

Prepared foods are very popular components of farmers markets, farm stands and other direct marketing strategies. Farmers markets now have local vegetables featured on pizza, in seasonal soups, and soft fruit and berry smoothies for sale.

Foods and beverages that are ready to eat where they are served are classified as “prepared foods” and the business is providing “food service.” Such items include salads, soups, pies, hamburgers, fruit smoothies, fresh pressed cider, and more. There are some exemptions to this rule (described below).

This fact sheet covers the regulations for prepared foods and food service, including:

- licensed Retail Food Service Establishments and commercial kitchens; and
- exemptions to the Retail Food Service Establishment license.

Licensed Retail Food Service Establishments and Commercial Kitchens

In order to sell prepared food and food service items at a farmers market, on-farm, or any other location, they must be prepared by a licensed Retail Food Service Establishment or in a commercial kitchen. The Retail Food Service Establishment license is issued by the local county Health Department. This license certifies that a commercial kitchen was used to prepare foods. All workers in a retail food establishment must have their Food Handlers Permit issued from the County Health Department and available for inspection at the workplace.

In addition to licensing, local health departments also inspect Retail Food Service Establishments in Washington State including restaurants, grocery stores, farmers markets and farm stands. Food service and preparation regulations are outlined in the Washington State Food Code (RCW 69.07 and WAC 246-215).

To find a local health department office near you or to get the food handlers permit study guide, please go to www.doh.wa.gov/ehp/food/localcontacts.html or call (888) 586-9427.

Exemptions to the Retail Food Service Establishment License

Businesses that only serve the following items may be exempt from licensing from the Retail Food Service Establishment License:

- individual samples of sliced fruits and vegetables;
- popcorn and flavored popcorn;
- corn on the cob;
- roasted nuts and roasted candy-coated nuts;
- deep-fried, commercially rendered pork skins prepared for immediate service;
- caramel apples;
- cotton candy;
- machine crushed ice drinks; and
- chocolate dipped ice cream bars and bananas processed in an approved facility.

You must apply for the exemption through the local Health Department. Contact your local Health Department for a complete and updated list of exempt items.

Recommended Fact Sheets: Licensing, Food Processing, and Regulations for Specific Items, as appropriate

For further assistance or to make suggestions on how to improve this fact sheet, please email smallfarms@agr.wa.gov or call (360) 902-2057 or (360) 676-2059.