



A Producer/Consumer Cooperative

Market address: 116 Main St., Philmont, NY 12565 • 518-672-7673 • philmontcooperative.com

Mailing address: P.O. Box 32 Philmont, NY 12565

info@philmontcooperative.com

LEGAL COMPLIANCE BY PRODUCT

All products must comply with federal, state, and local health regulations, licensing, and labeling requirements. Producers are expected to inform themselves on issues governing the production, display, distribution, sampling and sale of their products.

In New York, only the following products may be sold without special licensing:

- fresh unprocessed fruits or vegetables
- maple syrup, sorghum, or honey [properly labeled]
- properly labeled products of a cottage food production operation ([NYS Dept of Ag & Markets for full list](#))

All other products require additional licensing.

Anyone wishing to sell through Philmont Market & Café Cooperative should research the rules and regulations regarding the products they are wishing to sell prior to applying as a producer member.

Some general information is listed below is meant to serve as a guide, but should not be relied upon as a sole source of information. Producers should contact the NYS Department of Agriculture & Markets or Columbia County Department of Health for more information

PRODUCE

- Can be cultivated or wild harvested (no wild mushrooms may be sold in New York)
- Only fresh harvested products may be sold. Cutting, chopping, washing, shelling, and mixing items grown from a different field is considered processing and must be done in a commercial kitchen facility. Examples of processed items are: carrot sticks, washed salad mix, or mixed items in bags (stir fry mix or spinach and lettuce salad mix).
- Harvested lettuce mix grown from mixed seeds is ok
- Beans dried in the field are considered harvested and are ok. Beans harvested then dried are considered processed and are not ok.

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- Products can be sold by pint, quart, bunch, or by weight. The weights and measurements department specify what type of packaging is acceptable by product (based on what has been traditionally done).
- Bagged produce (like potatoes or salad) should include the net weight, price per pound and total weight on the label. Weight should be at least what is in the package (can be more, not less) and should not include the weight of the package
- Items traditionally sold in a “bunch” (Carrots, celery, beets) do not need to have weight
- Items sold by volume (pint, quart) do not need to have weight information.

MEAT

- Products must be processed in a licensed facility and show the proper labeling identifying as such.
- Producers must still show documentation of proper storage (license) for home storage. Producers may also store product at processor and bring direct to Philmont Market & Café Cooperative, or provide documentation stating why they are exempt.
- All products must be delivered in good condition (frozen).
- Must be labeled with price per pound, net weight, and total price.

EGGS

- Includes chicken, duck, or other
- Varies by county producer resides in. Contact the NYS Department of Agriculture and the Columbia County Department of Health for specific rules
- Producers may reuse cartons provided that they:
 - Are in clean, good condition
 - Remove all other labels that do not identify the product inside (store labels, “grade A”, etc)
- Each container must include the following items:
 - Statement of responsibility: Produce name & address
 - Date packed
 - The following statement: “Safe handling instructions: to prevent illness from bacteria keep eggs refrigerated at or below 45 F. Cook eggs until yolks are firm, and cook foods containing eggs thoroughly.”
- Eggs must be marked as “Ungraded”. Producers may not use descriptions like “large, extra large, jumbo” unless they have a certified grading “machine”

VALUE ADDED

- Value added can be processed in a licensed facility, with a home bakery license, or under cottage food rules.
- Cottage Foods: made in home, no license required

- OK to sell:

Bakery, jams & jellies, candy, granola (no fruit), coffee. Contact ([NYS Dept of Ag & Markets for full list](#))

- Not OK:

- potentially hazardous: pumpkin pie, cheesecakes, cream cheese frosting, fried foods, meats
- acid/low acid canned foods (beans, sauerkraut, salsas)
- Herb/garlic infused oils & vinegars
- No vacuumed packed

- All items must all be prepackaged and labeled

- Labeling:

- Name of product
- Statement of responsibility: name & address
 - Email, phone optional
- Ingredients in descending order, by weight
 - All sub ingredients (chocolate chips)
- Net weight
- “This Product is home produced” (10 pt type)

- Home bakery/other licensed products
 - Need to display or have a copy of license on file at market

OTHER

- The local Health Department has jurisdiction over the market, but will respect the laws of other counties
- Products can say “no sugar added” but not “no sugar” or “less sugar”