



## Eagle Mountain Farmers Market

### Vendor's Handbook

2024

Greetings from the Eagle Mountain Farmers Market team! We look forward to having a great year at the Eagle Mountain Farmer's Market and hope you will be a part of that experience.

In order to help our vendors understand how to have a successful farmers market year we have put together this handbook containing all the information you need to be a part of the Eagle Mountain Farmers Market. If you have any questions please feel free to contact us via email ([eaglemountainfarmersmarket@gmail.com](mailto:eaglemountainfarmersmarket@gmail.com)) or phone (801-349-7355).

Our goal for the market is to bring local farmers and producers of goods and services to our community and to support our vendors and to create a welcoming, friendly, uplifting environment for the public attending this market. We appreciate your participation in the market and we know we will have a great year!

#### *Market Day and Time*

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The market runs every Saturday from 9 a.m. to 1 p.m. from the second Saturday in June through the last Saturday in September. This is 17 weeks. The market will be open rain or shine! We do not close for bad weather - except for lightning and high winds that threaten to tear our tents apart.

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#### *Market Location*

The market location is at the Cory B. Wride Memorial Park, 5806 N. Pony Express Parkway, Eagle Mountain, UT 84005. The park is a huge attraction for the local citizens because of the children's splash park and play area as well as sports activities. There is plenty of parking in the area and a public bathroom on site. The market will be located on the very north end of the park in the grass area, by the splash pad. There is a walkway that meanders through this area. The booths will be set up on this walkway. You will be able to back your car up and unload and then move to a different part of the parking lot so as not to block the Food Trucks. This location is also near the main road running next to the park that gives it high visibility to traffic going by. We will not be missed!

## Amenities

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Plenty of parking  
Public bathrooms  
Lots of space  
Parking near your booth!

## Fees

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### Application Fee

A \$25 non-refundable application fee will be required for all vendors. The funds from this application are used to cover the costs of the software service to organize and manage the market from week to week. This software will make it easier for us to track and store the vendors information, required permits, sending out emails and invoices, tracking vendor's attendance and payments for booth fees.

### Booth Fees

In addition to the application fee, there may be a booth fee that is charged for a weekly or seasonal booth space use. See which category of booth you will fall under to see your fee.

Type	Description	Weekly Cost	Season Cost / Savings	Notes
Farmers	Raw food production	No charge	No charge	All ages
Food Artisans	Home based production	\$30	\$390 / \$23 week	See definition of Cottage Industry or Home Production Home Consumption
Food Trucks / Food Booths	Food Prepared on site	\$30	\$390 / \$23 week	Requires health department permits and/or licensing
Youth	Non-farmers	\$10	\$130/ \$7.64 week	Must be 17 or younger and product must be create and sold by youth.
Non-Food Products and Services	Homemade products or services that do not include food	\$30	\$390 / \$23 week	Things like craft items, face painting, etc.
Non-Profit Organizations	Not For Profit organizations	No Charge	N/A	One booth per organization per season

## **PAYMENTS**

Fees are due by Thursday evening before the day of the market and if you want the season discount, the total amount is due before the first day of the season.

1. **Full Season Discounted:** Once the Vendor's application is approved, the Market Director will invoice the Vendor for the full season discounted. The Vendor is required to pay for the full season in advance of the beginning of the season to receive the full season discount.
2. **Daily Booth Fee:** Once the Vendor's application is approved you will be able to be assigned a booth for the upcoming market date. Make sure that each week your calendar is updated correctly. After 9 pm on Thursday, we will charge your card for the week and make booth assignments, (refund will not be given if you have that date selected to attend). If you prefer to pay by Venmo please contact Market Manager by Thursday Morning. You will be able to see your assigned booth on your Calendar in MarketSpread software by Friday afternoon or Saturday morning. You can also contact the Market Manager at the market on Saturday morning.
3. **Late Payment** If you have not paid before Saturday morning market you will receive a \$5.00 late fee and will be given whatever booth is left over which may not be the best location!
4. Booth fees will not be refunded **if the vendor is asked to leave the Market** by Eagle Mountain Farmers Market management team members or a government agency, due to any non-compliance with government regulations or for any other reason. Eagle Mountain Farmers Market management reserves the right to dismiss/evict any vendor at any time for any reason. We want everyone to get along and any unkind, unprofessional conduct will not be tolerated, and vendors will be asked to leave and will not be allowed to return. **No refunds will be given.**
5. Eagle Mountain Farmers Markets will operate in RAIN or SHINE (except as noted below.) **NO REFUNDS for cancellations or no-shows!**
6. **DANGEROUS WEATHER:** If the market must be canceled due to dangerous weather (high winds, thunderstorm, hail, etc.,) you will be notified by email or text if possible, or it is possible we will stop the market before the end of the day if the conditions call for this action. If we decide to cancel before the start of the market, you will be credited or refunded your booth fee for the day. If the market is stopped during the day, no refunds will be given.

## Vendor Categories

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### Farmers

**Raw Agricultural Products:** unprocessed, no chopping, dicing, slicing or in any way changed from the state it was when harvested. Fruits, vegetables, grains, nuts, herbs, potted plants, and flowers are acceptable products.

**Egg:** Eggs must come from chickens raised by the Vendor. Eggs must be kept at 41 degrees or less. Egg cartons must include safe handling procedures. DO NOT reuse egg cartons unless the carton is provided by the customer for you to fill.

**Honey:** Raw honey that has not been changed or added to are considered a farm product.

**Dairy:** Vendors must be involved with the care of dairy animals. Dairy products must be kept at 41 degrees or less. No Raw Milk products are permitted at the market.

**Meat:** Meat must come from animals raised by the Vendor. Frozen meat products must be kept at 32 degrees or less.

### Food Artisans

Examples of Food Artisan products include bread, cookies, cake, tortillas, salsa, jam, bottled juice, canned fruits, flavored honey and prepared vegetables.

Since 2018, there have been three separate laws that govern the sale and production of food from residential kitchens: 1) The Cottage Food Statue, 2) The Home Consumption and Homemade Food Act (HB181) and 3) MicroEnterprise Home Kitchen Act (HB94). There are differences between them and the licensing required. All types are welcome at the market.

- **Home Consumption and Homemade Food Act**

The Home Consumption and Homemade Foods Act was signed into law in 2018. This law allows food production in a residence without requiring the operator to be registered with the Utah Department of Agriculture and Food. The range of foods that can be prepared is much wider, only **prohibiting products containing meat or raw, unpasteurized dairy products**. However, these foods can ONLY be sold directly to the end consumer, and the sale must be conducted in person at a pre-arranged location (i.e. the Farmer's Market).

Overview of Homemade Foods Act

1. Allows all but a few specific foods to be made in private home kitchens, (excluded products include meat products or raw dairy products)
2. **The food must be packaged and somewhere on the food or in the booth the vendor must have a label or sign that bear warning statements that includes (a) the producer's name and address; (b) a disclosure statement indicating that the product is: (i) not for resale; and (ii) processed and prepared without state or local inspection; and (c) a statement listing whether the food or food product contains, or was prepared in a location that also handles, common allergens including milk, soy, wheat, eggs, peanuts or tree nuts, fish, or shellfish.**

[Chapter 5a Home Consumption and Homemade Food Act.](#)

- **Cottage Food Establishment**

The Cottage Food Statute, which has been in effect since 2007, requires a business to register with the Utah Department of Agriculture and Food, just like a commercial business would. It allows for the production of "non-potentially hazardous foods", also known as "shelf-stable" foods, in a residential kitchen within the operator's home. **Any food that requires refrigeration or other temperature control for safety cannot be produced under the Cottage Food Statute.** Cottage Foods can be sold anywhere in the state of Utah, either retail or wholesale (through a store), with the exception that restaurants cannot use Cottage Foods as ingredients in their menu. Cottage Foods follow the Federal food labeling regulations, with the addition of the words "Home Produced" on the front label.

Apply for a cottage kitchen license at: <https://ag.utah.gov/cottage-food-production.html>  
~ Please call Rebecca Nielsen From the Department of Agriculture if you have any questions about how to get your cottage kitchen license.  
Rebecca Nielsen, Program Manager (801) 538-7152

Licenses will be required to be submitted and to on display in your booth.

- **MicroEnterprise Home Kitchen**

With the enactment of H.B. 94 on March 23, 2021, Utah became just the second state in the union to legalize Microenterprise Home Cooking Operations (MEHKO). With this law people are able to sell prepared foods (including meat products) to consumers from their home. You need to get a license and inspection completed but it is not complicated.

- **Food Trucks & On-site Food Booths**

This category includes vendors who are preparing food on site for consumption at the market. This includes food trucks and food booths. This category requires licensing and permits. Registration for a temporary food establishment permit will be required through the Utah County Health Department. Information for this permit can be found here: [https://le.utah.gov/xcode/Title4/Chapter5A/C4-5a\\_2018050820180508.pdf](https://le.utah.gov/xcode/Title4/Chapter5A/C4-5a_2018050820180508.pdf)

**Restrictions** on this category include:

1. Prepackaged food **not** produced by the Vendor are **prohibited**.
2. **Alcoholic** drinks are prohibited.

Licenses and permits will be required to be submitted and on display in the vendors booth or truck.

- **Licensed Food Vendor**

This category of food vendor applies to a vendor who has food that is produced in a commercial business facility that they own. This can be a mom and pop or local food establishment with local ownership. Their facilities are under the Health Department regulations for inspection as a manufacturing facility. Any food products that require refrigeration must be kept under the same conditions as they are required for retail food sales. Licensing for this vendor will be required to be submitted and on display. Temporary establishment permits may be required. Retail sales of meat have special requirements. Please contact Clay Petersen, 801-913-8968.

## Youth Vendor

Youth 17 years old or younger may be youth vendors. Youth Farmers are free. Any other category of youth vendor is \$10/day or \$130 for the season. All licensing and permits apply for youth vendors the same as other categories of the same kind. Products sold at youth booths must be created and sold by the Youth. Parents can help but only minimally. If you want to have a family booth it would fall under one of the other categories.

## Non Food - Products or Services

Examples of homemade products include soap, lotion, oils, laundry detergent, clothing, furniture, jewelry, quilts, toys, etc. All products must be produced by the vendor or vendors family.

Services may include: face painting, nail painting, messages, photography booth, etc.

## Non-Profit Organizations

Non-profit Organizations are welcome to come one day during the season to have a booth at the market to promote their company. The rules for selling items at the market apply to non-profit companies and they are required to obtain permits or licenses as other vendors are. Proof of non-profit status will be required.

If a non-profit company would like to be a vendor at the market under another paid category, they are welcome to have a booth as often as they would like.

## Entertainers or Presenters

Entertainment really adds to our market and is a great way to advertise your group or class. We welcome musicians, dancers, balloonist,

We also welcome those who would like to share their knowledge with the community in areas that are related to Health, Exercise, Nutrition, Cooking, Canning, Gardening or Farming, or the Environment and many other related subjects.

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## *PERMITS & LICENSING*

Vendors are responsible for all licensing and permits required by law. You will be required to upload your permits during the application process.

**On-site food vendors and Food Trucks must acquire all proper permits required by the Utah County Health Department, the State and the Department of Agriculture.**

**Every person in the on-site food booth or Food Truck who handles food must have a current State of Utah Food Handlers Permit, regardless of age.** You can acquire a Food Handler's permit at the Utah County Health Department. Link to online permit process [here](#):

All permits, both State and County, must be present and **prominently displayed in the booth at all times and will be submitted** to the Utah Farmers Market Management website through the application process.

## *Food Sampling*

**Temporary food establishment permits** are required by the Utah County Health department for Individuals or groups planning to **serve or sample unpackaged food** at an event that is open to the public. More information about these permits can be found [here](#), or at the Utah County Health Department or on their website at [www.utahcountyhealth.org](http://www.utahcountyhealth.org)

Food samples will be allowed this year but must also be distributed so that they do not spread any contamination from person to person.

## *SNAP and DUF� Programs*

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The SNAP (Supplemental Nutrition Assistance Program) and the DUF� (Double Up Food Bucks) programs will be available through the Eagle Mountain Farmers Market again this coming season. We will provide more information and training for new vendors who are eligible to accept SNAP and DUF� payments and how that will work for our market.

Basically, customers who are a part of the SNAP program will be able to spend their money they get from the program at the Farmers Market by purchasing eligible food products and will be able to double the money they spend on these foods for certain food products up to \$30 extra each week. This is a great benefit for these customers and will give them more access to more local, nutritious food!

## *SETUP & TAKE DOWN OPERATIONS*

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Markets will be held outside RAIN or SHINE. If unable to attend please contact the Market Director (801) 349-7355 at least 24 hours before market day, to allow us to adjust the booth spaces to fit the market.

1. **CHECK-IN and SETUP:** from 7:30 AM to 8:45 AM. Check in at the Eagle Mountain Farmers Markets Information booth to confirm booth assignment. Vendors who have paid for the full season will be allowed to request a reserved booth space location. Your booth assignment may change from week to week depending on vendor attendance or absence. Vendor's display must be completed by 8:45 AM. Late displays/set ups will result in possible exclusion from future markets.
2. **UNLOADING:** Please be considerate of other vendors needing space to unload. We want to reserve parking in the park parking lot for patrons. We will have room for parking behind the booths this year and will direct parking in another location if your vehicle does not fit the area. Food trucks and farmers actively selling out of trailers are permitted to stay in the parking lot.
3. **WEIGHTS:** Vendors must **weigh down their tents with 25lbs. minimum per tent leg.** (50 lbs per leg is not too much) The rope/cord used to attach weights to the tent must be rated for the weights being used. If you do not have weights for each of your tent/awning legs, you will be asked to immediately take your tent down. Failure to do so will be cause for eviction from the market immediately because of the risk unsecured tents present to other vendors and visitors.
4. **ELECTRICITY:** Not provided. Quiet generators are allowed. You may be asked to relocate if your generator is too loud and disturbing those around you. Please be aware of how you are affecting those around you.



5. **TAKE DOWN:** Vendors are **required to stay until the market closes at 1 PM**. Any vendor found packing out or leaving prior to closing will receive one warning before receiving a \$25 FEE and/or exclusion from future markets. If you sell out of product, feel free to mingle with the patrons, visit other booths and buy some food to eat and plan how you will have enough product for the next event.
6. **CLEANLINESS:** Vendors are responsible for maintaining the cleanliness of the booth space as well as in front and behind vendors' booths during the market.
7. **CLEANUP:** Vendors are responsible for cleaning up their area and disposing of waste products in accordance with Utah County Health codes. All garbage must be removed from their booth. **Do not use garbage cans in the area provided for customers.** Any charges that are incurred by the farmers market as a result of your vending (damages, trash clean-up, stains, etc.) will be the responsibility of the vendor. If Eagle Mountain Farmers Markets staff has to clean up trash after you leave you will be invoiced a \$25 FEE. Vendors need to be completely cleaned up by one hour after the market closes at 1 PM. **The Utah county health department prohibits the dumping of water onto the ground of the Farmers Market location. All waters and other fluids, including wash waters must be contained and removed from the site and disposed of in an established sewer system.**

## *BOOTHS*

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Booth spaces are 12'x12'. If you would like a double booth, you may apply for that if space is available. **You are responsible to supply your own awning/tent/covering.** For safety reasons all coverings are required to have at least a 25lb weight attached to each leg of the covering (50 lbs is not too much). **You are allowed to have a sign or any other display inside your booth area, but not in the walkways. These areas must be kept clear.**

Food Truck spaces will be the length of the truck plus 15 feet in the front of the truck and five feet in the back of the truck. The truck must park so that the customer side is toward the walkway or center of the venue as directed.

## *SELLING OF PRODUCTS*

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All prices, terms of sale, etc. are between the buyer and the seller only. Vendors may not sell any items that are not listed and approved on their application. The market staff has the right to ask a vendor to remove any unapproved items from their booth.

## *SALES TAX*

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All vendors, with the exception of farmers that sell only freshly grown produce/plants grown by them, are required to collect sales tax from their customers and remit the sales tax to the Utah State Tax Commission.

You will receive a Temporary Sales Tax License Number, Special Event Sales Tax Return Form, tax amount chart, and a prepaid envelope on your first day at the Utah Farmers Market Information Booth. **Vendors are responsible for collecting sales tax and sending it to Utah**



**State Tax Commission** by the due date. For questions, please call the Utah State Tax Commission Special Events Unit at (801) 297-6303.

**Any required sales tax collection and remittances are the sole responsibility of the vendor.**

## ***LIMITATION OF LIABILITY***

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Vendor assumes full liability for the products they market or sell and hereby agree to hold Eagle Mountain Farmers Market Management Team and/or Eagle Mountain City harmless of any claim of injury, or damage by seller, or other persons resulting from the use, consumption, disposition, display, or marketing of vendors' products.

Eagle Mountain Farmers Market Management Team and/or Eagle Mountain City are not responsible for injury, theft, or damage to the buyer, vendor or their property arising out of or pertaining to preparation for or participation in the farmers market; whether such injury, theft or damage occurred prior, during, or after the farmers market. Seller further agrees to indemnify and hold these entities and their employees and volunteers harmless of any such claims.

In addition, Eagle Mountain Farmers Market and/or Eagle Mountain City will hold any vendor responsible for any legal fees or fines incurred as a result of any litigation or fines regarding any lawsuits or fines incurred in relation to the vendor's conduct or actions or inactions.

## ***NON-COMPLIANCE***

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Eagle Mountain Farmers Market and employees have the authority to ask any vendor to remove himself/herself and/or any product from the market and reserves the right to refuse acceptance, participation and continued participation (without refund) to any vendor for any reason at any time. Vendors may also be asked to remove himself/herself and/or any product which does not comply with market rules and regulations and/or do not meet market standards which include, but are not limited to: all local, city, state, Utah Department of Agriculture or the Utah County Health Department guidelines and federal laws and market rules & regulations, and may be asked to remove himself by either the health inspector, Utah Farmers Market Management Company, Eagle Mountain City or local law enforcement and security personnel. Booth fees will NOT BE REFUNDED.

## ***VENDOR CONDUCT***

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All vendors are expected to respect each other. If a problem occurs, you must alert the Market Director immediately. Eagle Mountain Farmers Markets reserves the right to ask any vendor to leave for disorderly conduct and inappropriate behavior. Eagle Mountain Farmers Markets welcomes all people regardless of race, creed, color, sex, religion, sexual orientation, age, nationality or ability.

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## ***ETIQUETTE***

Now that all those nasty details are out of the way, let's talk about the good stuff! Please talk with customers. You will have more business the more you interact with them. For instance, if you are sitting in a chair when a customer visits your booth, please stand and engage them. Sitting down in your booth sends the wrong signal. If you need a break, have someone else stand in for you while you run to the bathroom, get something to eat, or get a drink or just shut your eyes for a minute stretched out on the grass.

We all just really want to have a great time, sell a lot, and provide an atmosphere that makes patrons want to be there, you can help us do that. Let's all play nice and know that the better we treat each other, the better the outcomes will be!

## ***SOCIAL MEDIA***

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To help advertise Eagle Mountain Farmers Market please share live videos on personal and/or business social media sites. Please follow us on Instagram and/or like us on Facebook. Please invite your family and friends to the market on Facebook events, Instagram and other methods, even word of mouth! Or hey, why not just call them on the phone!

We also reserve the right to take photos and videos of you at the market and post these videos on our website, Facebook page, Instagram and other methods of marketing. We may even choose to interview you about your company and feature you on our marketing platforms.

## APPENDIX

### Utah Code Page 1 Effective 5/8/2018 Chapter 5a **Home Consumption and Homemade Food Act** 4-5a-101 Title. This chapter is known as the "Home

Consumption and Homemade Food Act." Enacted by Chapter 377, 2018 General Session 4-5a-102 Definitions. For purposes of this chapter:

- (1) (a) "Commercial establishment" means a wholesale or retail business that displays, sells, manufactures, processes, packs, holds, or stores food, drugs, devices, or cosmetics. (b) "Commercial establishment" does not include a: (i) direct-to-sale location; or (ii) direct-to-sale farmers market.
- (2) "Direct-to-sale farmers market" means a public or private facility or area where producers gather on a regular basis to sell directly to an informed final consumer fresh food, locally grown products, and other food items that have not been certified, licensed, regulated, or inspected by state or local authorities.
- (3) "Direct-to-sale location" means a farm, ranch, direct-to-sale farmers market, home, office, or any location agreed upon by both a producer and the informed final consumer where a producer sells a food or food product to an informed final consumer.
- (4) "Home consumption" means the use or ingestion of homemade food or a homemade food product within a private home by a family member, an employee, or a nonpaying guest.
- (5) "Homemade food product" means a food product that is prepared in a private home kitchen that can be used, or prepared for use, as food or nonalcoholic drink, subject to the limitation described in Subsection 4-5a-105(1).
- (6) "Informed final consumer" means an individual who:
  - (a) purchases the product directly from the producer;
  - (b) does not resell the product; and
  - (c) has been informed that the product is not certified, licensed, regulated, or inspected by the state.
- (7) "Producer" means a person who harvests or produces homemade food or a homemade food product.

Enacted by Chapter 377, 2018 General Session 4-5a-103 Regulation of a direct-to-sale farmers market.

- (1) A direct-to-sale farmers market selling homemade food under this chapter shall:
  - a. (a) display signage indicating to an informed final consumer that the homemade food and food products sold by producers at the market have not been certified, licensed, regulated, or inspected by state or local authorities; and
  - b. (b) only include products for sale
- (2) If the direct-to-sale farmers market is in any way associated with a farmers market as defined in Subsection 4-5-102(5), the direct-to-sale farmers market section selling homemade food under this chapter shall comply with the following requirements:
  - (a) the direct-to-sale farmers market section shall be separated from the farmers market section; and
  - (b) the separate direct-to-sale farmers market section shall include signs or other markings clearly indicating which space is the farmers market space offering inspected items for sale and which space is the direct-to-sale farmers market space offering items that are uninspected.
- (3) The department may make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, regarding the signage described in Subsection (1).

Enacted by Chapter 377, 2018 General Session 4-5a-104 Home producer direct sales -- Exempt from regulation.

- (1) A producer is exempt from state, county, or city licensing, permitting, certification, inspection, packaging, and labeling requirements, except as described in this section, related to the preparation, serving, use, consumption, or storage of food and food products if: (a) the producer complies with the requirements of this chapter; and (b) the homemade food or homemade food product is: (i) produced and sold within the state; (ii) sold directly to an informed final consumer; (iii) for home consumption; and (iv) not exempted under Subsection 4-5a-105(1).
- (2) Notwithstanding Subsection (1), a producer shall comply with business license requirements pursuant to Section 10-1-203.
- (3) Food or food products sold under this section shall be labeled with:
  - (a) the producer's name and address;
  - (b) a disclosure statement indicating that the product is: (i) not for resale; and (ii) processed and prepared without state or local inspection; and
  - (c) a statement listing whether the food or food product contains, or was prepared in a location that also handles, common allergens including milk, soy, wheat, eggs, peanuts or tree nuts, fish, or shellfish.
- (4) (a) Except as provided in Subsection (4)(b), homemade food or a homemade food product that is exempt from certain regulations as described in this chapter may not be sold to, or used by, a restaurant or commercial establishment. (b) A producer may sell a raw, unprocessed fruit or vegetable to a restaurant or commercial establishment.
- (5) A producer selling homemade food or homemade food products exempt under this section shall inform the final consumer that the food or food product is not certified, licensed, regulated, or inspected by the state or any county or city.

Enacted by Chapter 377, 2018 General Session 4-5a-105 Limitations.

- (1) This chapter does not apply to the sale of: Utah Code Page 3 (a) raw dairy or raw dairy products; or (b) meat products, with the following exceptions: (i) the sale of poultry and poultry products if the producer: (A) slaughters no more than 1,000 birds per year in accordance with the United States Department of Agriculture 1,000 bird exemption; and (B) follows the United States Department of Agriculture's, Food Safety and Inspection Service document titled "Guidance for Determining Whether A Poultry Slaughter or Processing Operation is Exempt from Inspection Requirements of the Poultry Products Inspection Act"; and (ii) the sale of domesticated rabbit meat, pending approval from the United States Department of Agriculture that the state's role in meat inspection is preserved.
- (2) Nothing in this chapter:
  - a. (a) means that the department relinquishes its authority to administer the state's program at a standard level at least equal to the standards imposed under the Federal Meat and Poultry Products Inspection Act;
  - b. (b) shall be construed to impede the Department of Health in an investigation of foodborne illness;
  - c. (c) prohibits a state agency from providing assistance, consulting, or inspecting when requested by a producer; or
  - d. (d) affects the authority of the Department of Health or the Department of Agriculture and Food to certify, license, regulate, or inspect food or food products that are not exempt from certification, licensing, regulation, or inspection as described in this chapter.
- (3) The department may not, by rule, impose an additional limit, requirement, or restriction on a producer selling food or a food product under this chapter.