

Changing Marketplace

Arizona Farmers' Market Vendors Tackle Cottage Food Regulations

by Barbara Berst Adams

Heirlooms, sprouts, garden bouquets, goat's milk bodycare products and much more fill the tables at the seasonal Verde Valley Farmers' Market (VVFM) in the town of Camp Verde in central Arizona. But something else also fills the atmosphere. There's an authenticity and friendliness to this farmers' market that makes a visitor want to linger and return.

There is also something missing from this market — though perhaps not for long. And that would be certain traditional homemade foods currently impossible or too impractical to sell profitably as a result of what some see as outdated or redundant regulations regarding the sale and purchase of cottage foods. But if some of these Arizona-area growers, home food producers and local customers have their way, VVFM will become even more of a resource and example of a world returning to abundant locally grown and produced foods — including cottage foods made at home.

THE MARKET'S BEGINNINGS

Verde is the Spanish word for green, and the Verde Valley region once bustling with agriculture activity that served the high altitude and highly populated copper mining town of Jerome, Arizona. The mines have long since closed, and Jerome evolved into a smaller tourist and arts community. Wineries have since moved into the area as the valley continues to transform and utilize its unique growing conditions.

In 2004, two devoted gardeners named Diane Scantlebury and Denise Gould wanted a way for local growers to sell their produce. They started the Verde Valley Farmers' Market in Camp Verde, which thrived in a parking lot for several years. The location was eventually moved to its current



Photos courtesy of Adams & Davis, LLC

Jane Davie, market manager, offers various products from her garden.

one near enough to town yet next to a state park beneath an open-air shelter with ample parking and quiet, green surroundings. Jane Davie, a long-time local grower and vendor at the market, is now the market's manager.

HUMAN CONNECTIONS

Tending and nurturing human relations can be quite an asset to a farmers'

market. "I see friendliness on a weekly basis at our market," said Davie. "We like to think of our market as a bridge between people."

Davie witnesses the results of genuine friendly interactions at the market and understands them as valuable and important. "I see that our vendors have a special bond with the customers as well as with other vendors," she said.

"All of our growers love to share how they prepare different produce and in turn customers love telling the vendor how they prepare *their* produce. Something else I see on a consistent basis," Davie continued, "is that older customers love to chat about where they grew up and how they had a garden, what they grew and their own personal stories of being a gardener. It is very endearing."

A market manager who's keenly aware of the offerings of the vendors and needs of the customers can be invaluable. And Davie appears to take this role very seriously. "As the manager it is my job to try to keep an eye on what types of produce are available from each vendor at each market," said Davie. "I know when I see certain repeat customers at the market and they want, for example, a quantity of green beans for canning, that I can direct them to the grower that has what they are looking for. Quite often vendors will hold or fill a special request for customers."

Food has been a bonding resource for humans since time began, and many farmers' markets, including VVFM, have long been places where nurturing human interactions take place. This naturally creates an environment people want to return to. During a conversation with one customer, Davie discovered he'd been grinding mesquite beans in a blender, but didn't know how to use the flour. So Davie found recipes for cookies, pancakes and even brownies online for this customer, which, as Davie described it, absolutely delighted him. "The next market he came to," Davie said, "he brought me some cookies and a jar of mesquite flour. The next year was a good year for the mesquite pods and he even brought me a box of beans!"

EMPHASIS ON AGRICULTURAL PRODUCTS

Many farmers' markets include arts, crafts and flea market vendors, some even as much as half. But VVFM is about fresh, locally grown produce and value-added products made from area crops. In part, local regulations in this area require a more expensive fee structure for crafters to sell at markets than for produce sellers, so the number of arts and crafts vendors is naturally lower for that reason. But this is a region with a strong agricultural history and VVFM is a faithful reflection of



Produce displayed at the Verde Valley Farmers' Market in central Arizona.

that history. "The Town of Camp Verde was based on agriculture and I see that the VVFM is just carrying on the tradition and reinforcing the importance of purchasing what is locally harvested," Davie said.

Even though certain arts, crafts and entertainment can add to a farmers' market if kept in balance, Davie knows that the agricultural part of the market offers its own delights and spectacle. "Families come and they become repeat customers," Davie said. "Children attend with their parents and grandparents, learning that carrots come in reds, purples, yellows and whites, not just orange. They are greeted with the sights of jewel-colored peppers, plums and blackberries; they taste fresh apples and smell basil and cilantro. I think everyone takes away a sensory memory of a visit to our farmers' market."

Davie goes even further with ag-entertainment at the market by fashioning an imaginative character each week from her harvest. "Kids love to check in weekly to see what I have come up with and I test them on their knowledge of what veggies I used to create it. That is a learning experience."

GROWING PAINS

Across the nation, many states and counties are dealing with changing views on how the country can prosper from a local food base. They're taking a closer look at their regional

cottage food regulations. While some food safety regulations are very helpful across the board, certain regulations were based on factory production and aren't relevant to home production. A number of current and past vendors at the Verde Valley Farmers' Market await the outcome of recent attempts to make their own local contribution to progress toward a nation of abundant and safe local food supply.

Terri Painter is a Camp Verde resident who owns and operates the Crazy Goat Lady Lotion Company. She sells various bodycare products made from the milk of her Nubian goats at VVFM, and also brings a pet Nigerian dwarf goat to the market for the enjoyment of the customers. But she'd also like to sell her well-loved goat's milk feta and garlic-dill goat cheese. She can't make it at home and sell it as she'd like to under current regulations. It's more practical for many dairies to process right on their farm rather than haul fresh raw milk to a commercial kitchen. In Painter's case, she is single and does all the work of the farm herself. And costs for building an on-farm commercial kitchen are too prohibitive. So, as one example of a possible need for local communities to regulate themselves and choose their own exemptions, if a farmer and/or home food processor has enough people who already trust their home processing methods and want to buy their product, should there be a way for customers to legally pay the farmer for what they want?

This brings up the issue of local communities being able to have some leeway or exemptions from one-size-fits-all centrally created rules. There is a movement toward local communities interpreting rules for safety in cases where a community kitchen or making farmers install their own certified kitchen isn't plausible production-wise or possible cost-wise. For example, some states allow exemptions to certain regulations, such as the requirement to use a licensed commercial kitchen for producers who don't produce beyond a certain amount of product, or who earn less than a specified amount annually.

Also, though community certified kitchens have proven clean and useful in many cases for local growers who want to process safe foods outside their homes, in some growers' and food producers' opinions, they aren't always the better choice. As mentioned, haul-



Crazy Goat Lady Lotion Company



Burrito, the Nigerian goat owned by the Crazy Goat Lady Lotion Company, is brought to the market for the visitors' enjoyment.

ing certain food items to a community kitchen can be prohibitive, less nutritious, or even less safe than taking a crop instantly from harvest to kitchen for processing in the early hours of the morning. And while most certified kitchens do strive to be extremely clean, there can be problems with processing even in clean shared kitchens for those who produce for people with strong, sometimes violent allergies to substances such as gluten or peanuts.

Also, not all food producers agree that licensed kitchens are clean enough. Another wholesome cottage food not available at the VVFM is sauerkraut produced in the traditional method in the kitchen of Sandy Boyce. However, her product used to be there, and was quite popular. Boyce, co-founder and director of the Verde Valley CSA, makes sellable quantities of sauerkraut in her own kitchen using time-honored methods that have been nourishing humans safely for centuries. But Boyce was told she could not sell her product if she purchased the cabbage from

other growers and made it in her own kitchen instead of a licensed commercial kitchen. Boyce feels strongly that requirements for commercial kitchens are not always the answer to food safety.

"Commercial kitchens typically have many people coming in and out," said Boyce, "and nobody in charge of deep cleaning. Not to mention the hassle of transporting all my implements and ingredients to make sauerkraut in batches of about 100 pounds of cabbage — just to comply with arbitrary rules. If I grew cabbage on my own land, then, according to the health department, I could make sauerkraut in my home kitchen and not be required to use a commercial kitchen. These kinds of inconsistencies make no sense and certainly have nothing to do with food safety."

Boyce continued to make and sell her naturally fermented kraut the same traditional way from her kitchen, but labeled it as pet food in order to sell it legally, and she sold 435 pounds by the end of the season. But she was eventually told she couldn't do that either.

She and others in the area hope for changes to come soon for local growers and food producers and have ideas to contribute. "A simple and elegant solution is to have health department certification optional at the farmers' markets," she said. "If people want to

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buy from licensed, certified vendors, fine. Vendors selling traditional, home-made foods would have signs clearly stating that their foods have not been inspected by the health department. That way people have the choice and are not forced into buying only what the health department deems safe for them.”

Since then, Boyce and other local growers and home food producers have united to make changes in their area. Boyce delivered a written request to the county health department and county

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supervisor to remove redundant special events fees and consider proactive options for those who hand-produce quality, safe homemade foods that, in some cases, customers already want to buy. Some of the requests would even seem to make handcrafted foods even safer, such as allowing home pH testing which means a food producer could afford moneywise and timewise to check every batch rather than just random batches. Some regulations already in place, such as current food handler's license requirements, are still very much supported. This request is known in the region as the Local Food Freedom Proclamation.

“The proclamation,” said Davie, “states that we believe in preserving the ability of individuals to produce, process, sell, purchase and consume the foods of their choice. This is to be accomplished through farmers’ markets



and direct farm sales to allow the public a choice when it comes to what they eat.” As of this writing, Davie said that the health department has not acted on any of the requests.

Locally home and on-farm produced foods were once abundant in our country in many locations. And it seems that both farmers and non-farmers want to pick up where that left off

and return, in progressive ways, to that form of food stability. “The demand for salsas, jams, jellies and pickles has increased over the last few years,” Davie continued. “The (Arizona) local town councils of Camp Verde, Cottonwood, Clarkdale, and Sedona all approved an Artisan Food Awareness Month in the summer of 2012. This basically brought to light the regulations that people face

if they want to make certain homemade products.”

She said that after passing the Arizona Home Baked and Confectionary Goods Rule in 2011, “we saw a surge in home baked vendors. During our 2011 market season, we had no vendors that sold any type of home-baked goods — the rule passed just as our market season was ending.” However, Davie said that in 2012 they had four bakers which, as she described them, “had such a variety of delicacies, from French pastries to fruit pies to fresh milled whole-wheat bread! I anticipate even more interest in the market this season from at-home bakers and the customers are requesting these products.”

Davie feels that progress will be made, especially once citizens become aware of the inconsistent and expensive regulations one encounters if wanting to make foods for sale from home. “I think that customers will begin being more vocal about their own food choices,” she said, “whether it is to the newspaper or directly to the health department. I think there will be positive changes in the future even if it does happen in small steps.”

The ability for communities to interpret safety rules according to their unique needs and attributes continues to draw attention nationwide, and Verde Valley growers are no exception. Blanket, generalized, centrally created laws seldom adequately serve the individual community, which in turn collectively serves their state, which in turn collectively serves the entire nation.

“There is a segment of the population that wants to buy traditional foods,” Boyce said, “and it doesn’t take a rocket scientist to figure out that people don’t like being told what foods they can and can’t eat.”

So along with friendly folks and an abundance of truly locally produced farm and garden products, the atmosphere at the VVFM also carries a determination toward even better conditions for local food producers and buyers.

Barbara Berst Adams is author of *The New Agritourism: Hosting Community & Tourists on Your Farm* and *Micro Eco-Farming: Prospering from Backyard to Small Acreage in Partnership with the Earth* (both New World Publishing). She also writes for www.local-farm-living.com and www.small-town-living.com.



Resources

Verde Valley Farmers’ Market: The Verde Valley Farmers’ Market is held on Saturdays, from the first Saturday in June to the first Saturday in October.

Location: Town Ramada next to Ft. Verde State Park, at Hollamon and Main Streets (there is no street address) in historic downtown Camp Verde, Arizona. www.localharvest.org/verde-valley-farmers-market-M31202. They can also be found online on Facebook.

The USDA Agricultural Marketing Service (www.ams.usda.gov) has a section on farmers’ markets and local food marketing from their homepage.

Harvard Law School Food Law and Policy Clinic’s toolkit for communities seeking to make changes in their food and agriculture system is entitled “Good Laws, Good Food: Putting State Food Policy to Work for Our Communities” and is downloadable at blogs.law.harvard.edu/foodpolicyinitiative.

Here’s where farmers’ market founders and their vendors can learn the regulations at state, county and city levels.

Most states have a farmers’ market association one can search for online.

Farmers and vendors can also search their state’s department of agriculture website for state codes regarding farmers’ markets.

The state and local department of health must be contacted for a description of their rules, as they regulate value-added and prepared foods at markets, including conducting inspections. For a list of all state departments: www.healthguideusa.org/local_health_departments.htm.

Local cooperative extensions can be helpful in understanding regulations and pointing to local resources. A list of all state extensions: www.csrees.usda.gov/extension.

A growing number of areas now have unique local non-profits engaged in sustainable agriculture and developing local food systems. Ask around, and keep an eye out for them at food co-ops or other local areas of shared interest.

Home-based baking information on cottage food laws by state: homebasedbaking.com/cottage-food-laws.

More information on cottage food laws: cottagefoodlaws.com.