



A  
Pocket  
Guide  
for

# **TEMPORARY FOOD MARKETS**



# POLICY

According to section 56(1) of the *Health Act*:

The minister or any member of a local board, and a medical health officer or public health inspector, or any person authorized by the minister or a local or union board, may at all reasonable times inspect or examine any animal, carcass, meat, poultry, game, flesh, fish, fruit, vegetable, grain, bread, flour, milk, candy or other eatable exposed for sale or deposited in any place for the purpose of sale, or for preparation for sale, and intended for food for humans.

According to section 8(e) of the Sanitary Regulations, pursuant to the *Health Act*, the public health inspector/ environmental health officers' duties include:

visiting and inspecting shops and places kept or used for the preparation or sale of food for humans, on a routine basis and in response to complaints; and

seizing food unfit for human consumption and taking any other steps necessary to deal with a situation in which food unfit for human consumption is being produced or sold, in accordance with the law.

**NOTES**

## BACKGROUND

The Food Premises Regulation, under the *Health Act*, generally require that all food offered for sale to the public be prepared in premises which are constructed and operated in compliance with the Regulation (Section 6(1)). Section 2 of the Regulation provides an exemption to allow for the sale of non-potentially hazardous, prepackaged foods.

It is in the interest of public health that guidelines be developed to assist in the prevention of contamination and spoiling of foods prepared at home for sale at temporary food markets.

For the purposes of this policy, “temporary food market” is defined as a short term group operation for the sale of non-potentially hazardous, home prepared food products, and fresh fruits and vegetables. This includes, but is not limited to, farmer’s markets, community markets, and charity fairs.

Vendors of home prepared food products at temporary food markets can only sell home prepared food products considered to be non-potentially hazardous. A food is considered to be “non-potentially hazardous” if it does not support the growth of disease-causing microorganisms or the production of toxins. (See Appendix I for examples). One or more of the following factors usually apply to these foods.

**water activity ( $A_w$ ) of 0.85 or less; and**

**a PH (hydrogen ion concentration) value of 4.6 or less. (see Appendix I for examples.)**

Vendors of home prepared food products at temporary food markets cannot sell home prepared food products considered to be potentially hazardous. Food is considered “potentially hazardous” when it is in a form or state which is capable of supporting the growth of disease causing microorganisms, or the production of toxins. (See Appendix II for examples.)

The following guidelines provide recommendations on preparing food intended for sale at temporary food markets, recommendations for selling those food products, and that the following principles are maintained:

**public health is protected by ensuring that home prepared foods offered for sale at temporary food markets are limited to nonperishable, prepackaged foods, and**

**vendors of home prepared food products post a clearly visible sign at each food sales/service location stating “This food has been prepared in a kitchen that is not routinely inspected by a regulatory authority” or equivalent wording, and**

**municipal zoning and business license issues are respected and are an integral part of the approval process for temporary food markets.**

# GUIDELINES

## **I) Preparation of Non-Potentially Hazardous Foods for Sale at Temporary Markets**

Where home preparation of non-potentially hazardous food is proposed for sale at temporary markets, it is recommended that food handlers ensure:

- 1. the food is in good condition, and free from spoilage and contamination;**
- 2. foods are prepared in clean, well equipped kitchens;**
- 3. good personal hygiene is observed;**
- 4. hands are washed frequently and thoroughly;**
- 5. non-potentially hazardous foods approved for sale at a temporary market are prepared separately from potentially hazardous food to prevent cross-contamination;**
- 6. all persons engaged in the home preparation of foods intended for sale at temporary food markets have completed the FOODSAFE Level 1 program;**
- 7. only proper sealing jars (Mason-type or equivalent) are used for acceptable canned products (see Appendix I). Jars may be reused only if they are in good condition, clean and properly sterilized. Sealing rings and lids should not be reused; they should be replaced with new rings and lids with each refill. Jams and jellies may be wax-sealed provided the seal is airtight and prevents the entry of spoilage organisms.**

## **II) Sale of Non-Potentially Hazardous Foods at Temporary Markets**

It is recommended that vendors of home prepared food products at temporary markets:

- 8. ensure that their food products have been produced under sanitary conditions;**
- 9. ensure that all food stored, displayed or offered for sale is protected from contamination at all times;**
- 10. observe good personal hygiene**

It is recommended that:

- 11. temporary food markets are approved by the local/regional government to ensure compliance with local zoning and business licence requirements;**
- 12. a “person in charge”, responsible for the market’s operation:**
  - is designated for each temporary food market;**
  - receives approval from local government to operate the market;**
  - is responsible for ensuring that all vendors at the market are aware of all relevant policies and guidelines of the local Health Authority;**
  - ensures that no unapproved foods are sold or offered for sale;**

- ensures that each vendor completes a list which details the types of food they intend to sell; and
  - maintains a written record of all vendors and the foods sold;
13. non-potentially hazardous foods, other than whole/uncut fresh fruits and vegetables, are prepackaged;
14. all packaged food products are labeled in accordance with Canadian Food Inspection Agency requirements. Generally, label information should include the common product name, volume/weight, date of preparation, list of ingredients, and producer name;
15. Signage at the point of sale should indicate that the foods were prepared in a facility not inspected by the Vancouver Island Health Authority.
16. all display cases, counters, shelves, tables and other equipment used in connection with food sales are kept clean and in good condition.

**NOTES**

# APPENDIX I

The following list contains examples of non-potentially hazardous foods acceptable for home preparation and sale at temporary food markets:

- |   |                               |
|---|-------------------------------|
| <b>apple sauce</b>                      | <b>fudge</b>                  |
| <b>brownies</b>                         | <b>hard candy</b>             |
| <b>bread and buns</b>                   | <b>honey</b>                  |
| <b>(no dairy or cheese fillings)</b>    | <b>jam (pH 4.6 or less)</b>   |
| <b>butter tarts</b>                     | <b>jelly (pH 4.6 or less)</b> |
| <b>cakes (icing sugar only;</b>         | <b>muffins (no dairy</b>      |
| <b>no dairy or synthetic</b>            | <b>popcorn</b>                |
| <b>whipped cream)</b>                   | <b>noodles (dry flour</b>     |
| <b>dry cereal products</b>              | <b>and water only; no</b>     |
| <b>chocolate (provided it is used</b>   | <b>egg base)</b>              |
| <b>as an ingredient in a food that</b>  | <b>pickles (vinegar</b>       |
| <b>has undergone cooking to</b>         | <b>base; pH 4.6 or less)</b>  |
| <b>71°C (160°)</b>                      | <b>relish (vinegar</b>        |
| <b>cinnamon buns</b>                    | <b>base; pH 4.6 or less</b>   |
| <b>(sugar icing only)</b>               | <b>wine and herb</b>          |
| <b>cookies</b>                          | <b>vinegar</b>                |
| <b>dried fruits</b>                     | <b>rice crispy cake</b>       |
| <b>fresh fruits and vegetables</b>      | <b>syrup</b>                  |
| <b>(whole/uncut only)</b>               | <b>toffee</b>                 |
| <b>fruit pies and pastry</b>            |                               |
| <b>fresh shell eggs (washed,</b>        |                               |
| <b>graded, whole, uncracked,</b>        |                               |
| <b>and refrigerated)</b>                |                               |
| <b>* Note: Graded eggs are a</b>        |                               |
| <b>requirement of egg marketing</b>     |                               |
| <b>regulations – violations</b>         |                               |
| <b>should be reported to the</b>        |                               |
| <b>Canadian Food Inspection Agency.</b> |                               |

Consult your local Environmental Health Officer for foods not listed above.

**NOTES**

## APPENDIX II

The following list contains examples of potentially hazardous foods not suitable for home preparation and sale at temporary food markets:

- antipasto**
- cakes/pastries with whipped cream, cheese, or synthetic cream fillings**
- processed beans, including baked, refried, and bean salad**
- cabbage rolls**
- canned cured meats**
- canned products containing meat, vegetables, soups, sauces, cheese**
- chop suey**
- creamed corn**
- dairy products (e.g., milk, cream, cheese, yogurt)**
- foods containing eggs as ingredients (e.g., custards, salads)**
- fish and shellfish**
- garlic spreads, oils, pesto**
- guacamole**
- herb and flavoured oils**
- juice (fruit and vegetable)**
- low acid canned vegetables (e.g., pH 4.6 beans, asparagus, beets, carrots, mushrooms, broccoli, peas)**
- tofu**
- pumpkin pie**
- perogies**
- fresh or processed meat, sausages**
- samosas**
- salsa**
- homous**

Consult your local Environmental Health Officer for other potentially hazardous foods not listed above.

## REFERENCES

Province of British Columbia, Ministry of Health, *Health Act*, section 56, (RSBC 1996 Chapter 179).

Province of British Columbia, Ministry of Health, *Health Act*, Food Premises Regulation, Section 2, 4 and 15 (BC Reg. 210/99), 1999.

Province of British Columbia, Ministry of Health, *Health Act*, Sanitary Regulations, section (e) (BC Reg. 142/59).

**NOTES**

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## NOTES



## HEALTH PROTECTION

**Health Protection offices are located  
throughout the Island.**

**To find the office serving your area,  
please check the local telephone directory.**

## FOODSAFE

**South Island** Phone(250) 388-6070  
email: vicfoodsafe@shaw.ca

**Central Island** Phone(250) 755-6215

**North Island** Phone(250) 287-2818  
email: carol.macrae@uicc.hnet.bc.ca