Want to Sell Poultry and/or Eggs Legally in Florida?

• Two ways to accomplish this:
  – Traditional path of selling poultry & eggs
    • Time consuming
    • Lots of paperwork
    • Fairly high expense
  – Use of the Florida Limited Poultry & Egg Operation rule
    • Less of all of the above, but still requires some preparation
Rule Authority

- Florida Department of Agriculture and Consumer Services (FDACS)
  - Food Safety Division
  - Rule 5K-4.033
  - Limited Poultry and Egg Farm Operation
  - Link
  - Adopted in 2014
Objective & Definition

• Main goal is to provide regulatory and economic relief to small farmers.

• Premises referred to under this rule are:
  – A farm-based food establishment which directly produced and offers dressed poultry or whole eggs for sale.
Other Considerations

• No additional processing or food preparation of the poultry or shell eggs is allowed under this permit category.
  – Whole shell eggs
  – “New York Dressed’ poultry carcasses
    • Feet, head, feathers, and viscera removed.
• Poultry is defined as:
  – Chicken, turkey, duck, goose, guinea, or quail.
• “Farm”
  – Defined in Florida Statute (s.823.14 FS).
  – The land, buildings, support facilities, machinery and other appurtenances used in the production of farm or aquaculture products.
• The Florida Rule refers to USDA Guidance:
  – *Guidance for Determining Whether a Poultry Slaughter or Processing Operation is Exempt from the Inspection Requirements of the Poultry Products Inspection Act*
  – A guide on the exemptions with links to USDA Documentation can be found at: [http://www.extension.org/pages/33350/poultry-processing-regulations-and-exemptions#.Vcj9zia6fDc](http://www.extension.org/pages/33350/poultry-processing-regulations-and-exemptions#.Vcj9zia6fDc)
Limitations for Operations

- Operations under this permit are limited to:
  - Whole Shell Eggs
    - Flock must be 1,000 laying hens in size or smaller during each calendar year.
    - Equates to sale of up to 30 doz. eggs per week.
  - Dressed Poultry
    - Allows for sale of up to 20,000 dressed birds per year (384 per week).
Cost

• Permit for operation is issued on an annual basis.
  – Only one permit is needed
  – $100 per permit + $10 epidemiology fee
  – TOTAL of $110 per year

• Initial on-site inspection by FDACS (Division of Food Safety)
Selling Locations

• Poultry/Eggs can only be sold within Florida
  – Roadside Stand
  – Farmer’s Market or similar Open-Air Market
  – Direct Delivery to the Purchaser
  – At the Permitted Farm Location

• No sales or deliveries by mail.
Selling Locations

- May also use another permitted operator (Limited Poultry and Egg Permit) to facilitate delivery or sales of the product.

- Can be sold to hotels, restaurants, or similar institutions for preparation of meals sold directly to consumer.
  - Cannot be sold to intermediate preparers.
Additional Selling Considerations

• No interstate or wholesale sales are allowed.
• Internet advertising and promotion of limited poultry and egg farm products is allowed.
• Orders can be placed via the internet, but pick up must be at an approved location.
  – Permitted Farm Location
  – Roadside Stand
  – Farmer’s Market or similar Open-Air Market
Additional Selling Considerations

• Brokers or Dealers are not allowed to sell or facilitate the sales or deliveries of products produced under this permit.

• No Certified Food Manager certificate is required under this permit.

• Permitted operations are exempt from minimum building standards.
  – (604.50 FS)
Requirements - Eggs

• Eggs shall be sold in flats or in bulk only.
  – Cartons cannot be used.

• Must be a placard at the point of sale stating:
  – *These eggs have not been graded as to quality and weight.*
  – The placard must measure, at minimum, 7 x 7 inches.
Requirements - Eggs

• Eggs under this rule must be kept at 45°F or below (not frozen) from the processing facility to the point of sale.
  – Coolers are sufficient as long as the correct temperature is maintained.

• Eggs sold under this rule must be washed.
Egg Washing

- Facility must have equipment to properly wash and dry the eggs.
  - Egg-washing machine
  - Three-compartment sink

- Separate from a hand-washing sink.
Egg Washing

• The processor must use a USDA approved shell egg cleaner and sanitizer and have the appropriate sanitizer test kit.

• A list of approved Cleaners & Sanitizers can be found at:
Egg Washing

• Facility Size
  – The facility should comfortably house all the necessary equipment with ample room for movement.

• The facility must be separate from living quarters of a home.
  – Cannot use household kitchen sink for this process
  – An attached room with no direct access to living quarters is acceptable.
Egg Washing

• Floors and walls should be constructed of materials that are easily cleaned.
  – Concrete Floors
  – Walls and Ceilings with washable paint.

• Hot and Cold potable running water are required.
  – If you are on a well system, you must have the potability certified.
Egg Washing

• Wash water for the eggs must be either 90°F or 20°F warmer than the temperature of the eggs, whichever is greater.
  – Freshly laid eggs can have an internal temperature over 100°F.

• Rinse water must be 20°F warmer than the wash water.
Processed Poultry Requirements

• The immediate packaging must contain the following information:
  – The Processor’s Name
  – The Farm Address (Permit Address)
  – The Statement:
    • Exempt P.L.90-492
  – A Safe Handling Instructions Label
Safe Handling Instructions

Some food products may contain bacteria that could cause illness if the product is mishandled or cooked improperly. For your protection, follow these safe handling instructions:

- Keep refrigerated or frozen.
- Thaw in refrigerator or microwave.

- Keep raw meat and poultry separate from other foods.
- Wash working surfaces (including cutting boards), utensils, and hands after touching raw meat or poultry.

- Cook thoroughly.

- Keep hot foods hot. Refrigerate leftovers immediately or discard.
Safe Handling Instructions

• Note that you cannot use the complete text of the governmental Safe Handling Instructions Label referenced at:

• You cannot use the phrase: “This product was prepared from inspected and passed meat and/or poultry”.
Processed Poultry Requirements

• Dressed carcasses must be held at 41° F or below, not frozen.
• Chicken feet, or paws, may be sold under this rule.
  – Processing and temperature requirements are the same as for dressed poultry carcasses.
Additional Considerations

• This rule does not govern the sale of live chickens or poultry.
  – Contact the Division of Animal Industry
  – 850-410-0900

• There may be additional requirements in your county or municipality concerning the sale of poultry and eggs. This rule does not supersede those requirements.
Additional Considerations

• This rule does not allow you to claim your product is “Organic”.
  – Organic Certification is overseen by the USDA.
  – Information about becoming organic certified can be obtained at http://www.usda.gov or the information hotline (202-720-2791).

• Farms operating under this rule cannot be used as a commissary.
Application Instructions

• An Application and Request for an Inspection for Permitting can be found online at:
Online References


- Limited Poultry and Egg Operation Webpage:
Online References

• Limited Poultry and Egg Farm Operation Permit Requirements:

• Cottage Food Law Reference Sheet (FDACS)
Online References

• Food Establishment Inspections Webpage (FDACS)
The “Traditional” Way to Sell Poultry and Eggs

• Shell Eggs

  – Facilities must meet minimum construction standards along with other standards outlined in the referenced document linked above.
The “Traditional” Way to Sell Poultry and Eggs

• Minimum Construction Standards:

• Food Establishment Permit:
  – [http://www.freshfromflorida.com/content/download/23973/486620/Getting_a_Food_Establishment_Permit.PDF](http://www.freshfromflorida.com/content/download/23973/486620/Getting_a_Food_Establishment_Permit.PDF)
Other Questions About Poultry

eXtension: http://articles.extension.org/poultry

EDIS: http://edis.ifas.ufl.edu/topic_poultry

Poultry Newsletter: http://baker.ifas.ufl.edu/FeatheredFacts.html
QUESTIONS?