

310:257-1-2. Definitions

"Farmers Market" means a designated area in which farmers, growers or producers from a defined region gather on a regularly scheduled basis to sell at retail non-potentially hazardous farm food products and whole shell eggs to the public. A portion of the raw food ingredients used by the individual vendor to produce a product must have been grown or raised by the vendor. The individual vendors wishing to process foods as defined by **Chapter 260** of the regulations must obtain a state food processor's license. A Farmers Market must have written operational guidelines and a minimum of six vendors, along with a designated market manager or advisory board who will be responsible for distribution of a copy of the guideline to the vendors. Farmers Markets must be registered by the Oklahoma Department of Agriculture, Food and Forestry and comply with the Food Service Establishment Regulations, OAC 310:257, and/or Good Manufacturing Practice, OAC 310:260. This definition does not include individual farmers who grow and sell unprocessed fruit and/or vegetables from the farm, roadside, or truck. Any vendors who prepare or sell any potentially hazardous foods at the Farmers Market must abide by all applicable sections of the Food Service Establishments, OAC 310:257 of the regulations including acquiring a license from the department."

"Seasonal food service establishment" means a facility that is open no more than 180 consecutive days per physical address per year. The seasonal food service establishment is limited to serving coffee and snow cones with use of liquid milk, raw fruits, raw vegetables, nuts in the shell, and commercially bottled syrup, sorghum, honey, sweet cider, and other non-Time/Temperature Control for Safety Foods.

"Seasonal fruit stand" means an establishment that is open no more than 180 consecutive days per physical address per year and is limited to whole, raw fruits and vegetables and unprocessed nuts in the shell that have been purchased from a third-party vendor.

"Mobile retail food service establishment" means a unit which sells packaged foods from a stationary display at a location some distance from the unit but still at the same physical address for no more than 12 hours, provided the licensed unit is on premise and readily available for inspection and the food has been prepared in a facility that is regulated by the Good Manufacturing Practices in Title 21 of the CFR or regulated as a license holder pursuant to Chapter 310:260, Good Manufacturing Practice Regulations, or this Chapter. 310:257-17-4. Mobile retail food service establishments (a) A mobile retail food service establishment can sell packaged foods prepared by a facility that is in compliance with OAC 310:260 (relating to good manufacturing practices) or food that is prepared in a facility licensed as a food service establishment under this Chapter that is not a mobile pushcart or mobile food service establishment. (b) A mobile retail food service establishment may sell from a stationary table, such as at an event or farmers market. (c) A mobile retail food service establishment shall sell foods at one physical address for no more than 12 hours. (d) The mobile retail food service establishment shall have no personal property or hazardous items in the same compartment in which the food is transported or stored. (e) The name of the business and the Oklahoma State Department of Health license number shall be clearly visible on the outside of the mobile retail food service establishment during hours of operation. (f) A mobile retail food service establishment that remains less than 4 hours at one location are exempt from the written toilet agreement required under 310:257-9-19.

“Time/Temperature Control for Safety (TCS) Food” means a food that requires time/temperature control for safety (TCS) to limit pathogenic microorganism growth or toxin formation. (Foods that must be refrigerated to prevent the growth of bacteria.)