



Direct to Consumer Sales

EGGS

IF YOU HAVE 50 OR FEWER HENS:

- You can sell ungraded eggs direct to consumers without a license.
- Graded eggs requires a license.
- Temperature control and labeling is strongly suggested.

IF YOU HAVE 51 TO 249 HENS:

- Eggs should be sold at <45 F.
- Cartons should be clean and labeled properly.
- Eggs must be washed and cleaned before sale.
- Ungraded eggs must be labeled that way; graded eggs requires a license.

IF YOU HAVE 250 HENS OR MORE:

- Kansas Egg license is required.
- You can sell only graded eggs.

OTHER EGG SALES FACTS:

- Grading: Licensing is required if eggs are graded.
- Eggs other than chicken eggs can be sold and must meet the same requirements related to flock size. They can only be sold ungraded.

For more information: agriculture.ks.gov/FSL

CANNED GOODS

ALLOWED WITHOUT LICENSE:

- Home-canned fruit jams and jellies (including those flavored with pepper-flavored vinegar or small amounts of pepper powder)

MUST BE LICENSED:

- Naturally fermented canned foods (sauerkraut, kimchi, kombucha)
- Acidified shelf-stable canned foods (pickled vegetables, hot sauces, canned tomatoes)
- Low-acid shelf-stable canned foods (canned vegetables, meats)
- Refrigerated/frozen processed foods (fresh salsas, pickles, garlic in oil mixtures, other products that require temperature control for safety)

MUST BE TESTED TO DETERMINE WHETHER EXEMPT FROM LICENSING:

- Pepper jams and jellies made with pepper juice
- Salsa, barbecue sauce
- Homemade mustard

For more information: agriculture.ks.gov/farmersMarketFoodSales

BAKED GOODS

ALLOWED WITHOUT LICENSE:

- Baked goods such as cookies, breads, cakes, cinnamon rolls, fruit pies.

MUST BE LICENSED:

- Baked products with potentially hazardous dairy and egg product, such as cheesecake, cream filled cupcakes or donuts, cream cheese-based frosting/fillings, cream or meringue pies, custards, pumpkin pies, quiche

MUST BE TESTED TO DETERMINE WHETHER EXEMPT FROM LICENSING:

- Bread with cheese baked in/on top

For more information: agriculture.ks.gov/FarmersMarketFoodSales

MEAT

POULTRY:

- Growers raising fewer than 1,000 birds/year can slaughter and sell direct to consumer their own birds at their own facility without registration or inspection.
- Poultry: grower selling between 1,000 and 20,000 birds/year must register with KDA at no cost.

BEEF AND PORK:

- Must be processed at an inspected facility and properly labeled.
- If sold direct to consumer, processor must start with inspected product, but does not need to process under USDA or KDA Meat and Poultry Inspection.
- Meat labeled as "Custom - Not for Sale" cannot be used for retail sales.

OTHER REGULATIONS REGARDING MEAT SALES:

- Ready-to-eat meat (jerky, summer sausage, etc.) Product must be inspected by KDA or USDA and sold at the appropriate temperature. Any curing of meat using nitrites requires proper licensing.
- Meat products must be held, stored, and transported in a clean and sanitary environment, to keep products wholesome.

*For more information:
agriculture.ks.gov/farmersMarketFoodSales*

MILK & DAIRY

- Any sales of raw (non-pasteurized) dairy products, including milk, cheese, butter or ice cream, can only be sold on the farm, direct to the consumer.
- Each container of raw milk needs to be clearly labeled as ungraded raw milk.
- Pasteurized milk can only be sold from a licensed dairy facility.

*The FDA has more consumer information about raw milk at:
www.fda.gov/food/resources-you-food/raw-milk*

OTHER FOODS

ALLOWED WITHOUT LICENSE:

- Honey
- Juice cider
- Candies (see below for homemade chocolates)
- Other unique agricultural products like manure, worms, compost, etc.

MUST BE LICENSED:

- Alfalfa sprouts or bean sprouts
- Cut leafy greens (cut or torn lettuce)
- Certain cut produce (cut melons, cut tomatoes, refrigerated salsa)
- Wild mushrooms (must be individually inspected by a registered morel mushroom identifier)
- Infused oils (infused cooking olive oils, garlic in oil mixtures)

MUST BE TESTED TO DETERMINE WHETHER EXEMPT FROM LICENSING:

- Chocolate candies (if requires temperature control for safety)

*For more information:
agriculture.ks.gov/FarmersMarketFoodSales*

PRODUCE

ALLOWED WITHOUT LICENSE:

- Fresh or dried uncut fruits, vegetables or herbs.
- Cultivated mushrooms (not wild)

MUST BE LICENSED:

- Alfalfa sprouts or bean sprouts
- Cut leafy greens (cut or torn lettuce)
- Certain cut produce (cut melons, cut tomatoes, refrigerated salsa)
- Wild mushrooms (must be individually inspected by a registered morel mushroom identifier)

For more information: agriculture.ks.gov/FarmersMarketFoodSales