

Farm Direct Marketing, Agricultural Products

The Farm Direct Marketing Bill, adopted under [OAR 603-205-0215 thru 603-025-0275](#), exempts farm direct marketers that sell agricultural products that they themselves grow from ODA licensing. Only sales directly to the end retail consumer are exempt.

Direct retail sales of the following agricultural products is exempt from ODA licensing:

- Fruits, vegetables, mushrooms, edible flowers and herbs that are fresh, cured or dried
- Shelled and unshelled nuts
- Shell eggs
- Honey
- Uncooked whole, hulled, crushed or ground grain, legumes and seeds
- Uncooked parched or roasted grains
- Popcorn, nuts, peppers and corn that are roasted by the farm direct marketer at the place of purchase

Labeling

All bottled, packaged and canned products must be labeled with the following:

- Product identity
- Net weight
- An ingredients statement (including any major allergens)
- The address of the agricultural producer

Shell eggs, grain, legumes, seeds and honey must be labeled with the following statements in all capital, bold-face type, no less than one-eighth inch in height:

- **“THIS PRODUCT IS NOT PREPARED IN AN INSPECTED FOOD ESTABLISHMENT”**
- **“NOT FOR RESALE”**

Consignment Sales

In addition to selling their own products, farm direct marketers may also sell some agricultural products from other farm direct marketers under consignment. Agricultural products eligible for consignment sales include:

- Fruits, vegetables, mushrooms, edible flowers and herbs that are fresh or cured as part of routine post-harvest handling
- Unshelled nuts
- Shell eggs (if the seller is a licensed egg handler)
- Honey (only when not combined with other ingredients)

Consignment agreements can only take place between two farm direct marketers from the same county or adjoining counties. Products sold under consignment must be clearly

identified with the name and address of the consigning (original) agricultural producer. Consignment sales logs must be maintained that include the name and contact information of the agricultural producer and documentation of the quantity of items sold under consignment. There are no gross annual sales limitations for items sold under consignment

Agricultural Products Included in the Farm Direct Bill

Food Item	"Not Inspected" Labeling Requirement	Allowed For Consignment*
fresh fruits, vegetables, mushrooms and herbs		X
dried fruits, vegetables, herbs		+
grains, whole or cracked	X	
parched or roasted grains	X	
fresh legumes and seeds		
dried legumes and seeds	X	
flour	X	
nuts in shell		X
shelled nuts		
eggs in shell	X	X*
natural honey, no additives	X	X

*Consignment allowed only when the agricultural producer selling consigned eggs has an egg handler license.

+Not unless part of routine post-harvest handling.