

Micro Market Fact Sheet

Ohio Department of Agriculture
Division of Food Safety

What is the definition of a Micro market?

As defined in the 2013 Ohio Uniform Food Safety Code:

- (70) "Micro market" means a retail food establishment that offers the following in displays not more than two hundred and fifty linear feet:
- (a) Prepackaged non-time/temperature controlled for safety food;
 - (b) Prepackaged refrigerated or frozen time/temperature controlled for safety food that is stored in equipment that complies with 3717-1-03.4 (H), 3717-1-04.1 (LL), and 3717-1-04.1 (MM) of the Administrative Code.

What might a Micro market look like?

Micro markets are typically unmanned stores located in office buildings that offer fresh foods, snacks, and beverages to staff for purchasing via a self-checkout kiosk. As stated in the definition above, the foods sold may be either prepackaged non- TCS food or TCS food; however, the TCS foods must be stored in specialty equipment that prevents their sale if held in a malfunctioning machine due to a power failure or other condition (similar to a health switch on a vending machine). An example of such a market can be viewed on YouTube (Avanti Micro Market – Great Lakes).

Can a Micro market sell cups of coffee?

No. A coffee vending machine can be located nearby for the convenience of consumers.

Can Micro markets sell fresh, whole intact produce such a bananas or grapes?

Yes. The produce must ready to eat, i.e., washed and pre-packaged for retail sale.

Can my department charge a Micro Market a license fee?

Yes. The local health department fee is \$90.00, and the State amount is \$10.00. Each department will collect \$100.00 for each licensed location.

- Local Health Department Fee: \$90.00.
 - Transmittal Fee or State Amount: \$10.00.
- Total Fee: \$100.00

Since the fee was set by rule, it does *not* need to be officially adopted by your board of health. The fee is set for the 2013 and 2014 licensing years.

You will need to collect data so you can conduct a cost methodology for Micro markets for the 2015 licensing year.

My health district has a Micro market. Should I license it now?

The food code that addresses Micro markets goes into effect on January 1, 2013. At that time, you will have the authority to license them. Micro Market operators have 60 days from that date to become licensed. They should be licensed by March 1, 2013.

Do Micro markets have to undergo plan approval like other retail food establishments?

Yes. Cold holding units containing time temperature controlled for safety food (TCS food), in Micro markets are required to have an automatic shut off device. This is similar to the automatic shutoff requirement for vending machines with TCS foods. Currently, NSF is working with NAMA to establish standards for approving cold holding equipment for Micro markets. At this time there is no cold holding equipment that is approved for use in a Micro market.

Additionally, a local health department may charge for reviewing the plans of such facilities according to paragraph (C) of rule 901:3-4-03 of the Administrative Code.

Do Micro markets need to have a person in charge?

Chapter 3717-1-02.4(A) exempt's Micro markets from having a person in charge available during hours of operation.

Can a Micro market be a Food Service Operation?

No. All Micro markets are Retail Food Establishments by definition.

How do I transmit the state portion to ODA?

The updated version of the Ohio Department of Agriculture, Transmittal for Retail Food Establishments form (AGR 1274) is attached to this email. The form was amended to include a row for itemizing any Micro markets that may be

licensed by your department. Micro markets may be licensed once the rule becomes effective on January 1, 2013. .

Forward the state's portion of the Micro market license fee on the same schedule you use for the other components of the food program.

