



# Furthering Families

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## *Selling or giving farm products away: Doing it safely*

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### Food Safety is Everyone's Responsibility

It should be emphasized that food safety, from farm to fork, is the responsibility of everyone throughout the food system.

### Who Needs a License to Sell Food?

The Michigan Food Law of 2000 governs the licensing of all food establishments in Michigan. A food establishment license is required in most instances where food is commercially handled or served to the general public. The Michigan Food Law of 2000 also covers the *giving of food* to the general public. The law requires the licensing of any person or firm that processes, packs, cans, preserves, freezes, fabricates, stores, prepares, serves, sells, or offers food for sale.

### Whom Should I Contact to Find Out if My Farm Needs a License?

Contact the Michigan Department of Agriculture (MDA) if you primarily sell, store, or manufacture food. Your local health department will license and inspect if food service is predominant. Most farms selling or giving food away fall under the jurisdiction of the Michigan Department of Agriculture (MDA). MDA has the authority to determine if a business (including farms) requires a license.

### Can I Sell or Give Away Milk That is Not Pasteurized?

It is **illegal** to sell milk and milk products that are not pasteurized! Michigan's dairy laws state, "Only pasteurized milk and milk products shall be offered for sale or sold, directly or indirectly, to the final consumer or to restaurants, grocery store or similar establishments" (See [www.michigan.gov/mda](http://www.michigan.gov/mda)). While Michigan law does not prohibit dairy farmers from drinking the raw milk produced on their farms, food safety educators strongly advise against this practice.

Do not give raw milk to on-site farm visitors such as school groups on class trips. Children are especially at risk for milk-borne bacterial infections and should not be given raw milk or dairy products made on the farm.

What about other products (i.e., meat, fruits, vegetables, apple cider, honey, maple syrup, farm fresh eggs, etc.) that I sell or give away to family, neighbors, or friends?

Food safety is the responsibility of everyone. Therefore, it is strongly recommended that you work with your local MDA office and/or your local health department to help you determine if your liability should a consumer contract a foodborne illness from your products. Foodborne illness can have severe consequences, and there are specific laws to protect the consumer. The liability issues associated with selling and giving food away are very serious.

For those with questions about dairy, Michigan is divided into two regional dairy offices—East and West.

#### **East Dairy Region Office:**

Elizabeth Hunt  
State Office Building  
1585 Tittabawassee  
Saginaw, MI 48604  
(989) 758-1778  
FAX: (989) 758-1484

#### **West Dairy Region Office:**

Terry Philibeck  
State Office Building, Unit 1  
350 Ottawa, NW  
Grand Rapids, MI 49503  
(616) 356-0600  
FAX: (616) 356-0622

#### **Information Available on Line**

You can review and obtain copies of the Michigan Food Law of 2000 and the Food Code, as well as other educational material on Michigan Department of Agriculture's web site:  
[www.michigan.gov/mda](http://www.michigan.gov/mda).

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