



Food Safety Requirements for Oregon Producers Selling into Child Nutrition Programs¹

There are many instances where farms and businesses must have the proper food safety licensure to sell to schools, early childcare centers, and organizations serving summer meals in Oregon. It's important to know these requirements before you get started so you can anticipate investments you may need to make upfront to produce a safe product and minimize the risk to consumers. Often the type of license you may need depends on the type and form of the product you produce and sales volume. It's also important to keep in mind that school food sponsors (purchasers in the Child Nutrition Programs) may also have their own food safety requirements, therefore it is wise to discuss this topic directly with purchases to make sure your bases are covered.

This document is meant to provide basic information about license requirements. For more specific questions please use the [ODA Food Safety database](#) to find a food safety specialist in your area for assistance.

FRUITS AND VEGETABLES

Fresh Farm Direct: Farms that grow fresh, whole fruits and vegetables can sell directly without the need of licensing or permit. These farms are approved sources for fruits and vegetables that they produce on their own farms. Farms that participate in the growing, harvesting, packing, or holding of produce may be covered under the Produce Safety Rule depending on the size of their operation and the crops produced. More information on the requirements of the rule can be found via ODA's Produce Safety Program <https://oda.direct/ProduceSafety>.

Reselling Produce: If a farm or vendor is selling product from another farm, they need to obtain an ODA Food Safety license if they plan to store produce from other farms overnight. A producer may distribute other farmers produce within the same day, direct-to-consumers without a license. For example, if a farmer has a produce stand on

¹ Child Nutrition Programs are federal meal programs operated in schools, certain early childcare facilities, and summer meal service sites for school-age children.



their farm and sells produce they grow as well as a neighboring farm's produce at that stand, this would require the farm stand owner to obtain an ODA Food Safety license.

Minimally processed: Produce that has been further processed (such as cut, peeled, sliced, diced, pureed, freezing, drying) must be processed in an Oregon State Department of Agriculture licensed food-processing facility. Examples include sliced apples, chopped broccoli, salad mix, dried fruit, etc. Products that have been merely washed and trimmed (e.g., field cut, what happens on the farm) do not need to be prepared in a licensed facility.

DAIRY PRODUCTS

All milk and milk products (such as cheese, butter, cottage cheese, yogurt, and sour cream) sold to institutions, restaurants, hospitals, and retailers must come from a licensed dairy facility. A dairy license is required for producing milk on a Grade A dairy farm, transporting, and transferring milk to a receiving station and processing milk to manufacture any fluid milk or dairy products. For more information, including technical assistance and support for becoming a licensed dairy please visit [ODA's dairy licensing webpage](#).

EGGS

All eggs sold to retailers, cafes, bakeries, hospitals, schools, boarding houses, or institutions must be graded by an ODA licensed egg handler. This may or may not be the producer. To obtain an egg handler's license please visit [ODA's egg licensing webpage](#).

MEATS AND POULTRY

All slaughtered and processed meat and poultry sold in Oregon must be inspected by ODA or the U.S. Department of Agriculture (USDA) and slaughtered in an ODA or USDA-inspected plant. The ODA licenses both custom slaughterhouses and USDA slaughterhouses. In some instances, a livestock producer may need a meat sellers license. The type of license necessary depends on how the meat is processed or stored (i.e., whole cut and/or cut and wrap versus further processing such as curing and smoking). Any meat sold to schools would need to be slaughtered and processed under



the USDA's meat inspection program, whether it is an amenable species (beef, sheep, swine, goats) or non-amenable species (bison, yak, and more) and processed (in a USDA facility) under the USDA's voluntary inspection (fee for service) inspection program.

Some poultry producers may be able to sell poultry to retailers, schools, hospitals, wholesalers, etc. without continuous USDA inspection under the 20,000-bird exemption. Firms under this exemption are allowed to process and sell 20,000 birds under a fully licensed ODA facility. The Farm Direct law is specific only to the 1,000 bird exemption and is limited to direct sales and must be whole carcass. For a list of ODA licensed facilities, or for questions about whether your firm should become licensed, contact the Food Safety Program at the Oregon Department of Agriculture, 503-986-4720.

SEAFOOD

All seafood sold to schools must come from a facility that maintains a food safety processing license. The facility must also develop and implement a Seafood Hazard Analysis Critical Control Point (HACCP) Plan to minimize the risk of contamination during handling, eviscerating, freezing, cutting, preserving, and packing seafood products. All seafood products must at a minimum, be labeled with a common or usual name of the product, list of ingredients, net weight, company name and address of the manufacturer.

GRAINS AND LEGUMES

Uncooked whole, hulled, crushed or ground grain, legumes and seeds are allowed to be sold without a license. Any other form (processed) will need a food safety processing license.

VALUE-ADDED PRODUCTS

Cottage food laws/rules are generally considered to be like farm direct marketing for producer products (i.e., pickles, jams/jellies). Oregon's farm direct law permits certain foods made by farm/producers to be exempt from licensing provided certain requirements are met. Often a food processing license will be required of the facility handling raw ingredients and processing it into final products destined for schools.



There are many different types of licensures that may be required depending on the type of product (meat, poultry or seafood, or bakery, for example) that the facility or business produces. For facilities or individuals producing value-added products a combination of licensure may be necessary, and this will ultimately depend on the form of the product (cooked, frozen, dried, etc.) and type of ingredients included.

INSURANCE, OTHER LICENSES, PERMITS, AND REGULATIONS

Institutions may require vendors to hold substantial liability insurance policies. Check with your school food sponsor to identify their liability insurance requirements.

Scales used commercially (i.e., direct buying, selling, or packaging of commodities) must be licensed with the Oregon Department of Agriculture Weights and Measures Program. <https://oda.direct/LicenseScaleMeter>

The Oregon Department of Agriculture encourages all farmers, food processors, food transportation businesses, importers, and food safety professionals to educate themselves about the federal Food Safety Modernization Act (FSMA). FSMA will affect produce, processed food for people and animals, food transportation, and imported food. <https://oda.direct/FSMA>

Good Agricultural Practices/Good Handling Practices GAP/GHP is a voluntary certification using a systems-based approach to minimizing risk of microbial contamination of fresh fruits and vegetables on the farm. The practices are a set of parameters that growers can implement during growing, harvesting, sorting, packaging, and storing to reduce the possibility of microbial contamination to fresh fruits and vegetables. For more information including a list of farms with certification visit <https://oda.direct/GAPGHP>.

The Oregon Department of Agriculture Food Safety Program is responsible for regulating production, processing, and distribution of many types of food products. For more information on the types of licenses for diverse types of food establishments visit <https://oda.direct/FSlicensing>.

More questions about ODA Food Safety licenses? To contact your local inspector, visit <https://oda.direct/FindFoodInspector> or call 503-986-4720.