Food Safety of Farmers Market: A similar and simplified regulatory framework needed

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Paper Abstract (250 words):

Farmers market is enjoying increasing popularity in recent years for its advantages in building sustainable communities. Like other emerging markets that grow faster than their management capacity, however, hidden perils of the farmers market are becoming visible. Food safety is one key issue being endangered as the market expands. Being temporary and open in its form, most farmers markets do not have market entry standard, food inspection procedure, and customers do not get receipts for their purchase. The market management insufficiency give rise to various food safety concerns, including food authenticity, food quality, and food safety as a whole.

Lack of a comprehensive food safety regulation framework would impede the market’s sustained growth in the next 15 years. A safe farmers market would benefit communities in social, economical, and ecological aspects. We analyze characteristics of farmers market, evaluate current policies, and find that a new regulatory framework is in need for farmers market’s food safety. The regulatory framework should be similar in substance but simplified in form to fit the structural characteristics of farmers market. In the market, farmer vendors and consumers should work together for greater food safety.

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Farmers market is a new foodservice form that enjoys increasing popularity. In this market individual farmer vendors sell their produce directly to the consumers. There are two major types of farmers market. One takes place spontaneously in public space like parking lots. In the other type farmers deliver their products directly to buyer institutions such as schools. Either type requires minimum upfront investment from government or private funders. Revenue from farmers market might compose from a small to a large part of farmer seller's income.

On the contrary to heavily fertilized, long-range transported, and highly specialized foods in supermarkets, High-quality, fresh local foods in farmers markets are attracting customers from all classes. Farmers market provides food from local farms with smaller carbon-prints, less fertilizer, and chemicals. Direct transaction distributes more value to farmer sellers and buyers by building personal connections and eliminating the middleman segment. In other words, farmers market promotes sustainable communities economically, socially and ecologically. While doubt is cast on conventional food industry's sustainability, farmers market brings multiple benefits to farmers, customers, and the society. From 1994 to 2011, the number of farmers market has increased from 1755 to 7175, showing an annual rate of 15%.

Like other emerging markets that grow faster than their management capacity, however, hidden perils of the farmers market are becoming visible. Food safety is one key issue being endangered as the market expands. Being temporary and open in its form, most farmers markets do not have market entry standards, food inspection procedures, and customers do not get receipts for their purchase. The market management insufficiency give rise to various food safety concerns. These concerns, if left unaddressed, might deteriorate in the near future and threaten the whole market.

A first concern is food authenticity. A news saying about a farmers market whose products were taken from supermarket shelves and sold to the public reveals the difficulty to monitor food quality on farmer’s market. Indeed, there is no apparent taste difference between organic food, chemical-free food, or supermarket food. As food on farmer’s market is not processed and labeled, consumers are not able to differentiate them easily.

Uneven food quality is another problem. Dallas’ city-owned food market was reported to have food of varying qualities, and customers have to sort good from

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Food Safety of Farmers Market: A similar and simplified regulatory framework needed

bad food\(^3\). The city seems not to be policing food quality at all, even though it has the authority to.

Apart from food quality and authenticity, uninspected food on farmers’ market is also drawing public attention. Many states do not record or inspect food that is sold in farmers market. At some Washington D.C. farmers markets, customers “have been buying leaking bags of uninspected raw chicken with salmonella on it” as well as warmed-over eggs, despite USDA warnings on egg-bearing cartons\(^4\). Those problems in food authenticity, quality and safety show that farmers market is far from perfect, and food there is not necessarily safer and healthier than grocery or supermarket food.

Farmers market is known for fresh local high-quality food; hence food safety is the key issue for the market’s survival and growth, as well as support from both funders and customers. However, two restrictions remain in making efficient food-safety regulations. On the one hand, compared to conventional food industry, farmers market involves many smaller farmers with diverse products, on which lay the market’s vibrancy and social significance. Since farmers are smaller and less associated with food processing industry, regulatory structure on conventional food industry is not feasible for farmers market. On the other hand, a totally different regulation system for farmers market might stress enforcement capacity. Given these restrictions, what we may expect for a farmers market regulatory framework?

Current farmer market’s food safety is managed by a combination of seller self-governance, customer caution, and governmental regulation. Many vendor sellers do basic work to keep products safe, and inform their customers much as possible. Customers avoid food-safety risk by choosing sellers they trust (or have connections with) and low-risk foods. Government manages farmers market from a variety of ways. Federal, state, and local governments support farmers market by funding farmers market programs (most which are nutrition programs), coordinating farmers market programs with other programs and policies across department, developing food safety and marketing rules, and establish institutions to operate and manage farmers market according to those rules\(^5\). On the national level, efforts are focused on funding programs, and rule making and market regulation are on shoulders of state and local governments.

While governments are making efforts in promoting farmers market from different aspects, farmers market policies are not well targeted and integrated, and

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consequently fail to enhance food safety efficiently. One problem of current policy lies in the complexity of food inspection laws faced by market vendors, which concerns with what do these rules require; what products are exempted; and what size of facilities are covered. In the conventional food industry farmers do not worry about these rules because they only sell to food processors. But in the farmers market they sell directly to consumers and have to comply with rules and exemptions. It is not surprising for farmers to be confused and therefore violate those rules at market, which finally impair consumers’ benefit.

Some policy, while encouraging farmers market establishment, undermines food safety. For example, some states grant small farms the exemption from federal food safety inspections or licenses that are required for bigger farms. Although this policy might cut farmers’ cost and attract them into farmers market, food safety is compromised. Any size of business should comply with same food safety standards to avoid health risks.

Just like state government might promote farmers market at the expense of food safety, some states go to the other extreme to protect food safety by restricting the market. Tennessee state department of agriculture, for instance, unveiled a policy in 2005, prohibiting sale of homemade products, and “created a hardship for a member of markets and vendors who have relied on sales of these products.” To summarize, current government policies do not consider farmers market’s characteristics.

In designing an efficient regulatory framework for farmers market, we should start from resemblance and difference between farmers market and conventional food industry, on both of which food-safety regulation must apply. “Who they are” and “What they sell” are the two key questions to ask. Given their lack of knowledge and capital, and the diversity of their products, we find an ideal policy solution may lay in a two-way push from both sides of the transaction. The new framework should be similar enough to conventional food safety regulations that enforcement cost is kept low, while simple enough that farmers could easily follow procedures in improving food safety. In other words, we need a simplified version of food safety regulation and a patient enforcement body to keep food safe.

On the farmers’ side, a similar but simplified regulatory framework should be established to improve food safety. Market farmers ought to do accessible and affordable food processing for basic safety goals, such as sorting, washing, and refrigerating when necessary. Apart from monitoring these processing procedures, local government should establish institutions to record information and sales of each vendor on a farmers market, so that the responsibility is clearer when dispute occurs.

Customers bear the bulk of health risk born in farmers market, which they are more or less aware of, and normally they prevent such risk by gathering information about the products by talking and personal connection building. Consumer’s caution
Food Safety of Farmers Market: A similar and simplified regulatory framework needed

and local community’s monitoring function should be emphasized for a cost-efficient way to transact. Government could equip customers with knowledge to help them buy real healthy food, by means of instruction brochure for farmers market shopping and credit history for individual vendors.

Food safety is the central issue of farmers market. As the market is growing rapidly in recent years, the lack of a comprehensive food safety regulation framework would impede the market’s sustained growth in the next 15 years. A safe farmers market would benefit communities in social, economical, and ecological aspects. We analyze characteristics of farmers market, evaluate current policies and find that a new regulatory framework is in need for farmers market’s food safety. The regulatory framework should be similar in substance but simplified in form to fit the structural characteristics of farmers market. In the market, farmer vendors and consumers should work together for greater food safety.