

Limited Poultry and Egg Farm Operation Frequently Asked Questions



What are the requirements for operating a Limited Poultry and Egg Farm operation? The poultry and/or egg farm operator shall maintain compliance with applicable requirements of:

<http://www.flsenate.gov/Laws/Statutes/2013/Chapter583>,
<https://www.flrules.org/gateway/ChapterHome.asp?Chapter=5K-4>,
<https://www.flrules.org/gateway/ChapterHome.asp?Chapter=5K-5>
<https://www.flrules.org/gateway/ChapterHome.asp?Chapter=5K-6>

Are there any minimum standards or requirements to process poultry under the Limited Poultry Egg Farm Operation? The farm shall meet the applicable requirements per Florida Statute and Rule.

What is the permit type and cost? The permit type is a Limited Poultry and Egg Farm Operation – Number 710. The annual permit fee is \$100 plus a \$10 epidemiology fee.

How many eggs or how much poultry can I sell in a week? A Limited Poultry and Egg Farm operation can sell up to 30 dozen eggs and/or up to 384 dressed poultry in any one week.

Where can I sell my eggs or processed poultry? Products shall only be sold within the State of Florida. Products can be sold at a roadside stand, farmer's market or similar open-air market locations, or by direct delivery to the purchaser. A permitted limited poultry and egg farm operator may also use another permitted limited poultry and egg farm operator to facilitate delivery or sales of their shell eggs or processed poultry. The products can also be sold directly to hotels, restaurants and similar institutions for the preparation of meals sold directly to the customers.

What are the inspection requirements and how often can a small farm operation expect to be inspected? An initial on-site visit is required by an inspector of the Division of Food Safety.

If a Limited Poultry and Egg Farm operation is minimally processing chickens and producing eggs while meeting the requirements of the Limited Poultry and Egg Farm Operation permit are two permits required? No. Only one permit is needed if selling both dressed poultry and fresh eggs.



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Can a producer be permitted as a Limited Poultry Egg Farm Operation and sell the eggs or poultry in another state? No. Products shall only be sold within the State of Florida.

Can a producer be permitted as a Limited Poultry Egg Farm Operation and sell the eggs or poultry over the internet, via mail order or wholesale? No.

Can I have a broker or dealer sell my products regulated under the Limited Poultry Egg Farm Operation? No, sales shall be performed by the permitted farm operator, family member or employee of the farm or another permitted Limited Poultry and Egg Farm.

What birds are considered poultry under the Limited Poultry Egg Farm Operation? Chicken, turkey, duck, goose, guinea fowl, or quail qualify under this rule.

Is there any labeling required for my fresh eggs under the Limited Poultry and Egg Farm Operation? A placard shall be displayed at the point of sale stating the following: *These eggs have not been graded as to quality and weight.* The placard shall not be smaller than seven inches by seven inches in size.

Are there temperature requirements when selling my fresh eggs? Yes. Eggs shall be maintained at 45°F from the processing facility to the point of sale. Coolers are sufficient if the eggs are maintained at 45°F or below.

How can I package my eggs under this rule? The eggs shall be sold either in flats or in bulk.

Should I wash my eggs prior to selling? Yes, your eggs shall be washed prior to the sale to consumers or public eating places. Restricted eggs, or dirty eggs, cannot be sold for human consumption. Please visit <http://www.freshfromflorida.com/content/download/23982/486665/SellFarmFreshEggs.pdf> for specific requirements on washing your eggs.

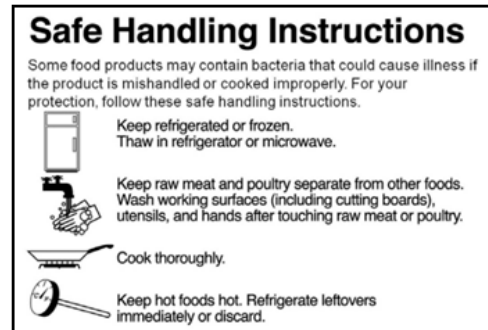
What are the required temperatures to sell my poultry products? Your poultry products shall be maintained at 41 degrees Fahrenheit or below. Products shall be sold under such conditions that will prevent contamination and will protect against undesirable deterioration of the product and container per Rule Chapter 5K-4, Florida Administrative Code and Chapter 583, Florida Statutes.



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Is there any labeling required for my processed poultry under the Limited Poultry Egg Farm Operation? The immediate packaging of the poultry shall bear the following label and statements:

- The processor's name;
- The farm address and;
- The statement, "Exempt P.L. 90-492"; and
- SAFE HANDLING INSTRUCTIONS (see image).



Can the Limited Poultry and Egg Farm operator sell the chicken feet? Yes, the farm operator can sell the chicken feet.

Can I raise my "free range" in a coop or in cages? Yes. As long as the birds are healthy.

Does this rule cover the sale of live chickens/poultry? We do not regulate the sale of live chickens or poultry. Please contact the Division of Animal Industry at (850) 410-0900 regarding their requirements for the sale of your live chickens or poultry.

Should I check with my city or county regarding additional requirements? Yes. A Limited Poultry and Egg Farm Operation shall comply with all applicable county and municipal laws and ordinances regulating the preparation, processing, storage and sale of the poultry and egg products.

Is a Certified Food Manager (CFM) required? No, farms which qualify under the Limited Poultry and Egg Farm Operation permit are exempt from the CFM requirement.

Can I claim my product as "organic"? To claim your product as organic you will need to contact United States Department of Agriculture (USDA). This information can be found on the USDA website located at <http://www.usda.gov> or call the Information Hotline: (202) 720-2791



Can the farm be used as a commissary? No, a farm permitted under the Limited Poultry and Egg Farm Operation permit cannot be used as a commissary.

Florida Department of Agriculture and Consumer Services

Adam H. Putnam, Commissioner

Division of Food Safety
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Why can't my farm be used as a commissary? The Limited Poultry and Egg Farm Operation permit requirements are different from other FDACS permitted facilities, including water and sewer requirements.

Can a farm sell their products in multiple locations at the same time? Yes, a permitted farm can operate in multiple locations at the same time.

Can I have a vendor who already has a food permit from FDACS sell my product for me? No. Except for Limited Poultry and Egg Farm Operators no other permitted FDACS vendors can sell your products for you.

What happens if there is a complaint against my business regulated as a Limited Poultry Egg Farm? Rule Chapter 5K-4.033 (4)(d), Florida Administrative Code, regarding Limited Poultry and Egg Farm Operation, states upon receipt of a valid complaint, an inspection of the premises may be required to determine compliance with the rule.

I already paid for a processing egg permit but I qualify for this new rule? Can I change my permit type and get a refund for my processing permit. There are no refunds. Please contact the Tallahassee office at (850)245-5520 in December to change your permit type.

Where do I find guidance on the custom exemption regarding the Poultry and Poultry Product Inspection Act? USDA Guidance for Determining Whether a Poultry Slaughter or Processing Operation is Exempt from Inspection Requirements of the Poultry Products Inspection Act (revision date April 1, 2006). This document can be found at:

http://www.caes.uga.edu/topics/sustainag/documents/USDAPoultry_Slaughter_Exemption_0406.pdf

For more information please contact :
Florida Department of Agriculture and Consumer Services
Division of Food Safety
Bureau of Food and Meat Inspections
telephone: 850-245-5520
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