



NON-POTENTIALLY HAZARDOUS FOOD

A Non-Potentially Hazardous Food (NPHF) is a food that does not require a time/temperature control for safety and may be produced and/or packaged at the private residence of the producer.

A NPHF can be sold in-state at farmers markets, retail and direct to consumer. These products are not required to have a WVDA Farmers Market Vendor Permit to be sold at farmers markets. WVDA requires that non potentially hazardous products be pre-wrapped or protected from contamination during display and properly labeled.





Label elements shall be of a size and style that is easily legible to the average person and shall consist of:

1. Statement of identity, which is the common name of the product. **2.** Company name of producer, packer or distributor. Unless the name given is the actual producer, the name must be accompanied by a statement noting the relation to the product. **3.** City, state and zip code of the producer, packer or distributor. **4.** Ingredients listed in descending order from greatest weight to least. Single ingredient products shall include an ingredient list to ensure consumers that is the only ingredient in the product. The ingredient list shall begin with “Ingredients:” followed by the list. **5.** Net contents or numerical count located in bottom third of the primary label panel in standard U.S. measures, followed by the metric equivalent in parentheses. Honey shall be measured by weight. Syrups shall be measured by liquid volume. **6.** A statement of any of the major food allergens contained in the product, as specified by U.S. Food and Drug Administration. The statement shall be placed directly below the ingredient list and shall begin with “Contains” followed by the allergens. **7.** The following statement “This product was made in a non-commercial kitchen that may not be subject to inspection and may contain cross-contact allergens not included in the allergen statement.”

NPHF Examples:

- Baked goods that do not require refrigeration (e.g., breads, muffins, fruit pies)
- Candy
- Fruit butters (apple, peach, etc.)
- Fruit jams, jellies and preserves
- Dried baking or spice blends



FOR MORE INFORMATION:



<https://agriculture.wv.gov/divisions/regulatory-and-environmental-affairs/>



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