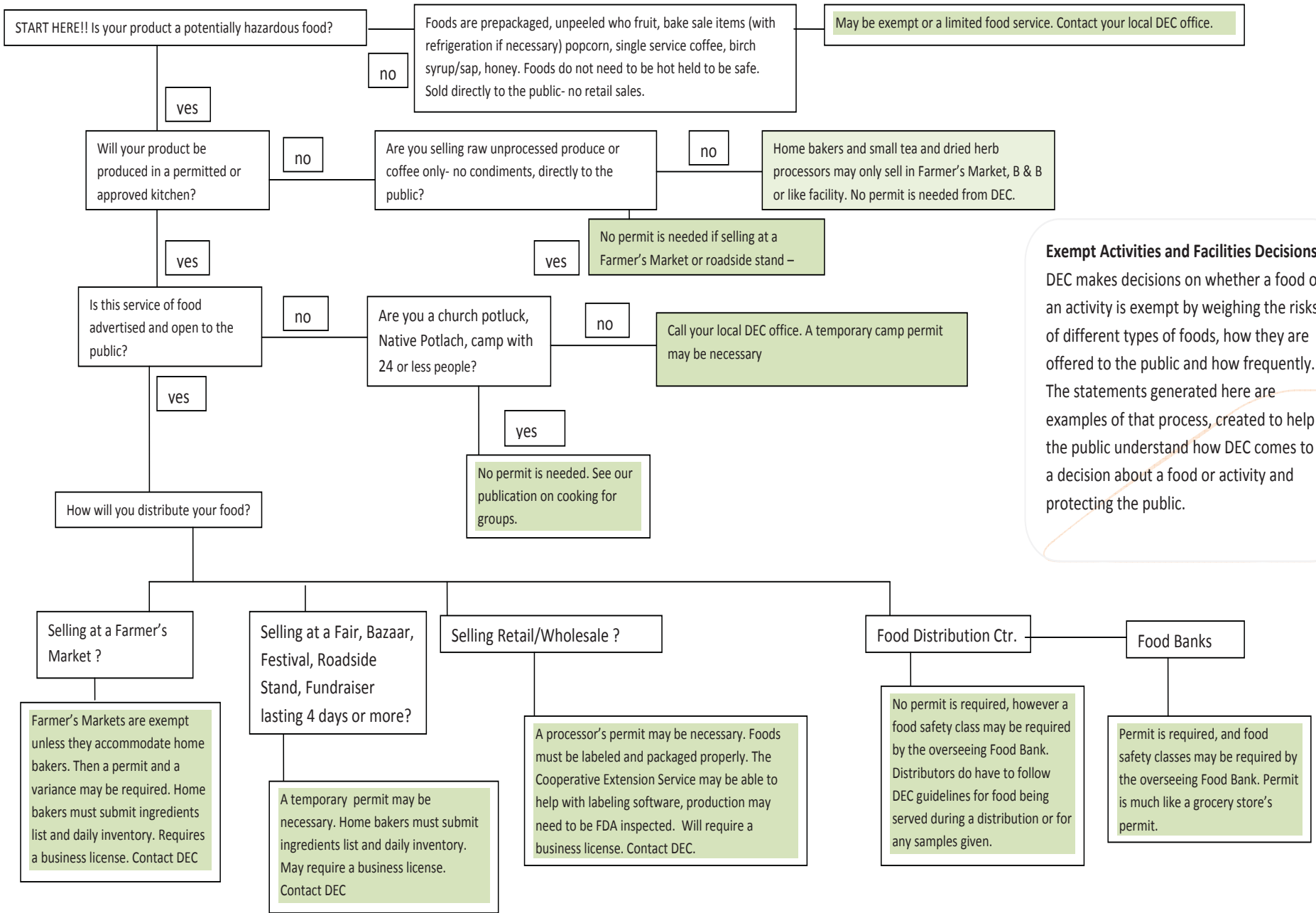
Temporary Food Service is a fixed location where food is provided for consumption for a period of 28 consecutive days or less in conjunction with a single event such as a fair, bazaar, political event or a fundraiser. If you advertise the event to the general public with flyers, banners, newspaper articles or by other means, it is a temporary food service. All food must be prepared in a kitchen that is permitted by the Department or purchased from a source that is permitted by the Department. Food cooked in individual homes may not be served at these types of events. Fees range from \$35.00 to \$120.00 as long as the application is received within the appropriate time.

Kiosk is a semi-permanent structure that is constructed on a nonpermanent foundation, such as a trailer. The permit type depends on the sort of food sold at the kiosk based on the menu.

Mobile Food Unit is a type of food service is located in a vehicle, trailer, or cart, except for one ice chest and one barbeque grill if placed immediately adjacent to the unit. It's capable of moving daily for servicing of water and wastewater holding tanks and operates out of a commissary unless it is a self contained mobile food unit. It's menu is restricted to service of specific food, and if it isn't a push-cart, must be capable of being registered by the state as a motor vehicle. This unit also maintains it's mobility and is not connected to water or sewer. The fee for this permit type is \$175.00 a year. Plan review fees also apply.

Processing permits are needed for food producers that make raw foods into another food product for retail sales (markets, food services or other consumer outlets). They may use a variety of methods to produce the finished product including butchering, cooking, baking, as well as curing, smoking and canning low acid foods (thermally processing) or vacuum packaging. Processors have more stringent requirements set upon them, may be inspected by the FDA and have a more elaborate kitchen set up than the other types of permit.

Small Processors/Distributors - Do you need a permit?



Exempt Activities and Facilities Decisions
 DEC makes decisions on whether a food or an activity is exempt by weighing the risks of different types of foods, how they are offered to the public and how frequently. The statements generated here are examples of that process, created to help the public understand how DEC comes to a decision about a food or activity and protecting the public.

What's in a kitchen?

Some food related activities require an approved or a permitted kitchen. DEC does not certify kitchens.

An Approved Kitchen is...

usually used to support a temporary, mobile or limited food service, or vending machines. It is not used as a processing plant for large scale production to retail outlets. A mobile food unit may be stored here when not in use, this could also be a place where a mobile food unit could be cleaned.

-Can be on private property, but not in a person's home. It needs to be a separate building or addition where the person in charge can control who and what comes in and out of the kitchen. Some churches or communities have DEC approved kitchens that can be used for free or leased for a specific activity. For a kitchen to be approved you'll also need:

Sinks!

- a 3 compartment sink, with running hot water for dishwashing.
- a handwashing sink with paper towels, soap and hot running water.
- a mop or utility sink for clean-up.

- water is potable, or from an approved public water system.
- wastewater is disposed of in a wastewater system.

-You must be able to adequately sanitize all surfaces (including food preparation surfaces) in an approved kitchen and the floor must be permanent and cleanable.

-You may need a commercial hood if you are deep frying or sauteeing any products.

This facility can be used for food preparation, handling and packaging or storage. You can also store your utensils and the cups, plates, disposable silverware or other supplies here.

A Permitted Kitchen is...

part of a regular permitted food service facility. This kitchen has undergone a full plan review and its volume of production and methods of preparation of foods is established as processors. This kitchen produces food products for retail/wholesale sales in a restaurant.

It has a handwashing, prep and utility sink, with a commercial hood for frying. The kitchen also must use water from an approved source or utility and wastewater must be disposed of in a wastewater system.

These kitchens are fully inspected by DEC on and are operated by a person who is a Certified Food Protection Manager (CFPM). This person creates food safety plans for the kitchen's use. This ensures that food safety hazards are being addressed.

A permitted kitchen can be used for temporary, mobile or limited food services or vending machines if the owner agrees. A letter of agreement for your DEC file would also be required.

Home Bakers

Home Bakers are people who wish to bake products at an unapproved or unpermitted kitchen and sell those products directly to the public. Some Farmer's Markets have chosen to include home bakers and allow them to sell products at their markets. To do so, the Farmer's Market itself needs a permit, much like a grocery store. The market assumes responsibility for the bakers and the operating board (or similar entity for the market) must apply for a permit variance from DEC to allow this activity. The Tanana Valley Farmer's Market and the Highway's End Market (Delta) have such variances.

Each Baker must:

- Keep a daily inventory as well as an ingredient list of all products produced.
- Cover all displayed foods and/or individually wrap all foods
- Have a valid Food Worker Card
- Prepare only non-hazardous baked goods such as cookies, fruit pies, breads, muffins, etc.
- Only fix enough for one day's market
- Use tongs or gloves to service items to the public-no bare hand contact is allowed

Bakers may not prepare any custard or cream-filled baked goods. If you want to fix other foods, make baked goods ahead of time, or make potentially hazardous foods such as custard pies, you will need to get a food processing permit and work out of an permitted kitchen. See our guidelines document.

Weighting the Benefits

If you are selling produce or foods by the weight or count, you may have to follow regulations under the Alaska Department of Transportation's Weights and Measures Section and have your scale(s) certified. Contact DOT's Weights and Measures Section by calling 907-365-1210 or at their website <http://www.dot.state.ak.us/mscve/wm.shtml>.

Do I Need a Food Service Permit?

Answers to Questions about Specific Food Items

Food Items	Is a permit needed?	Can a home kitchen be used?	Is an approved kitchen needed?
Jams, Jellies	No	Yes*	No
Dry Herbs or Teas	No	Yes*	No
Popcorn	No	Yes	No
Raw Honey	No	Yes	No
Syrups	No	Yes	No
Vinegar with herbs	No	Yes	No
Baking mixes	Yes	No	Yes
Caramel Popcorn	Yes	No	Yes
Cheese Breads	Yes	No	Yes
Cream Cheese Topping	Yes	No	Yes
Donuts, Fry Bread, Elephant Ears	Yes	No	Yes
Dried Mushrooms	Yes	No	Yes
Espresso/Italian Sodas	Yes	No	Yes
Fish	Yes	No	Yes
Lemonade	Yes	No	Yes
Pasta Making	Yes	No	Yes
Peas, Shelled	Yes	No	Yes
Pesto	Yes	No	Yes
Pickled Beets	Yes	No	Yes
Salad Dressings	Yes	No	Yes
Salads (Pre-packed)	Yes	No	Yes
Sandwiches	Yes	No	Yes
Sauerkraut	Yes	No	Yes
Shellfish	Yes	No	
Sourdough Starter	Yes	No	Yes
Sprouts	Yes	No	Yes

* Must be sold by the individual who prepared the foods to a Bed & Breakfast, Hostel, Farmer's Market, or seasonal event such as a bazaar or fair.

Answers to other questions that have come up:

Eggs: Fresh, whole eggs can be sold at the market. Only one carton at a time should be left out for display. Other cartons should be refrigerated. A permit is not needed.

Mushrooms: Wild, edible mushrooms can be sold as long as there is a sign present giving their common name, and including the statement "Wild mushrooms; not an inspected product" Any processing such as cutting, drying, or packaging needs to be done in a permitted, approved facility.

Contact Information DEC offices - Statewide

Anchorage - Food Safety & Sanitation
555 Cordova St. 5th Floor
Anchorage, AK 99501-5948
Fax: (907) 269-7510

Dutch Harbor Office -
Food Safety & Sanitation
Intersea Mall Suite 206,
179 Gilman Road
Dutch Harbor, Alaska
Mailing Address: P O Box 465
Unalaska, AK 99685
Fax: (907) 581-1795

Kodiak - Food Safety & Sanitation
PO Box 515
Kodiak, AK 99615
FAX: (907) 486-5032

Kenai/Soldotna - Food Safety & Sanitation
43335 Kalifornsky Beach Road,
Suite 11
Soldotna, Alaska 99669
Fax: (907) 262-2294

Valdez - Food Safety Sanitation
PO Box 1709
Valdez, AK 99686
FAX: (907) 835-2429

Wasilla - Food Safety Sanitation
1700 E. Bogard Road
Building B, Suite 103
Wasilla, AK 99654
FAX: (907) 376-2382

Sitka - Food Safety & Sanitation
901 Halibut Point Road, #C
Sitka, AK 99835
FAX: (907) 747-7419

Ketchikan - Food Safety & Sanitation
540 Water Street, Suite 203
Ketchikan, AK 99901
FAX: (907) 225-0620

Juneau - Food Safety & Sanitation
410 Willoughby, Suite 303
Juneau, AK 99801
FAX: (907) 465-5164

Interior/Fairbanks - Food Safety & Sanitation
610 University Avenue
Fairbanks, AK 99709
FAX: (907) 451-5120

United States Department of Agriculture- USDA

Mark Ahrens, EIAO
605 W 4th Ave, Ste B-1072
Anchorage, Alaska 99501
Ph: (907)271-1793
Fax: (907)271-1794
Mark.Ahrens@fsis.usda.gov]

US Food and Drug Administration

Jim Vic
(907) 271-5018
jim.vik@fda.hhs.gov

Alaska Division of Agriculture Marketing & Inspection

907-761-3864
Amy.Pettit@alaska.gov

UAF Cooperative Extension Service

Small Business Development

Coral Howe
PO Box 758155
Fairbanks, AK 99775
907-474-1512
coral.howe@uaf.edu

Municipality of Anchorage Food Safety and Sanitation Pro- gram

Chris Tofteberg
632 W. 6th Ave.
Anchorage, AK 99501
(907) 343-4725
ToftebergCJ@ci.anchorage.ak.us

State of Alaska Dept of Transportation Weights and Measures Section

907-365-1210
<http://www.dot.state.ak.us/msscve/wm.shtml>.

Send your comments to:

Brenda Duty
Alaska Department of
Environmental Conservation
610 University Dr.
Fairbanks, AK 99709
907-451-2178
Brenda.Duty@alaska.gov