

# UC ANR Legal Basics of Urban Farming Workshop

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University of California Agriculture and natural resources  
Alameda County Department of Environmental Health

# What is the Role of the Department of Environmental Health?

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- To carry out measures for protecting public health, including administering and enforcing laws related to environmental health and providing support to minimize the risks for health and safety hazards.

## **The Department of Environmental Health oversees the inspection and services of permitted facilities within the following programs:**

- Food Safety
- Recreation
- Hazardous Material
- Hazardous Waste
- Land Use
- Solid Waste
- Medical Waste
- Body Art
- Green Business
- Healthy Nail Salon Recognition
- Disaster Preparedness
- Water
- Safe Drug and Consumer Generated Sharps Disposal



# The Food Safety Program Consists of

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- All retail food facilities (i.e restaurants, markets, bars)
- Food Banks
- Mobile Foods
- Temporary Food Events
- Farmers Market
- Catering
- Community, School and Culinary Gardens
- School Cafeterias
- Skilled Nursing Facilities
- And more

## **Food Safety Enforcement Agencies in California Are Mandated by the California Retail Food Facility Code (Cal Code) to :**

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- Conduct inspections of food facilities that sell and/or donate food to the public
- Investigate foodborne illnesses and public health nuisances
- Require implementation of disease control measures to prevent and mitigate foodborne illnesses
- Educate the community regarding health risks and maintaining a safe environment.
- Review plans and oversee the construction of new and remodeled food facilities

# Cal Code Definition For A Community Food Producer (CFP)

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## **113752. Community food producer**

“COMMUNITY FOOD PRODUCER” means a producer of agricultural products on land that is not zoned for agricultural use but is otherwise in compliance with applicable local land use and zoning restrictions, including, but not limited to, restrictions governing personal gardens, community gardens, school gardens, and culinary gardens.



## **Cal Code Sections 114376(a): A CFP That is Deemed An Approved Source Can Sell Their Agricultural Products:**

- Directly to the Public
- To Permitted Food Facilities such as restaurants or markets
- To Cottage Food operations
- At Community Events
- On the premises controlled by the producer (i.e. Agricultural Stand)
- Create and sell value added products (jams, jellies, etc.) with a Processed Food Registration (PFR)
- Donate food to a food bank or food kitchen

# What Is Cal Code's Definition of An Approved Source?

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The California Retail Food Code (Cal Code) requires that food sold or given away to the public comes from an **Approved Source**:

## **113735. Approved source**

(a) "Approved source" means a food source allowed under Article 3 (commencing with Section 114021) of Chapter 4, or a producer, manufacturer, distributor, or food facility that is acceptable to the enforcement agency based on a determination of conformity with applicable laws, or, in the absence of applicable LAWS, with current public health principles and practices, and generally recognized industry standards that protect public health.

**(b) Any whole uncut fruit or vegetable or unrefrigerated shell egg grown or produced in compliance with all applicable federal, state, or local laws, regulations, and food safety guidelines issued by a regulatory agency shall be deemed to be from an approved source.**



# How Can A CFP Become An Approved Source?

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- A CFP located at a permitted food facility in Alameda County can register to become an approved source with the Alameda County Department of Environmental Health
- A CFP that is **not** associated with a permitted food facility must register through California Department of Food and Agriculture's (CDFA) self certification program

# What Foods Can Be Sold By A CFP?

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- Whole uncut fruits and vegetables, including shelled nuts
  - Sprouts, mushrooms and cut leafy greens require additional requirements (check with the Department of Environmental Health)
- Unrefrigerated eggs (contact California Department of Food and Agriculture Egg Safety and Quality Management Program for registration information if you plan to sell or donate eggs).  
<http://www.cdfa.ca.gov/ahfss/mpes/esqm.html>
- Value added products (i.e. canned vegetables, jams, sauces, spices herbs), may require a permit from the California Department of Public Health (CDPH) Food and Drug Branch. Check with your local Environmental Health Enforcement Agency or CDPH Food and Drug Branch (for processed foods). For more information on Processed Food Registration requirements, visit the CDPH Food and Drug Branch website at:  
<http://www.cdph.ca.gov/programs/Pages/FDB%20ProcessedFoods.aspx>.

# What Are The Limitations On Sales And Delivery Of CFP Agricultural Products?

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- CFP Agricultural products must be sold directly to the public. They cannot be sold via internet, shipping or interstate commerce.
- CFP agricultural products can be delivered directly to customers



## **Are CFPs Required To Obtain A Permit From The Department Of Environmental Health?**

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Cal Code does not require CFPs to obtain a permit from Environmental Health Agencies, but it does require that the CFPs follow the Best Management Practices (BMPs). These BMPs are detailed in the California Department of Food and Agriculture (CDFA) “Food Safety Guidelines for Small Farms”. They provide guidance for safe growing, production, and handling of Community Food Producers’ agricultural products.

# Why Are BMPs Necessary?

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The BMPS can help the CFP avoid the following conditions, which can contribute to food contamination:

- Planting in contaminated soil
- Irrigating with nonpotable water
- Allowing animals in the growing area
- Use of unapproved compost or fertilizers
- Poor hygiene practices
- Poor foodhandling practices
- Harvesting or trimming with utensils that were not cleaned and sanitized
- ETC.



# Conditions That Have Led To Foodborne Outbreaks From Food Grown On Commercial Farms

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soil contaminated by feces and urine from wild animals





# Conditions That Have Led To Foodborne Outbreaks From Food Grown On Commercial Farms

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Crops contaminated by fecal contaminated irrigation water



# Protect your Community Produced Agricultural Products

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Keep Pets and wild animals out of the growing areas





# Maintain Good Hand Washing Practices

## Washing Your Hands

*is required by law  
TO KEEP FOOD SAFE*



1. Wet hands & arms **with 100°F** water, apply liquid soap and rub hands for 15 seconds. Use your nail brush



2. Rinse hands and arms well with clear water



3. Dry hands & arms with paper towel or hot air blower



4. Use towel to turn off faucet and to open the door

Before	After	
Starting work including:	Using restroom	Eating or Drinking
• Handling ready to eat food	Sneezing	Emptying Garbage
• Handling clean utensils	Coughing	Mopping or cleaning
• Using a hand sanitizer	Touching raw food	Smoking
Before putting on gloves	Touching face or hair	Any chance of Contamination



# To Avoid Transferring Contaminants To Produce

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- Wash Your Hand Before And After Harvesting
- Before And after rinsing produce
- Before preparing value added foods



1. Wet your hands with warm (110°F) running water.



2. Apply Soap.



3. Rub hands together for at least 20 seconds.



4. Clean under fingernails and between fingers.



5. Rinse hands thoroughly under running water.



6. Dry hands. Dispose of towel in trash receptacle.

# Use CDFA Approved Composting And Fertilizing Procedures

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# Use Raised Beds Unless You Know that Your Soil Is Free Of Contamination

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## Use Potable (Drinkable) Water Only

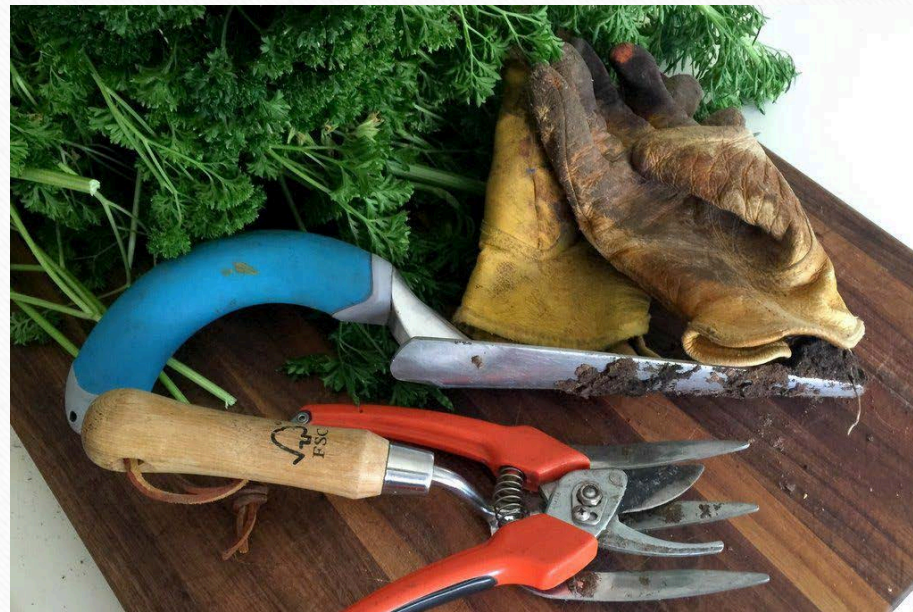
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- To water your produce
- To Rinse your Produce in the growing area
- To provide a final rinse in your kitchen



# Cleaned And Sanitized Harvesting Utensils Before And After Use

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# Other Community Food Production Requirements

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- **Land Use and Zoning approval:** Contact your local Planning / Community Development Agency to verify compliance with applicable local land use and zoning restrictions (Cal Code Section 113752).
- **Business License ? Sales permit/license:** Contact your local jurisdiction (City or County) to obtain a business license or peddling permit, if required.



# CFP Agricultural Products provide many benefits to communities. through healthy locally sourced nutritionally rich food and keep dollars circulating within the community

Provide safe, sustainable secure communities:

- Locally available nutrition rich foods
- Jobs
- Skill development
- Community involvement
- Food secure households



# Thank you

Jacqueline Greenwood, Supervising R.E.H.S.

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Alameda County Department of Environmental Health

(510)567-6745 [jackie.greenwood@acgov.org](mailto:jackie.greenwood@acgov.org)