



Licenses and Permits Needed to Sell at Farmers Markets in Washington State

By Colleen Donovan, WSU Small Farms Program. April 2016.

All farmers market vendors are responsible for complying with local, state, and federal requirements governing the sale and production of their products. The following is a summary of licenses and permits required for **farm vendors to sell** at farmers markets. It does not include licenses and permits needed for production and transportation. Please consult the appropriate agency to get the most complete and up-to-date information. Individual farmers markets may have additional requirements.

The WSDA’s “Handbook for Small and Direct Marketing Farms” is helpful for understanding the state regulations for specific products, processing, and food safety. The Washington State Small Business Guide is an excellent “A to Z” resource on licenses; it is available from the Washington State Governor’s Office for Regulatory Innovation and Assistance (www.oria.wa.gov).

Licenses or Permit	Issuing Agency	Reasons You May Need License
Washington State Business License	State of WA Business Licensing Service: www.bls.dor.wa.gov	<input type="checkbox"/> Required to operate a business. <input type="checkbox"/> The market asks for a Unified Business Identifier (UBI) number. <input type="checkbox"/> To get a City Business License. <input type="checkbox"/> To get a “specialty license.” <input type="checkbox"/> To register or change a trade name. <input type="checkbox"/> To hire employees. <input type="checkbox"/> To get insurance. There are ~60 cities in WA that require a business license. If you sell at a farmers market in one of these cities, check to see if you need a city business license or if there is an exemption.
City Business License	City licenses are issued by individual cities. See bls.dor.wa.gov/citycounty.aspx	
Specialty Licenses Additional licenses added to your business license. Issued by the State of Washington Business Licensing Service: http://bls.dor.wa.gov/specialtylicenses.aspx		
Egg Handler/Dealer	www.bls.dor.wa.gov/eggdealer.aspx	<input type="checkbox"/> Required for anyone selling eggs in Washington. <input type="checkbox"/> All eggs sold at farmers markets are also required to have an “egg seal” on the carton.
Liquor License	www.bls.dor.wa.gov/liquor.aspx	<input type="checkbox"/> Required if selling wine, beer, hard cider, or spirits at the market. <input type="checkbox"/> Also required if sampling wine, beer, hard cider at the farmers market.
Nursery retailer/wholesaler	www.bls.dor.wa.gov/nursery.aspx	<input type="checkbox"/> Required if you sell over \$100 per year in live plants. <input type="checkbox"/> Note: This license is <u>not</u> required to sell cut flowers.
Weighing and measuring devices (also known as “scale license”)	www.bls.dor.wa.gov/weightsandmeasures.aspx	Required if you price products based on weight or measure and use a scale to determine the weight or measure. This license is supposed to be posted “at each location where the licensee operates.”
Other Licenses Additional licenses issued by other state agencies depending on the products sold.		
Red Meat	USDA Food Safety & Inspection Service	Beef, pork, lamb, and goat meat must be “USDA Inspected” in order to be sold at farmers markets.
Poultry & Rabbits	WSDA Food Processor License <u>and</u> any permit required by the County Health Department	Poultry and rabbits must have a WSDA Food Processor License (or be USDA FSIS Inspected) to be sold at farmers markets. The WSDA Special Poultry Permit is for on-farm sales only. Check with the county where the market is located to ascertain if there are additional permits required.
Dairy	WSDA Food Safety Program	The key licenses are the Milk Processing Plant License and Milk Producers License or Food Processors License. See Factsheet 25 in the WSDA “Small Farm and Direct Marketing Handbook” (2014).

<p>Fish & Shellfish</p> <p>Also see Factsheet 27 in the WSDA “Small Farm and Direct Marketing Handbook” (2014).</p>	<p>WA Department of Fish & Wildlife</p> <p>Wholesale Fish Dealers License</p> <p>Direct Retail Endorsement License</p> <p>Aquatic Farmer Registration</p> <p>Processing</p>	<p>wdfw.wa.gov/licensing/commercial/open_wholesale.html</p> <p>wdfw.wa.gov/licensing/commercial/forms/dre.pdf</p> <p>wdfw.wa.gov/licensing/commercial/misc_additional_permits.html</p> <p>WA Department of Health</p>
<p>Wineries, Breweries & Microbreweries</p>	<p>Washington State Liquor and Cannabis Board</p> <p>Farmers Market Authorization (for market)</p> <p>Farmers Market Endorsement (for vendor):</p> <p>Mandatory Alcohol Server Training (MAST)</p>	<p>www.liq.wa.gov/licensing/farmers-market-authorizationendorsement</p> <p>www.liq.wa.gov/licensing/farmers-market-authorizationendorsement</p> <p>www.liq.wa.gov/mastrvp/mandatory_alcohol_server_training</p>
<p>Beekeeper / Broker Registration</p>	<p>WA State Dept of Agriculture agr.wa.gov/plantsinsects/apiary/</p>	<p>RCW 15.60.021 “Each person owning one or more hives with bees, brokers renting hives, and apiarists resident in other states who operate hives in Washington shall register with the director by April 1st each year.”</p>
<p>Processed Foods “Food processing” is defined as “handling or processing of any food in any manner of preparation for sale for human consumption” (RCW 69.07).</p>		
<p>WSDA Food Processor License</p>	<p>WSDA Food Safety Program agr.wa.gov/foodanimal/foodprocessors/default.aspx</p> <p>Also see Factsheet 19 in the WSDA “Small Farm and Direct Marketing Handbook” (2014).</p>	<p>Includes canning, freezing, drying, dehydrating, cooking, pressing, powdering, packaging, baking, heating, mixing, grinding, churning, separating, extracting, cutting, fermenting, eviscerating, preserving, jarring, slaughtering, smoking and any other forms of food processing. Also note:</p> <ul style="list-style-type: none"> • Exemptions • Labeling requirements
<p>Cottage Food Permit</p>	<p>WSDA Food Safety Program agr.wa.gov/foodanimal/cottagefoodoperation/</p>	<p>Allows people to make low-risk food in their home kitchens and sell directly to consumers. See the Factsheet 20 in the WSDA “Small Farm and Direct Marketing Handbook” for how to get the permit and a list of the products that are allowed and not allowed. agr.wa.gov/marketing/smallfarm/greenbook/docs/20.pdf</p>
<p>Sampling & Serving Food Washington State is governed by the Retail Food Code. However, each county are allowed to administer it in different ways. Typically, farmers markets are considered “Temporary Food Establishments.” To find the County Health Department/District, visit: http://www.doh.wa.gov/AboutUs/PublicHealthSystem/LocalHealthJurisdictions</p>		
<p>Temporary Food Establishment Permit</p>	<p>County Health Department/District where food is sold</p>	<p>Individuals or groups (including guest chefs) selling or serving most foods at farmers markets may need a Health District Permit. There are some foods that are exempted. See below.</p>
<p>Application for exemption from the Temporary Food Permit</p>	<p>County Health Department/District where food is sold</p>	<p>If you are selling or serving food – including sampling -- at the farmers market that is exempted from the Temporary Food Establishment permit, then some counties require you to complete and submit this form.</p>
<p>Food Workers Permit/Card</p>		<p>Required for anyone who works “with unpackaged food, food equipment or utensils, or with any surface where people put unwrapped food.” www.doh.wa.gov/CommunityandEnvironment/Food/FoodWorkerandIndustry/FoodWorkerCard</p>
<p>Department of Labor and Industries</p>		
<p>Minor Work Permit</p>	<p>bls.dor.wa.gov/minorworkpermit.aspx</p>	<p>Minor Work Permits are required if business employs 1 or more people under 18 years of age.</p>

This resource was adapted in part from Lane County Farmers Market Handbook (2013) and the Rogue Valley Growers & Crafters Market (2014).