

Criteria for Prepared Food Vendors

All prepared foods must strictly adhere to all regulations that are set forth by the Virginia Department of Agriculture and Consumer Services (VDACS).

Prepared foods permitted for sale include pies, cakes, breads, cookies, international specialties and jams, jellies, salsas and sauces.

All prepared foods are defined by the “scratch rule” as a product that has been mixed, baked, finished and packaged for sale; repackaging of commercially prepared products or baking from a box or mix is prohibited. Such products as purchased filo dough or puff pastry may be used as the basis for some homemade items. The management reserves the right to refuse to accept for sale at our markets items that do not meet our interpretation of this requirement.

Since 2008, a home kitchen inspection is no longer required for certain baked goods, jams and jellies, and candies provided the Producer labels each product “Not for resale—Processed and Prepared without State Inspection.”

Home cooks are required to adhere to all VDACS rules and regulations. All individually wrapped baked goods must have the following on the label. Labels may be typed or handwritten in permanent ink or a combination of both.

- Name of the product (i.e. cheese bread, brownies, etc.)
- List of all ingredients in sequential order of amount.
- Business Name with a full address.
- Net weight of the item.

Items that are not individually wrapped (such as cookies, brownies, fudge, etc.) must contain the above items on the product label except that a total count of items in the package must be marked (such as 5 cookies, 6 brownies). Net weight of the package is not required.

If proper labeling is not apparent on one or more items, you will not be permitted to sell out-of-compliance items. We will duly note repeated infractions, which could lead to your suspension from Smart Markets.

Samples should be kept covered at all times. If samples are cut at the market, the baker must wash the utensil in soapy water and rinse in clean water between items. The vendor is required to keep soapy water, clean rinse water and a Clorox solution on hand during the market hours. These can be brought in spray bottles.

Certain baked items must meet the minimum moisture content requirements as outlined by VDACS. This requires that you submit the recipe and sometimes the items themselves to VDACS for analysis. Certain items may require a yearly kitchen inspection; it is the responsibility of the applicant to ascertain and meet the requirements for all of the items you intend to bring to market.

Applicants must submit with the application and again when items are added any written responses from VDACS regarding their requirements. The yearly kitchen inspection may suffice. Market management will inspect your offerings each week to make sure you are in compliance.