

OFFICE OF LEGISLATIVE RESEARCH  
PUBLIC ACT SUMMARY



**PA 11-191—HB 6156**  
*Environment Committee*  
*Public Health Committee*

**AN ACT CONCERNING FARMERS' MARKETS**

**SUMMARY:** This act makes a farmer's permit or license to operate a food service establishment at a Department of Agriculture-certified farmers' market portable from health district to health district under specified conditions. It requires the farmer to notify a local health department or district in advance if he or she will begin operating a food service establishment in that jurisdiction.

EFFECTIVE DATE: Upon passage

**FARMERS' MARKETS**

*Portable Permit or License*

The act makes any food service establishment permit or license issued by a municipal health department or district to a farmer to participate in a certified farmers' market in that jurisdiction valid for operating a food service establishment at any certified farmers' market in the state. The operation must (1) be in accordance with the approved menu items and food preparation processes or (2) use menu items or food preparation processes that are substantially similar to those approved.

A permit or license is valid for the calendar year in which it is issued.

*Notice to Health Department or District*

At least 14 days before operating a food service establishment in a town that did not issue a permit or license to the farmer, the farmer must send a notice of intent to begin the operation to that town's health department or district. The notice must include a copy of the farmer's permit or license and any approved food service plan.

*Health Director Authority*

A local health director may take regulatory action against a farmer who operates a food service establishment within the health director's jurisdiction to ensure that the farmer complies with the public health code. But a local health director cannot require a farmer to apply for or purchase a permit or license to operate a food service establishment if the farmer (1) already holds a valid one from another district and (2) complies with the act.

*Exemption from Local Ordinance*

A farmer who operates a food service establishment in a certified farmers'

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market and whose menu items and food preparation processes were approved by a health department or district, or who uses menu items or food preparation processes that are substantially similar, is exempt from any local ordinance concerning the operation of a food service establishment. A local health department or district cannot require a farmer who applies for a permit or license to operate a food service establishment at a certified farmers' market to submit information on his or her ability to comply with any such local ordinance.

OLR Tracking: JLK:KM:PF:df/ts