



Farm Direct Marketing, Agricultural Products

The Oregon Farm Direct Marketing Rules adopted under OAR 603-025-0215 thru 603-025-0275, exempts farm direct marketers from ODA licensing that sell agricultural products that they grow. All sales must be directly to the end retail consumer. Consignment sales of agricultural products is allowed.

Direct retail sales and consignment of the following agricultural products are exempt from ODA licensing:

- Fruits, vegetables, edible flowers, and herbs that are fresh, cured, or dried as part of routine post-harvest handling
- Dried or cured fruits, vegetables, edible flowers, herbs or blends of herbs, and herbal tea for which drying or curing is not part of routine post-harvest handling
- Olive oil
- Shelled and unshelled nuts
- Shell eggs
- Honey with no additives
- Uncooked whole, hulled, crushed or ground grain, legumes, and seeds
- Uncooked, parched, or roasted grains
- Popcorn, nuts, peppers and corn on the cob that are roasted by the farm direct marketer at the place of purchase after purchase and not sold for immediate consumption
- Maple tree and walnut tree syrup

Labeling

All bottled, packaged, and canned products must be labeled with the following:

- Product identity
- Net weight
- An ingredients statement (including any major allergens)
- The complete physical address of the agricultural producer

The following statements must be in a prominent location in legible, all capital, and bold-face type no less than one-eighth inch for shell eggs, grains, legumes, seeds, and honey (20 hives or fewer are exempt from the below statements).

- **“THIS PRODUCT IS NOT PREPARED IN AN INSPECTED FOOD ESTABLISHMENT”**
- **“NOT FOR RESALE”**

Consignment Sales

In addition to selling their own products, farm direct marketers may also sell agricultural products from other farm direct marketers under consignment. Consignment agreements can only take place between two farm direct marketers from the same county or adjoining counties. Products sold under consignment must be clearly identified with the name and address of the consigning (original) agricultural producer. Consignment sales logs must be maintained that include the name, complete physical address, and phone number of the agricultural producer and documentation of the quantity of items sold under consignment. There are no gross annual sales limitations for items sold under consignment.

Third Party Services

Farm direct marketers may work with third party services that assist in the aggregation, delivery, marketing, or other facilitation of sales of agricultural products. Third party services cannot be farm direct marketers themselves; nor can they consign, store, warehouse, or purchase for sale said products.

Records for dried agricultural products for which drying is not part of routine post-harvest handling

Production records documenting the control parameters used to achieve a dehydrated product must be maintained. Examples of control parameters could include but are not limited to air temperature, time, conditioning outcome, air pressure, etc. Recording water activity is not required. Copies of all records must be maintained for a period of three years.

Food Item	"Not Inspected" Labeling Requirement	Allowed For Consignment
fresh fruits, vegetables, and herbs		X
dried fruits, vegetables, herbs		X
grains, seeds, legumes	X	X
flour	X	X
nuts in shell		X
unshelled nuts		X
shell eggs	X	X
honey with no additives	X*	X
olive oil	X	X
maple tree and walnut tree syrup	X	X

* 20 hives or fewer are exempt from "Not inspected/Not for resale" labeling requirement.

