

EXPIRATION DATES

- 1) **No foods requiring an expiration date can be offered for sale past the expiration dates. This includes:**
 - ⇒ Infant Formula,
 - ⇒ Eggs,
 - ⇒ Pre-packaged Sandwiches,
 - ⇒ Shucked Oysters, and
 - ⇒ Milk
- 2) **No foods that require Temperature/Time Control for Safety (TCS), or “Potentially Hazardous Foods,” may be offered for sale past the expiration date.**
 - Any food products labeled as “Keep Refrigerated” or “Keep Frozen” cannot be offered for sale past the expiration dates.
- 3) **All shelf-stable foods are “voluntarily dated” and should be evaluated based on food QUALITY characteristics.**
 - These types of products may be sold after their stated expiration dates, but only if they appear wholesome and fit for human consumption, with package integrity intact. Examples include (but are not limited to): Soft drinks, crackers, cookies, cereals, potato chips, cans of soup, etc.
- 4) **Dates appearing on food packaging that are not specifically preceded by language such as “best by,” “sell by,” “use by,” or any other qualifying statement, will be assumed an expiration date and shall be treated as such.**
- 5) **The GDA does not have regulatory authority over drugs, cosmetics, or dietary supplements.**

DEPARTMENT OPERATIONS

The GDA has other programs you may contact for additional guidance on regulatory issues:

ANIMAL INDUSTRY DIVISION (404-656-3671)

The State Veterinarian and Associate Director direct the division; organized into sections of *Animal Health*, *Equine Health*, *Livestock Poultry Field Forces*, *Meat Inspection*, and *Livestock and Poultry Market News*.

FUEL AND MEASURES DIVISION (404-656-3605)

Programs administered by the Fuel and Measures Division include *Regulatory Field Inspection*, *State Fuel Oil* and *State Weights Laboratories*, *Certified Public Weigher*, *Propane* and *Scale Mechanic Licenses*, *Grain Moisture Meter Registrations* and *Operator's Licenses*, *Service Station* and *Antifreeze Registrations*.

MARKETING DIVISION (404-656-3368)

The Marketing Division regulates requirements of the “*Dealers in Agricultural Products Act*,” “*Georgia Grain Dealer Act*,” the “*Vidalia Onion Act of 1986*,” enforcement and licensing for the U.S. *Certification Mark for usage of the word VIDALIA®*, and *Commercial Agricultural Storage Facilities*.

LICENSING SECTION (404-586-1411)

The Licensing Section offers a one-stop-shop for any GDA-issued licenses. Contact toll-free at 855-4-AG-LICENSE (855-424-5423).

PLANT INDUSTRY DIVISION (404-463-8617)

Plant Industry has four regulatory and inspection programs: *Agriculture Inputs (Seed, Fertilizer and Feed)*; *Pesticide*; *Plant Protection and Grain Inspection*; and *Structural Pest Control*.

GROCERY **AUCTIONS**

Food Safety Guidance For Auctions & Consumers



GEORGIA DEPARTMENT OF AGRICULTURE

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GEORGIA DEPARTMENT OF AGRICULTURE



GROCERY AUCTIONS:

Food Safety Requirements

The Georgia Department of Agriculture (GDA) does not issue temporary licenses; however, a Food Sales Establishment license may be required by those holding the food. Food sales at temporary events, such as auctions and flea markets, is permissible provided that event organizers follow these guidelines to safeguard the public health:

BASIC REQUIREMENTS FOR AUCTIONS

These basic rules must be followed to ensure food sales are in compliance with Georgia rules and regulations governing food safety:

1) All food products offered for sale must be from an approved source.

- Dealers, brokers, salvage operators or any sellers at auctions that are holding food products for more than 24 hours at a firm located within Georgia must obtain a Food Sales License from the GDA. With a food license, their activity at an auction is viewed as an extension of their food sales license.
- Sellers from out of state need to have a food sales license or permit from their home state. Sellers must be able to provide a copy of their food license upon request.
- Food products processed from a home kitchen or at a restaurant are not considered “approved sources” unless they have obtained a food sales license from the GDA.
- *For questions regarding if a seller has a food sales license in GA, please call 404-656-3627.*

2) All food offered for sale must be safe and fit for human consumption.

- All food products offered for sale shall be wholesome and not injurious to health.
- Food products offered for sale cannot have been produced, prepared, packed, or held under unsanitary conditions whereby it may have become contaminated with filth or whereby it may have been rendered diseased, unwholesome, or injurious to health.
- Food products offered for sale cannot have been recalled by their manufacturer or distributor. It is the seller’s responsibility to check the recall status of their food products.

3) Package integrity of all food products offered for sale must be assured.

- Canned goods must not be rusted.
- Seams on canned goods cannot be dented.
- Canned goods that are puffy, swollen, or have curved or rounded outward (convex) ends must not be offered for sale.
- Interior liners that come into contact with food must be intact.
- Product exposed to the environment due to torn outer packaging material cannot be sold. Examples: flour, corn meal, sugar.
- Safety-seals or any other tamper-indicating packaging or devices should be intact.
- Expiration dates, lot or production codes, or any other traceability information must not be removed, obscured or altered.

4) Products offered for sale labeled “Keep Refrigerated” or “Keep Frozen” must be held at required temperatures until the time of purchase.

- Refrigerated foods must be held at 41°F or less, and
- Frozen foods must be held at temperatures capable of maintaining the food in a frozen condition (hard to the touch).

5) All food products must be labeled as required by FDA regulations, including:

- ⇒ STATEMENT OF IDENTITY: The common or usual name of the product, in English.
- ⇒ INGREDIENTS STATEMENT: Listed in descending order of predominance by weight (including all ingredients broken down into sub-ingredients); and any colors and preservatives identified.
- ⇒ NET WEIGHT OR VOLUME: In both standard and metric units, expressed in the correct units of measure.
- ⇒ DECLARATION OF RESPONSIBILITY: Name and physical address of manufacturer or co-packer.
- ⇒ NUTRITIONAL PANEL
- ⇒ ALLERGEN DECLARATION: Any of the eight major food allergens must be clearly identified on the label.
- ⇒ HANDLING STATEMENT: “Keep Frozen” or “Keep Refrigerated,” if applicable.
- ⇒ PRODUCTION CODE: Manufacturing codes placed on the product for traceability.