

MEMORANDUM**NO. 08-10**

TO: Consumer Protection Division

**FROM: Oscar Garrison
Assistant Commissioner**

DATE: April 3, 2008

**SUBJECT: Guidelines for Food Products Sold At Events
Sponsored by Non-Profit Organizations**

**GUIDELINES FOR FOOD PRODUCTS SOLD
AT EVENTS SPONSORED BY NON-PROFIT ORGANIZATIONS**

The Georgia Department of Agriculture has always strived for an inspection program that would both protect the consuming public and not be overly restrictive to food producers and small merchants. With the increase in popularity of events such as Arts & Craft Shows, **Local Farmers Markets**, and Festivals where processed food is being sold; the Department of Agriculture has issued the following guidelines:

EXEMPTION FROM THE GA FOOD ACT

Food products will be considered exempt from the inspection and licensing required by the GA Food Act, unless the sales of such items are prohibited by other **State Laws** or by the **FDA's Federal Code of Regulations** (CFR's). To qualify for the exemption, the products must be sold directly to the consumer, and occurs at an event that:

1. Is sponsored by a political subdivision of this state or by an organization exempt from taxes under paragraph (1) of subsection (a) of Code Section 48-7-25 or under Section 501(d) or paragraphs (1) through (8) or paragraph (10) of Section 501(c) of the Internal Revenue Code, as that is defined in Code Section 48-1-2;
2. Lasts 120 hours or less; and
3. When sponsored by such an organization, is authorized to be conducted *pursuant to a permit* issued by the municipality or county in which it is conducted.

WHAT PRODUCTS CAN BE SOLD?

Products exempt from the Georgia Food Act, which are not governed by additional State or Federal laws and regulations. For example:

- **Jams**
- **Jellies**
- **Cakes**
- **Cookies**
- **Fresh Produce** (*If “Organic,” there must be an Organic Certificate Available*)
- **Breads**
- **Pies**
- **Honey**

WHAT PRODUCTS CANNOT BE SOLD?

Products that are governed by specific State or Federal laws and regulations. For example:

- **Meat Products** – Governed by Georgia Meat Compliance Laws
- **Eggs** – Governed by the Georgia Egg Law
- **Dairy Products** – Governed by the Georgia Dairy Law
- **Organic Products** – From Growers or Processors without an Organic Certification
- **Low Acid/Acidified Foods (Canned Vegetables, Pickles, Salsa, etc)** – Unless the Processor is licensed (met all the requirements) and has completed Better Process Control School.

LABELING

All processed products **should** be labeled with:

1. The **COMMON NAME** of the food.
2. The **NAME/ADDRESS/PHONE NUMBER** of person who made the item.
3. A list of **INGREDIENTS** with the common name of each ingredient.

PRODUCTS MADE OUTSIDE OF GEORGIA

All vendors that process their food outside of Georgia must have a certificate, license, or documentation indicating they are permitted by their respective Regulatory Agency governing food sales; and that their firm is in compliance.

For assistance or questions concerning Food Sales Exemptions, please contact the Georgia Department of Agriculture – Consumer Protection Division at 404-656-3627.

For information on the *Georgia Grown Program* (including becoming a *Georgia Grown Market*, *Georgia Grown Certification*, and a *Georgia Grown Market Weblink* for your market featured on the Department’s website), please contact Vernon Mullins at 1-800-786-0175.

(This document is intended to be a “Guideline” which describes in simple terms a number of basic requirements which must be met before conducting food sales)