

Interim Guidance for the Operation of Farmers' Markets

Updated: May 22, 2020

This guidance is provided for farmers' market operators and vendors in response to the COVID-19 public health emergency.

Background

On March 20, 2020, Governor Cuomo signed [Executive Order 202.8](#), as a part of “[New York State on Pause](#),” a 10-point policy to reduce community transmission of COVID-19. This policy included a directive that all non-essential businesses throughout the state close in-person employee functions effective at 8:00 PM on Sunday, March 22, 2020. Essential businesses are exempt from this directive.

Empire State Development (ESD), which issued [guidance](#) on essential businesses and services, considers farmers' markets an essential retail business, providing healthy food for communities. Farmers' markets are also exempt from the mass gatherings restrictions set forth in Executive Order 202.8.

Farmers' Markets

To maintain the designation as an exempt operation, it is important that farmers' markets meet the following requirements for the duration of the Executive Order. These requirements are meant to maintain outlets for healthy local foods, while safeguarding our farmers, consumers, and communities from the spread of COVID-19.

Farmers' markets must:

- Have a [Market Health Safety Plan](#) on the premises. The Market Health Safety Plan must be made available to the New York State Department of Health (DOH) or local health or safety authorities in the event of an inspection.
- Offer no forms of entertainment.
- Offer no cooking demonstrations or sampling from open containers. Samples offered in pre-packaged containers may be offered to customers, so long as the sample is consumed off the premises.
- Hot or cold prepared food should be available for take-out only. There should be no tables or chairs for seating.
- Space out vendors as much as possible.
- Minimize the food customers may directly access, and instead serve patrons.
- Increase the number of handwashing stations and make hand sanitizer, containing at least 60% alcohol, available to vendors and customers.
- Manage customer traffic within the market to eliminate congregating and to promote social distancing (i.e., maintaining a distance of at least 6 feet between customers).
- Know and understand the [Food Safety at Farmers' Markets Guidelines](#).
- Frequently check the [Department of Agriculture and Market's website](#) for updates and additional resources.
- Face masks must be worn at the market. Anyone who is over age two and able to medically tolerate a face-covering must cover their nose and mouth with a mask or cloth face-covering when in a public in accordance with Executive Orders 202.17 and 202.18. Additional information is available at [Interim Guidance on Executive Orders 202.17 and 202.18](#).

Farmers' markets may consider allowing only seniors or those with compromised immune systems to shop during the first hour the market opens, or prior to opening the market to the general public.

Farmers/Vendors

- In addition to food safety protocols that are taken by farmers on the farm, farmers' market operators should implement their own sanitary protocols. While the [CDC and FDA have stated that COVID-19 is not known to be transmitted in food or food packaging](#), farmers/vendors are required to adhere to the following requirements:
 - Do not permit customers to spend an excessive amount of time near the booth or table.
 - Limit the number of customers permitted at the table at one time, allowing for proper social distancing.
 - Set up display tables in a manner that allows for social distancing between consumers (e.g. do not create close or confined spaces with displays in a manner where social distancing cannot be maintained).
 - Frequently clean and sanitize surfaces and other frequently touched points of contact, including point of sale terminals.
 - Frequently wash hands with soap and water or use hand sanitizer containing at least 60% alcohol if soap and water are not available.
 - Gloves are recommended while handling products at the market.
 - Pre-package raw agricultural products, such as apple, potatoes, onions, etc. to the greatest extent possible. All other foods, such as breads and baked goods, must be sold pre-packaged. Please refer to existing [food labeling laws](#).
 - Be knowledgeable about the [Food Safety at Farmers Markets Guidelines](#).
 - Frequently check the [Department of Agriculture and Market's website](#) for updates and additional resources.
 - Do not allow customers to place personal objects, such as reusable bags, money, purses, or cell phones, on vendor tables.
 - Customers should be encouraged to bag their own purchases, if possible.
- Employers must provide essential workers with masks free of charge to wear when interacting with the public in accordance with Executive Order 202.16. Additional information is available at [Interim Guidance on Executive Order 202.16](#).

Consider other approaches to facilitate the direct sale of farm markets. Alternative options may include:

- Online ordering, or other creative purchasing solutions, with pick up at the market. This is to help reduce crowds and the handling of cash or other currencies.
- A market-wide, community supported agriculture (CSA) or food box for pick up.

Cleaning/Sanitizing and Hand Hygiene:

Clean and disinfect buildings and equipment following the New York State Department of Health's (DOH) and Department of Agriculture and Markets' [Interim Guidance for Cleaning and Disinfection of Food Manufacturing Facilities or Food Retail Stores for COVID-19](#).

This [signage](#) providing guidance to STOP the SPREAD of COVID-19 should be posted in prominent locations. Alternative languages for the [signage](#) are also available. Regular hand washing with soap and water for at least 20 seconds should be done:

- Before and after eating.
- After sneezing, coughing, or nose blowing.
- After touching face, hair, cellphone and/or clothing.
- After using the restroom.
- Before handling food.
- After touching or cleaning surfaces that may be contaminated.
- After using shared equipment and supplies.

Additional Information is Available at:

New York State Department of Health's Novel Coronavirus (COVID-19) Website

<https://coronavirus.health.ny.gov/home>.

United States Centers for Disease Control and Prevention Coronavirus (COVID-19) Website

<https://www.cdc.gov/coronavirus/2019-ncov/index.html>.