WISCONSIN SCHOOL NUTRITION

IN A NUTSHELL

SELLING TO SCHOOLS: Licensing Requirements

Please see below for the state of Wisconsin and federal licensing requirements for selling local products to schools. *Please note that individual schools may choose to establish stricter requirements.*

Livestock, Poultry, Captive (Domesticated) Game Meat

Definitions

1. *Livestock: Cattle, swine, sheep, goats.*
2. *Poultry: Domesticated (farm-raised) chickens, ducks, geese, turkeys, guinea fowl, ratites (emus, rhea, ostrich).*
3. *Captive game animals include reindeer, elk, deer, antelope, water buffalo, or bison. Game birds include pheasant, quail, wild turkey, or migratory wildfowl.*

- Livestock and poultry must be processed at a state (Wisconsin Meat and Poultry Inspection Program (MPI)) or federally United States Department of Agriculture (USDA) inspected facility. If the product is sold over state lines, the processing facility must be under USDA inspection unless the state and the plant both participate in the Cooperative Interstate Shipment program.
- Registration as meat distributor with the Department of Agriculture, Trade, and Consumer Protection (DATCP) is required. There is no fee for this registration.
- A retail food establishment license is required if the product is sold processed. If the producer sells the live animal and the consumer arranges for processing, a retail license is not required.
- Student groups (i.e., FFA) may raise livestock or poultry on school grounds if a Livestock Premise Registration through the Division of Animal Health (DAH) has been filed.
- Meat may be weighed on-farm with a certified scale or weighed by package (individually) at processor.
- Product storage must be in a clean, neat area (house or shed is allowed) and must be used exclusively to store meat sold to customers.
- Freezer and producer's vehicle must be inspected to ensure sanitary conditions and that frozen meat will be maintained frozen.
- Unfrozen meat must be maintained and delivered at an internal temperature of 41°F or below using any effective method (freezer, dry ice, cooler, etc.).
- Meat must be fully labeled with the true name of the product, an ingredients statement, the net weight, the name, and address of the processor, "Safe Handling Instructions" statement, and one of the following statements for **raw** meat: "Perishable," "Keep Refrigerated," "Keep Under Refrigeration," "Keep Frozen." It may not be re-packaged.
    - If the meat establishment is licensed to provide uninspected poultry slaughter, the birds should be labeled as "NOT INSPECTED" with the establishment's name and/or license number.

- Transport of products must be in a farm vehicle, not used for personal family purposes.

Information from the Wisconsin Local Food Marketing Guide, State Requirements by Product and Market for Livestock

Wild Game Meat

Wild game animals and birds are live-caught or hunter-harvested. Wild game may include free ranging animals such as bison, deer, elk, reindeer, rabbit, squirrel, and bear.

- The WI Food Code states that the only way to serve *wild* game meat is to conduct pre- and post-mortem inspections, as well as to be processed in a licensed USDA facility which goes against the traditional practice of hunting wild game meat. All schools including those located on reservations, agree to comply with WI Food Code or an equivalent, state-organized Tribal Food Code if participating in the USDA School Meals Program.

Fish

- Producers of captive fish must be registered as a "Fish Farm" with the DATCP.
- Those who catch and fish from the wild, must hold a commercial fishing license from the Department of Nature Resources (DNR). A Wholesale Fish Dealer License may be required, depending on the operation.
- Frozen fish must be maintained frozen.
- Unfrozen fish products must be maintained and delivered at an internal temperature of 41°F or below using any effective method (freezer, dry ice, cooler, etc.).
- Fish must be fully labeled including, the "safe handling instructions" statement, one of the following statements for **raw** meat: "Perishable," "Keep Refrigerated," "Keep Under Refrigeration," "Keep Frozen," the common species name, and full ingredients list if more than one ingredient.
- **Smoked** fish has the following labeling requirements: the common species name in the product name, processing date, "Perishable – keep refrigerated at or below 38°F" – only for hot-smoked fish in reduced-oxygen packaging (vacuum-packaged) and sold not frozen, "Perishable – keep frozen prior to use" if sold frozen.
- Fish is considered a major allergen so all fish products must include the common name or market name on the label.

Shell Eggs

- Shell eggs are not required to be pasteurized.
- Eggs must be labeled to include safe handling instructions as specified in 21 CFR 101.17: "SAFE HANDLING INSTRUCTIONS: To prevent illness from bacteria: keep eggs refrigerated, cook eggs until yolks are firm, and cook foods containing eggs thoroughly."
- Eggs must be labeled with the statement "Keep Refrigerated," separate from the Safe Handling Instructions.

- All producers, regardless of flock size must have a Food Processing Plant License. This includes eggs that are used in the school meal programs from chickens that reside on school campus.
- Eggs must be packaged in a carton that is labeled with the producer's name and address, unless the facility has a WI-# (State) or P-# (Federal) printed on their cartons or boxes.
- The carton must be labeled with the date the eggs were packed into the carton, a "use by" or "use before" date within 45 days, and a statement about how the eggs were sized (small, medium, large, extra-large) or "ungraded" (not sized).
- Raw shell eggs need to be maintained at 45° or less during transportation, and eggs held for retail sale need to be held at 41° or less.
- The eggs should be cleaned to remove debris and stains and may not exceed the restricted egg tolerances as specified in ATCP 88.20.
- It is *recommended* that shell eggs meet at least grade B standards. Grade B standards state that the shell must be unbroken, may be abnormal, and may have slightly stained areas. More information regarding the grade B standards can be found in the U.S. Standards, Grades, and Weight Class for Shells Eggs.

Produce

- Good Agricultural Practices (GAP) and/or Good Handling Practices (GHP) certification is *not* required by the State agency but encouraged. The school may choose to require GAP or GHP certification.
- There is no specific amount of liability coverage required of farmers.
- A license is not required if the producer distributes *raw*, *unprocessed* produce from their farm directly to the school.
- If the producer processes the produce for the school (i.e., cutting, chopping, freezing, pickling) the finished product must come from the producer's licensed retail food establishment or food processing plant and must be fully labeled.
- If the school meal program plans to utilize produce grown by students and/or staff on school grounds, this is allowable; however, the school should utilize the Standard Operating Procedure (SOP): Accepting School Garden Produce to ensure school garden produce is harvested safely, received in sound condition, and is stored properly after receipt. Please note, if the school sells the produce to outside groups, such as through a farmers' market, the school should check with the DATCP (datcpdfslicensing@wisconsin.gov) to determine if additional licensing or certification is required.

Maple Syrup

- A food processor license is required if any of the following apply: (1) Maple syrup and/or concentrated sap is sold to another processor for further processing and the annual sales (between April 1 and March 31) are more than $5,000; (2) Maple syrup is obtained from others for bottling, packaging, or processing; (3) The maple syrup is processed by adding color, flavors, or other ingredients; (4) The bottled syrup is sold to another business that

will resell it; (5) The maple syrup is made into a food product, such as candy, maple cream, or another maple product.

- The Maple Sap Processor Registration Form should be completed when the annual sales of the maple syrup (between April 1 and March 31) are less than $5,000.
- Producers must retain a food establishment license unless both of the following apply: (1) The establishment only sells fresh fruits and vegetables, honey, cider, sorghum, or maple syrup; (2) the operator of the establishment produces the product sold to the consumer.
- Schools that wish to process maple syrup to be used in school meal programs must process under a license, such as a retail establishment or a food processing plant license, regardless of whether the syrup is purchased or donated. Schools should contact the DATCP (datcpdfslicensing@wisconsin.gov) to discuss requirements specific to their situation.

Honey

- No license required for honey sold as beekeeper's own that has no added color, flavors, or ingredients.
- Honey must be handled in a way that ensures food safety.
- Honey must be fully labeled including "Graded" or "Ungraded."

Dairy

Fluid milk (flavored and unflavored), cream, butter, yogurt, kefir, ice cream, sour cream, cheese.

- No additional license is required when dairy products come from producer's licensed dairy plant.
- Dairy products must be maintained and delivered at internal temperature of 41°F or below using any effective method (freezer, dry ice, cooler, etc.).
- Products must be fully labeled.
- All fluid milk and milk used in dairy products must be pasteurized. Raw milk and raw milk products are unallowable.

Grains

Bakery items, dry food mixes and blends.

- The finished product must come from a licensed retail food establishment or food processing plant and must be fully labeled.

Questions?

For questions about Wisconsin Food Safety regulations, contact Wisconsin DATCP: 608-224-5012.

For questions about connecting and selling to schools, contact the DPI Bureau of School Nutrition, Farm to School Specialists: DPIF2S@dpi.wi.gov or 608-267-9228.