

Selling Foods at Public Markets

It is the role of the Nova Scotia Department of Environment and Climate Change – Inspection, Compliance and Enforcement Division to inspect all premises, whether permanent or temporary, where food is prepared or served to the public. This is a legislated responsibility of the division, as mandated by the [Health Protection Act \(nslegislature.ca\)](https://www.ns.gov/novascotia-legislation/acts-and-regulations/health-protection-act) and [Food Safety Regulations - Health Protection Act \(Nova Scotia\)](https://www.ns.gov/novascotia-legislation/acts-and-regulations/food-safety-regulations)

If you are considering selling food products at a public market, see below for guidance:

- Read the Food Safety Guidelines for Public Markets [PM Guidelines](#)
- Determine what products you plan to sell (Schedule A or B) to find out if you require a public market vendors permit. Feel free to contact a Public Health Officer for clarification [Regional and District Office Locations | Department \(novascotia.ca\)](#)
- Contact the Organizer of the Public Market where you intend to sell to discuss your set up requirements and obtain a booth/market space.
- Submit a public market application (if required) [Public Market Application](#)
- If equipment requirements cannot be met at the market, preparation of Schedule A foods must take place at a permitted commercial kitchen approved by the Public Health Officer. If you do not own or operate a permitted commercial kitchen, submit a Permission to Use a Permitted Eating Establishment form along with your application [Permission to use form](#)
- Food handler training may be required. A list of recognized courses can be found here [recognized-courses.pdf \(novascotia.ca\)](#)
- Once your application is received, a Public Health Officer will contact you to discuss your proposed operation.

Schedule A Products

Schedule A food products are considered potentially hazardous foods, having the potential to support the growth of pathogenic microorganisms or the production of toxins.

- Vendors who sell Schedule A Foods must have a Public Market Vendors permit.
- A vendor who has completed food safety training must be on site at all times.
- Handwashing facilities are required at the booth. Refer to Food Safety Guidelines for Public Markets for details.

- Foods must be prepared at a permitted commercial kitchen and stored there until the food is taken to the market to be sold. Vendors who do not own or operate a permitted commercial kitchen must submit a Permission to Use a Permitted Eating Establishment Form.
- Food must be stored, transported, and maintained at proper temperatures:
 - o Cold foods must be kept at 4°C (40°F) or colder
 - o Hot foods must be kept at 60°C (140°F) or hotter
 - o Reheat foods to 74°C (165°F) or hotter
- All food contact equipment, utensils and surfaces must be cleaned and sanitized regularly.
- Examples of Schedule A foods - Meat, fish, poultry, farm eggs, prepared foods required to be held hot or cold. Information on Schedule A foods can be found in the Food Safety Guidelines for Public Markets.

Schedule B Products

Schedule B foods are considered low-risk foods, are not potentially hazardous, and do not require refrigeration for food safety. Low-risk foods are shelf stable and have a pH level of 4.6 or below and/or a water activity of 0.85 or less.

- Schedule B vendors do not require a Public Market Vendors permit but are subject to the Health Protection Act.
- There are certain conditions where testing of Schedule B food is required. If so, you may need to hire a third-party food safety consultant to validate the recipe and you will need to submit your food product to a lab that is nationally accredited by the Canadian Association for Laboratory Accreditation. The lab will check for various parameters (pH, Aw, salt/ sugar levels) of the product. If the report indicates that the food product meets the definition of a Schedule B product, the vendor must show this report to the local Public Health Officer.
- It is recommended that Schedule B vendors have food safety training.
- Examples of Schedule B foods - Baked goods, whole fruits and vegetables, home bottled/ preserved products. Information on Schedule B foods can be found in the Food Safety Guidelines for Public Markets.

Vendors (Schedule A and B) who sell foods at public markets do not have approval to sell these food products at retail/commercial food stores. Vendors should talk to their local Public Health Officer to learn requirements for retail/commercial sale. [Regional and District Office Locations](#) | [Department \(novascotia.ca\)](#)