

Farm Direct Marketing: Know the Regulations Fruits, Vegetables and Products



Alberta 
Government

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Disclaimer: Alberta Agriculture and Rural Development has made every reasonable effort to ensure the accuracy of the information in this booklet. It is the responsibility of the producer and/or processor to ensure that their products, practices and facilities meet legislative requirements. As legislation is subject to change and interpretation, it is recommended that farm direct marketers consult the provincial and federal enforcement agencies to ensure compliance.

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Fruits, Vegetables and Products

Overview

Farm direct marketing is the sale of food products directly to the consumer at a farmers' market, roadside stand, farm store, u-pick operation or public market, on-line or through community supported agriculture (CSA). Successful farm direct marketing involves consistently supplying safe, high-quality products in a clean, customer-friendly environment that supports the development of a trust relationship between you (the supplier) and your customers.

Producers and processors must be aware of the federal and provincial legislative requirements that must be met for producing and marketing agri-food products. Agri-food products are those food products that are made using agricultural products, ingredients or processes. You need to know and adhere to the legislation that applies to your farm direct marketing operation. Failure to comply with the legislation may lead to fines or other penalties and possibly, to decreased sales.

You also need to be aware that the rules change depending on the marketing channel and venue. What is an acceptable, even desirable, product at a farmers' market may not be allowed for sale to a restaurant, public market or on-line. For example, your fruit salsa that sells out at the market cannot be sold at the local tea shop if you are not processing in a permitted facility. Requirements for licences, permits, packaging, grading and inspection vary with the avenue used to get your product to market.

Legislation also has different requirements for the construction and operation of the facilities used to produce your products. For example, freezing saskatoon berries for sale to a processor in Saskatchewan must be done in a federally registered facility but not if the fruit is only to be sold to a local bakery. Berries sold only within the province can be frozen in a facility permitted by Alberta Health Services.

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Introduction to Fruits, Vegetables and Products

This booklet highlights the pertinent legislation that applies to the production, processing and sale of fresh and processed fruits and vegetables regardless of where and how they are sold. As a producer or processor who direct markets agri-food products, you need to become familiar with all the legislation that applies to your operation.

It is important to remember that federal law takes precedence over provincial law, which, in turn, takes precedence over municipal bylaws. Different acts and regulations often work together to define requirements.

An act is a written law or statute that has been enacted by a legislative body such as Parliament or the Legislative Assembly. A regulation, sometimes referred to as subordinate legislation, defines the application and enforcement of an act and is made under the authority of the act.

Both pieces of legislation have an effect on your business. In some cases, the regulation may be more pertinent, such as the Food Regulation under the *Public Health Act*. The *Public Health Act* does not directly address farmers' markets, but the Food Regulation contains an entire Part that outlines the requirements for a farmers' market.

Legislation Affecting Production

Pest Control

The purpose of the *Plant Protection Act* (Canada) is to both protect the agricultural sector by preventing the import, export and spread of pests that are injurious to plants and to control or eradicate these pests.

Smuggling plant material into Canada poses a threat to the horticulture industry as there is the possibility of introducing a pest. If you are interested in importing propagation material such as tubers, bulbs, etc., you require a Permit to Import issued by the Canadian Food Inspection Agency (CFIA).

Agricultural pests and nuisances are defined under the provincial *Agricultural Pests Act* as any animal, bird, insect, plant or disease that negatively affects agricultural production. The legislation enables inspectors and local authorities to deal with native and introduced pests and nuisances. Under the Act, declared agricultural pests **must** be controlled while agricultural nuisances may be controlled.

Under the *Agricultural Pest Acts*, declared agricultural pests **must** be controlled while agricultural nuisances **may** be controlled.

Landowners and property occupants have the responsibility to prevent the establishment of declared pests, which may include the destruction of any crop or vegetation that is infested or may spread the pest. The Pest and Nuisance Control Regulation has declared several diseases and nematodes that infect horticultural crops as pests (find the information on-line on the Alberta Queen's Printer website at: http://www.qp.alberta.ca/Laws_Online.cfm).

The *Weed Control Act* (Alberta) aims to regulate noxious weeds, prohibited noxious weeds and weed seeds through various control measures. You are responsible for controlling prohibited noxious and noxious weeds on your own land. The Weed Control Regulation identifies 46 prohibited noxious weeds and 29 noxious weeds (find the information on-line on the Alberta Queen's Printer website at: http://www.qp.alberta.ca/Laws_Online.cfm).

Prohibited noxious weeds are generally not found in high numbers in Alberta, but they are invasive, pose an economic threat and must be eradicated. Noxious weeds are not necessarily widespread but may be more abundant in some areas than others and must be controlled.

Use of Pesticides

Before a pesticide can be sold or used in Canada, it must be registered under the *Pest Control Products Act* (Canada) and Regulations. This Act and the associated Regulations apply to all pesticides manufactured, possessed, handled, stored, transported, imported, distributed or used in Canada. Pesticides include a variety of products such as insecticides, herbicides and fungicides for use in agriculture.

It is unlawful to handle, store, transport or use a pest control product that is not registered in Canada. Pesticides must be stored, transported and used according to the label instructions and the regulations. A pesticide must never be stored with food or animal feed products.

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Health Canada's Pest Management Regulatory Agency (PMRA) is responsible for administering this legislation. Inspectors with PMRA and the CFIA can conduct inspections and sample agricultural products to ensure that producers are in compliance with the legislation.

The *Environmental Protection and Enhancement Act* (EPEA) controls the sale, use, application, handling, storage, transport and disposal of pesticides in Alberta. This legislation reinforces the requirement that animals, plants or food do not become contaminated because of the way pesticides are transported or stored.

According to the Pesticide Regulation under the EPEA, as a commercial agriculturalist, you do not require an applicator's licence when using or applying pesticides on your own land. However, if you are having someone else, not in your employ, apply pesticides, you need to ensure that they hold the appropriate applicator's licence.

The Pesticide Sales, Handling, Use and Application Regulation stipulates the conditions for filling a spray tank. A person 16 years of age or older must be present at all times during the filling procedure.

If you are filling from an open body of water or tap directly into the spray tank, you must do the following:

- fill the tank from the top
- or, if not filling from the top, prevent backflow or back-siphonage from the tank
- maintain an air gap between the water hose and the tank

Pesticides must be used according to the label instructions or the Environmental Code of Practice for Pesticides published by Alberta Environment and Sustainable Resource Development. Pesticides cannot be stored in the same facility as food or personal use items. Requirements for storage and the storage facility are specified in the Pesticide Sales, Handling, Use and Application Regulation. This Regulation and the Waste Control Regulation specify requirements for the disposal of pesticide containers and treated seed.

The *Food and Drugs Act* prohibits the sale of food that may be adulterated or contain a harmful substance. Not following label instructions regarding pesticide application rates and the pre-harvest intervals (time between the last pesticide application and harvest of the treated crops) can result in the amount of the pest control product on your fresh produce exceeding the maximum residue limit (MRL). Exceeding the MRL could result in product recalls, fines or other penalties.

Not following label instructions regarding pesticide application rates and the pre-harvest intervals can result in product recalls, fines or other penalties.

Marketing Commission

The *Marketing of Agricultural Products Act* (Alberta) provides the framework for agricultural marketing commissions. Within the parameters of the legislation, each commodity commission develops a set of governing regulations.

Under the Act and Regulations, any person who produces, markets or processes a regulated product is required to comply with the regulations and provide the appropriate marketing commission with any required information or record relating to the production, marketing or processing of the regulated product.

Under the Potato Growers of Alberta Authorization Regulation, all producers engaged in the production or marketing of potatoes are required to register their names and addresses with the Commission. The Potato Growers of Alberta Commission Regulation requires potato producers who grow on one or more parcels of land that in total exceed five acres to obtain a producer licence from the Potato Growers of Alberta. Licenced producers pay a service charge based on acreage if potatoes are sold as table or seed, or on weight if potatoes are sold to a processor. There are no service charges on potatoes sold at a farmers' market.

On-Farm Food Safety Programs

On-Farm Food Safety (OFFS) programs reduce the risk of unsafe food products originating from the farm. The programs help create a proper operational environment for food safety on the farm through the implementation of Good Production Practices (GPPs). These types of practices can be applied to any type of agricultural production operation.

Key practices:

- a thorough knowledge of the hazards and risks on the farm
- a good understanding of the GPPs recommended for the commodity and type of farming operation
- an effective written plan for the individual farm

CanadaGAP is the food safety program for operations that produce and handle fresh fruits and vegetables, including fresh herbs. Two manuals – one specific to greenhouse operations, the other for other fruit and vegetable operations – have been developed by the horticulture industry.

CanadaGAP is the on-farm food safety program for operations that produce and handle fresh fruits and vegetables, including fresh herbs.

The CanadaGAP program is owned and operated by the not-for-profit corporation CanAgPlus. While this program is voluntary, your buyers and customers are looking for assurances that your products are being produced safely.

Legislation Affecting Packing and Processing

Packing Fresh Fruits and Vegetables

The *Canada Agricultural Products Act* (CAPA) regulates interprovincial trade of horticultural agri-food products and provides for the registration of establishments and for standards governing establishments.

The Fresh Fruit and Vegetable Regulations (FFVR) facilitate the marketing of fresh horticultural products by prescribing safety, quality, packaging (including size), grading and labelling standards. According to the CFIA, fresh herbs are considered to be a vegetable and, therefore, fall into the FFVR's definition of produce and are subject to its regulatory requirements.

Under the Licensing and Arbitration Regulations, producers who ship produce for sale solely within the province in which they are located do not need to be licensed. Producers who transport their own produce into another province for sale directly to consumers do not require a licence if their sales are less than \$230,000 per year.

Example for Farmers' Market Managers:

- 1) If a B.C. fruit grower takes a truckload of apples to the Alberta farmers' market, he would be exempt from the licensing requirements under two categories: he is a B.C.-based resident selling B.C. product, and he is selling directly to consumers (if under \$230,000).
- 2) However, if a B.C. apple grower sells apples to an Alberta wholesaler, then the wholesaler would require a licence.
- 3) If a B.C. apple grower sells apples to an Alberta fruit vendor who sells them at a farmers' market, both would be exempt as the vendor is selling directly to the public (<\$230,000).

The FFVR prescribe grade standards for 13 fresh fruits and 17 fresh vegetables. When shipped interprovincially, all produce for which a grade is established must meet one of the prescribed grades. Grading is not required for unpackaged fruits and vegetables sold directly to consumers within Alberta.

There are prescribed standard container sizes for the following products, if prepackaged: beets, carrots, onions, parsnips, potatoes and rutabagas.

Grading is not required for unpackaged fruits and vegetables sold directly to consumers within Alberta.

Under the Regulations, produce must be prepared in a sanitary manner so as not to be contaminated:

- no stagnant or polluted water used to wash or flume produce
- only potable water used for the final rinsing of produce to remove any surface contaminant before packing
- the reuse of final rinse water only for the initial washing or fluming
- produce equipment is cleaned on a regular basis.

If you are shipping more than 15 containers of one or more kinds of produce or more than 250 kg combined weight, you will require an inspection by the CFIA prior to shipping. The inspection certificate is valid for three days, including Saturdays and holidays, from the time it is issued.

The 15 container shipping limit includes ALL product items. So if you have 10 boxes of pears on the truck and 6 boxes of apples, the apples are required to be inspected or be accompanied by a "Y" release if an inspector is not available. (A "Y" release is a permit used by Agriculture Canada.)

Processing

The Processed Products Regulations under the *Canada Agricultural Products Act* specify the federal requirements for safety, quality, packaging (including size) and labelling for processed fruits and vegetables.

A processed product is any product that is canned, cooked, frozen, concentrated, pickled or otherwise prepared to assure its preservation.

If you intend to ship your processed fruits or vegetables to a buyer in another province, the processing must be done in a facility registered with the CFIA. The Regulations establish standards governing basic personal hygiene practices and the construction, maintenance and operation of establishments.

Minimum grades have been established for most processed horticultural products. These grades prescribe the minimum quality permitted.

Some products included in the Processed Products Regulations do not have grades established; instead, standards of identity have been created. For example, a jam product does not have a grade, but it must meet the following conditions:

- name the fruit, for example, raspberry jam
- contain at least 45 per cent of the named fruit and 66 per cent water soluble solids as estimated by a refractometer
- not contain apple or rhubarb

A jam may also contain the following:

- pectin
- an anti-foaming agent
- a preservative

Frozen fruit such as saskatoon berries shall meet the following criteria:

- be the product obtained by freezing properly prepared fresh fruit, AND
- be packed without the addition of a sweetening agent, OR
- be packed with a sweetening agent consisting of sugar, invert sugar, dextrose or glucose added directly to the product or as a syrup in combination with water or fruit juice

The Regulation also specifies the net content size of containers for various processed fruits and vegetables.

If you are marketing your processed products only in Alberta, the processing must be conducted in a food establishment approved by Alberta Health Services (AHS). The Food Regulation (FR) under the provincial *Public Health Act* governs establishments where food intended for public consumption is handled. According to the Regulation, “processing means transforming food and includes, without limitation, the thawing, heating, cutting, cooking, smoking, chilling, reheating, salting, canning, freezing and pasteurizing of food.”

If you are marketing your processed products only in Alberta, the processing must be conducted in a food establishment approved by Alberta Health Services (AHS)

To operate in a commercial food establishment, you are required to have a food handling permit that is renewed annually. The Food Regulation outlines basic requirements regarding

the construction, maintenance and operation of permitted facilities. Establishments must be approved by AHS prior to operation; therefore, you should contact your public health inspector or environmental health officer in the early stages of planning your food business to discuss requirements.

Food safety training is mandatory when operating a commercial food establishment. If you have five or fewer food handlers, the individual responsible for the care and control of the establishment must have successfully completed a recognized food sanitation and hygiene training program. If six or more staff are working on the premises at any time, then at least one on-site supervisor must be trained.

Legislation Affecting Marketing

Labelling

The food label is one of the most important ways of communicating product information to your customers. It is also one of the main sources of information buyers use to make informed purchasing decisions.

All food labels, regardless of where you sell your products, must comply with federal legislation. The requirements for a food label are set out in the following legislation:

- *Food and Drugs Act (FDA) and Regulations (FDR)*
- *Consumer Packaging and Labelling Act (CPLA) and Regulations (CPLR)*
- *Canada Agricultural Products Act (CAPA) and Regulations (CAPR)*

Detailed information about general label requirements can be found in the Agriculture and Rural Development (ARD) publication *Farm Direct Marketing: Know the Regulations – Food Labels, Agdex 844-2*. This fruit and vegetable publication focuses on specific requirements for the labelling of horticulture products that are in addition to the general labelling requirements.

According to the legislation, a label means “any legend, word, mark, stamp, brand, ticket or tag belonging to or accompanying any food.” A prepackaged product means “any food that is contained in a package in the manner in which it is ordinarily sold to or used or purchased by a person.”

Specific core labelling requirements must be included on your label:

- common name
- net quantity
- dealer name and address
- list of ingredients
- allergens
- nutrition labelling (unless exempt)
- durable life date
- bilingual labelling (unless exempt)

Fresh Fruits and Vegetables

In addition to the Acts listed above, the labelling of fresh fruits and vegetables is also governed by the federal Fresh Fruit and Vegetable Regulations and the Organic Products Regulations. The Regulations apply to the marketing of fresh fruits and vegetables in interprovincial trade and do not apply if you are only selling your produce through farm direct marketing channels in Alberta.

Fresh fruit and vegetables include fresh, whole fruit and vegetables, fresh-cut (minimally processed) fruit and vegetables such as shredded cabbage, mixed or blended fruit or vegetables such as bagged mixed salad (without dressing, croutons, bacon bits, etc.) and coleslaw, fresh herbs, sprouts and edible fungi.

Fresh produce sold in Alberta shall only be washed using potable water.

A label is required for all prepackaged food except for these exemptions:

- fresh fruits and vegetables packaged in a wrapper or with a confining band of less than 12.7 mm (1/2 inch) in width
- retail product displayed in bulk

The label on fresh produce must not misrepresent the quality, quantity, composition, nature, safety, value, origin or variety of the contents.

Common Name

Fresh produce must be labelled with a common name. Since fresh fruits and vegetables do not have prescribed names in any regulations, the name by which the food is generally known is accepted as the common name. Fresh fruits and vegetables are exempt from declaring a common name if the prepackaged produce is visible and identifiable in the package.

Net Quantity

Prepackaged produce must be labelled with the net quantity. The net quantity of prepackaged produce must be declared by weight, volume or numerical count, in metric units or in both metric and Canadian (Imperial) units. If both metric and Canadian units are used, they must be grouped together and the metric units must appear first. If produce is not prepackaged, the net quantity may be declared in metric units, Canadian units or both.

Dealer Name and Address

On prepackaged fruits and vegetables, your name or business name and postal address must appear anywhere on the label except the bottom of the package.

List of Ingredients

A single ingredient food, such as a fresh fruit or vegetable, does not require an ingredient list. For a prepackaged product consisting of more than one ingredient, such as a mixture of fresh-cut fruits or vegetables or bagged lettuce blends, the ingredients must be shown in descending order of their proportion of the prepackaged product or as a percentage of the prepackaged product. The list of ingredients can be shown on any part of the label except the bottom of the package.

Nutrition Labelling

Fresh fruits and vegetables without any added ingredients are exempt from displaying a nutrition facts table. This exemption includes fruits and vegetables coated with paraffin wax or petrolatum. The exemption also includes fresh herbs, sprouts and fruits and vegetables that are minimally processed, for example, washed and peeled, cut-up, shredded, etc. The exemption is lost if any nutritional or health claims are made about the product.

Durable Life Date

Fresh fruits and vegetables are exempt from displaying a durable life date or “best-before” date.

Bilingual Labelling

If the fresh produce is prepackaged, then all required label elements must be stated in French and English on the label, except for the name and principal place of business of the company or person who produced or processed the product. This latter information can be in either French or English.

There is an exemption for bilingual requirements for some farm direct products considered to be local products. A local product means a prepackaged product that is produced or processed and sold only in two possible locations:

- the municipality in which it is processed or produced
- one or more municipalities immediately adjacent to the one in which it is produced or processed

Processed Fruits and Vegetables

In addition to the Acts listed above, the labelling of processed fruits and vegetables is also governed by the federal Processed Products Regulation (PPR) under CAPA. This Act and Regulations apply when processed fruits and vegetables are sold in interprovincial trade.

A label is required for all prepackaged processed food. The information on a label must be true and not misleading. It is illegal to handle, sell or advertise your food products in a manner that is false or misleading to consumers or is likely to create an incorrect message regarding the character, value, quantity, composition, merit or safety of the product.

A label is required for all prepackaged processed food – the label information must be true and not misleading.

Common Name

The common name of a processed fruit or vegetable is as follows:

- prescribed by the Processed Products Regulations (PPR), for example, apple sauce, sauerkraut, creamed horseradish
- prescribed by the Food and Drug Regulations (FDR), for example, apple cider, raspberry jam, or
- the name by which the food is generally known, for example, pickled turnip, carrot chutney, spiced beets

Net Quantity

Prepackaged products must have a net quantity declaration that must appear on the principal display panel. Depending on the product, the quantity must be shown by metric volume, metric weight or count. When the quantity is given in both metric and Canadian units, the metric units should be displayed first and the two must be grouped together, while leaving sufficient space between them to prevent any confusion. Listing the net quantity in brackets is not permitted. Metric and Canadian unit abbreviations must not be followed by a period, for example, “fl.oz.” is not acceptable.

Some processed fruits and vegetables are subject to standardized container sizes prescribed in the PPR. These products include jams, jellies, syrups, pie fillings, pickles, relish, chutney, sauerkraut and horseradish.

When a product is subject to standardized container sizes, the net quantity declared on the label must meet the following criteria:

- correspond to one of the standardized sizes in Schedule III of the PPR
- be larger than the largest standardized container size but less than or equal to 20 kg or 20 L and must also be a multiple of 500 g or 500 ml, or
- be smaller than the smallest standardized container size, if permitted

When a product is not subject to standardized container sizes, it can be marketed in any format.

The net quantity must be shown on the principal display panel of the label. The net quantity must be clearly and prominently displayed, easily read and in distinct contrast to any other information shown on the label. The minimum type height must be 1.6 mm (1/16 inch) for all the information contained in the declaration of net quantity, except for the numbers. The numbers must be shown in bold type, and their type height is based on the size of the principal display surface as prescribed in the PPR and CPLR.

Processor name and address

The legal name of the person or business manufacturing the product must be shown on the label. The address must be complete enough to allow consumers to communicate in writing with you. The address must include either the city, province and postal code or else the city, “Canada” and postal code.

List of Ingredients

Ingredients and components must be shown by their common name in decreasing order of proportion by weight. This information may be shown anywhere on the label except the bottom of the container.

Allergens

Ten substances have been identified as most frequently associated with food allergies and allergic-type reactions. Here are the substances, often referred to in Canada as priority food allergens:

- | | | | |
|-----------|---|---------------|---|
| • eggs | • peanuts | • sesame seed | • tree nuts |
| • milk | • seafood (including fish, crustaceans and shellfish) | • soy | • wheat and other cereal grains containing gluten |
| • mustard | | • sulphites | |

Products must list any ingredients and components of an ingredient that are food allergens. Previously, it was not necessary to declare an allergen when it was used to make an ingredient like spices or flavours. For example, if ground mustard had been a component of a spice mix ingredient, it would not have been listed, but under current legislation, the mustard must be declared in the ingredient list or included in the “contains” statement. For example, a container of mustard pickles must now list mustard as an ingredient, for example, “spices (mustard)” or in a statement that begins with “contains mustard” on their labels.

Nutrition Labelling

You do not require a nutrition facts table on your processed fruit and vegetable products if you only sell them at a roadside stand, craft show, flea market, fair or farmers' market. However, if your products are also being sold at the local tea house, a nearby farm store or bakery, etc., your labels require nutritional labelling.

If you make any type of nutritional or health claim on the label, such as “healthy,” “no added sugar” or “sugar free,” then the exemption is lost, and you are required to include a nutrition facts table.

Durable Life Date

Best before dates must appear on prepackaged foods that will keep their freshness, taste or nutritional value for 90 days or less. These dates are not a guarantee of product safety. Your products must also include proper storage instructions if they differ from room temperature, for example, “keep refrigerated.”

Bilingual Labelling

All mandatory information on food labels must be shown in both official languages except for the name and principal place of business of the company or person who processed the product. This information can be in either English or French.

There is an exemption for bilingual requirements for some farm direct products considered to be local products. A local product means a prepackaged product that is produced or processed and sold only in two possible locations:

- the municipality in which it is processed or produced
- one or more municipalities immediately adjacent to the one in which it is produced or processed

Label Claims

A claim is any statement, image or advertising that states, suggests or implies that a food product has particular qualities relating to its origin, nutritional properties, composition, processing, nature or any other quality. There are very specific conditions that must be met if you are going to make any type of claim about your fruit or vegetable product.

Local food is produced in the province or territory in which it is sold or is food sold across provincial borders within 50 km of the originating province or territory. (CFIA interim policy).

According to the *Food and Drugs Act (FDA)* and Regulations, you cannot process, sell, label, package or advertise any food in a manner that is false, misleading or deceptive or is likely to create an incorrect impression regarding its character, value, quantity, composition, merit or safety. The *Consumer Packaging and Labelling Act (CPLA)* prohibits you from applying a label to any prepackaged food product for sale or advertising that contains false or misleading information relating to the product.

Additional information about food claims and the types of claims that can be made about food products, such as organic, can be found in the Agriculture and Rural Development (ARD) publication *Farm Direct Marketing: Know the Regulations – Food Claims*, Agdex 844-3. This fruit and vegetable publication focuses on requirements for claims specific to horticulture products.

The Food and Drug Regulations govern the claims that can be made about fresh fruits and vegetables. A disease risk reduction claim such as “A healthy diet rich in a variety of vegetables and fruit may help reduce the risk of some types of cancer” can be made on some fresh fruits and vegetables. The prescribed wording of these claims cannot be altered in any way.

The presence of a nutrition or health claim would generally require the inclusion of a nutrition facts table on the label, but when a nutrient content claim is made for a fresh fruit or vegetable that is not prepackaged, such as on a sticker on a bulk bin of fresh fruit, a nutrition facts table is not required.

The terms “farm fresh,” “orchard fresh” and “garden fresh” have been used for many years to describe products shipped directly from the farm to stores or farmers’ markets. While all “fresh” fruits and vegetables are considered fresh, these fresh terms should only be used to describe fresh produce that has been harvested and brought to the market at the earliest possible moment (with minimal storage and within days of harvesting). For example, it is considered misleading to advertise or label a package of vegetables as “garden fresh” if this produce has been subject to months of storage.

It is considered misleading to advertise or label a package of vegetables as “garden fresh” if this produce has been subject to months of storage.

Retail Sales

The *Alberta Public Health Act* and Food Regulation (FR) govern establishments in the province where food intended for public consumption is handled. Food manufacturers, food distributors, grocery and farm stores, food vehicles, restaurants, caterers, farmers’ markets, public markets and other food establishments come under this Regulation.

Commercial food establishments are required to have a food handling permit and follow the Food Regulation as well as the Food Retail and Foodservices Code. A farm selling unprocessed horticultural products directly from the farm is exempt from the Food Regulation, which means that if you are selling only fresh fruits and vegetables, you do not need a permit, regardless of where the sale is occurring.

Producers do not need a Food Handling Permit from Alberta Health Services (AHS) to sell whole fruits and vegetables.

However, if you are processing or selling any other product at your farm store, including other producers’ products, then you are operating a food establishment and will require a permit.

If your farm store is not located on the property where production is occurring, you will require a permit. Permits must be renewed annually and may be subject to an annual fee.

The Food Regulation outlines basic requirements regarding the construction, maintenance and operation of permitted facilities. Establishments must be approved by Alberta Health Services (AHS) prior to operation; therefore, you should contact your public health inspector/environmental health officer in the early stages of planning your food business to discuss requirements.

It is your responsibility to ensure that you comply with all applicable legislation, which includes zoning bylaws and building, fire, electrical, plumbing, ventilation and licensing codes. Whether you are starting a new business or altering an existing one, AHS will need to approve the building plans and specifications before construction begins. If you open a food business before getting health approval and a valid business licence, legal action against you may be the result.

It is your responsibility to ensure that you comply with all applicable legislation.

Food safety training is mandatory when operating a commercial food establishment. If you have five or fewer food handlers, the individual responsible for the care and control of the establishment must have successfully completed a recognized food sanitation and hygiene training program. If six or more staff are working on the premises at any time, then at least one onsite supervisor must be trained. Training is available through Alberta Health Services. If you are selling your products only at an Alberta approved farmers' market, you are required to complete the Farmers' Market Food Safety Home Study Course.

Additional Resources

All federal legislation can be found on the website for the federal Department of Justice at <http://laws.justice.gc.ca/eng>

Canadian Food Inspection Agency (CFIA) at www.inspection.gc.ca

Alberta North Office
(north of Innisfail/Bowden)
Tel: 780-395-6700

Alberta South Office
(south of Innisfail/Bowden)
Tel: 403-299-7680

CFIA has developed the Industry Labelling Tool, a food labelling reference. This tool replaces the Guide to Food Labelling and Advertising and provides consolidated, reorganized and expanded labeling information. The tool can be found on the CFIA website at <http://www.inspection.gc.ca/food/labelling/food-labelling-for-industry/eng/1383607266489/1383607344939>

Health Canada

Pest Management Regulatory Agency
Edmonton Office
Tel: 780-495-5042

Additional Resources (continued)

Alberta's provincial legislation is available to view or print for free on the website for the Queen's Printer at <http://www.qp.alberta.ca>

Alberta Health Services (www.albertahealthservices.ca/eph.asp)

The general contact numbers for Alberta Health Services Zone offices:

North Zone, Environmental Public Health Grande Prairie – Tel: 780-513-7517	Edmonton Zone, Environmental Public Health Edmonton – Tel: 780-735-1763
Central Zone, Environmental Public Health Red Deer – Tel: 403-356-6366	Calgary Zone, Environmental Public Health Calgary – Tel: 403-943-8053
South Zone, Environmental Public Health Lethbridge – Tel: 403-388-6689	

Alberta Agriculture and Rural Development (www.agriculture.alberta.ca)

For toll-free calls in Alberta to Government of Alberta offices, dial 310-0000, followed by the area code and the telephone number.

For information on other publications available from Alberta Agriculture and Rural Development, go to www.agric.gov.ab.ca/publications or call 780-427-0391 (toll-free: 1-800-292-5697).

Alberta Ag-Info Centre provides access to specialists, information and services within Alberta Agriculture and Rural Development. Toll-free in Alberta: 310 FARM (310-3276)

Crop Research and Extension Division

Pest Surveillance Branch
Tel: 780-422-1881

Crop Extension Branch
Tel: 780-415-2304

Rural Development Division

Farmers' Market Program
Tel: 780-853-8223

Local municipalities are responsible for the enforcement of the *Weed Control Act* and the *Agricultural Pest Act*. Contact your local bylaw enforcement officer or agricultural fieldman for more information.

Alberta Environment and Sustainable Resource Development (www.esrd.alberta.ca)

Call toll-free Alberta: 310-ESRD (3773) or 1 877-944-0313

Potato Growers of Alberta (www.albertapotatoes.ca)

On-Farm Food Safety Programs

CanadaGAP (www.canadagap.ca)