



Washington State farmers selling fresh culinary herbs directly to the end consumer, restaurants, or grocery stores are not required to get any specific licenses, though they may be subject to some requirements of the Food Safety Modernization Act (FSMA) Produce Safety Rule. Selling processed herbs requires a WSDA Food Processor License.

**This fact sheet includes information on:**

- Selling fresh culinary herbs.
- Selling dried or processed culinary herb products.
- How to get a WSDA Food Processor License.

### Selling Fresh Culinary Herbs

Fresh culinary herbs can be a popular product, especially with chefs and restaurants. Depending on the scale of the farm and type of customers, farms that grow and sell fresh culinary herbs may have requirements for on-farm produce safety practices as part of FSMA regulation. Please see the “FAQ on the Food Safety Modernization Act” fact sheet for information about that new regulation for produce growers to determine if any of the requirements apply to your farm business.

Beyond any FSMA requirements, no special inspection or license is needed to sell culinary herbs fresh bunched or in bulk. Bulk fresh herbs may be sold to end consumers in a variety of container types and sizes, including clamshells, without a WSDA Food Processor license—as long as the package includes a statement to “wash before eating” to make sure customers understand that it is not ready to eat, and the product is not otherwise processed. Similarly, a farmer does not need a Food Processor License to sell fresh herbs bunched or bagged in bulk that a buyer (e.g., a produce department) will later display and sell in individual bunches.

Please note that there are established industry standards for specific bunch sizes or bulk weights that buyers may expect. When selling to a restaurant or grocery store, be sure to clarify what the buyer expects before harvesting and packaging the product for delivery.

Herb growers selling to restaurants or grocery stores may want to include voluntary certifications for food safety or environmental concerns to make their product stand out. For more information, see the fact sheets on “Organic Certification,” and “Eco-labels, Animal Welfare and Fair Trade.” Some buyers, such as grocery stores or local distributors in particular, may require a Good Agricultural Practices certification. See the fact sheet on “Good Agricultural Practices” for more information about the voluntary food safety audit.

For the regulations on culinary herbs sold as potted plants or plant starts, see the fact sheet on “Selling Nursery Products.”

For the regulations on growing, selling, transporting, or processing cannabis and hemp, see the fact sheet on “Selling Marijuana, Hemp, and Cannabis Products.”

### Selling Dried or Processed Culinary Herb Products

To ensure safety and quality, selling processed products made from fresh herbs requires a WSDA Food Processor License and facility, whether selling at a farmers market, grocery store, or any other customers. This includes:

- Fresh herbs that are washed, packaged, and presented for sale as “ready to eat.”
- All herbs that are mechanically dried (e.g. with fans or heating) for use in food or products that will be ingested (e.g. seasonings, or herbal teas).
- Herbs that are chopped, pressed, extracted, distilled, frozen, or otherwise transformed into food or products that will be ingested.

For the specific regulations on dietary supplements and body products made from herbs, including tinctures, please see the fact sheets on “Selling Herbal or Dietary Supplements” or “Selling Body Care Products.”

Herbs that are air-dried without any mechanical fans or heat and sold in bulk as a raw agricultural product do not require a Food Processor License.

## How to Get a WSDA Food Processor License

To get a WSDA Food Processor License, a good first step is to discuss your plans with the WSDA Food Safety Program by calling 360-902-1876 or by emailing [foodsafety@agr.wa.gov](mailto:foodsafety@agr.wa.gov). Staff is available for one-on-one technical assistance with the licensing process, including creating a processing facility design and advising on construction materials, equipment, cooling procedures, water source, and food safety techniques to prevent cross-contamination of products.

The WSDA Food Processor License application packet is available on the WSDA website, [agr.wa.gov](http://agr.wa.gov), by searching for "Food Processor License Application." The application includes a sanitation schedule, intended type of process, ingredient/processing information, a floor plan of where you will be processing, proposed labeling, and questions about your water supply and testing. Allow plenty of time for getting your water system approved for your facility, as this can take weeks or months. The WSDA Food Processor License fee is based on your projected sales volume. In 2019 the fee started at \$92 per year for gross sales up to \$50,000. Please see the fact sheet "WSDA Food Processor License and Facilities."



- 5. Licensing
- 20. Organic Certification
- 22. Good Agricultural Practices
- 23. WSDA Food Processor License and Facilities
- 26. FAQ on the Food Safety Modernization Act
- 28. Selling Body Care Products
- 39. Selling Herbal or Dietary Supplements
- 42. Selling Marijuana, Hemp, and Cannabis Products
- 44. Selling Nursery Products