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JAMES W. HOLSINGER, JR., M.D.  
SECRETARY

**MEMORANDUM**

**TO:** Administrators, Health Officers, Public Health Directors, Environmental Directors, Supervisors, and Environmental Health Personnel—All Local Health Departments

**FROM:** Mark M. Reed, R.S., MPA *Mark M. Reed*  
Food Manufacturing Section Supervisor

**THROUGH:** Anita Travis, R.S., Manager *Anita Travis*  
Food Safety Branch

**SUBJECT:** Farm-grown, cultivated Mushrooms

**DATE:** October 26, 2004

A number of individuals/farmers from across the state have expressed an interest in the cultivation and harvesting of farm-fresh Shiitake Mushrooms, with subsequent sales to local restaurants and grocery stores. Consequently, this office has received a number of inquiries from interested growers of Shiitake Mushrooms seeking an interpretation as to whether or not mushroom growers are subject to permitting/inspection under Kentucky's Food, Drug & Cosmetic Act, and whether or not, under Kentucky's Food Establishment Act and State Retail Food Code, farm fresh, cultivated mushrooms are considered to be from an "approved" source.

Where a "farmer" sells whole, fresh, uncut produce directly to retail establishments, a permit to operate is not typically required for the raw agricultural produce. With this longstanding policy in mind, where mushrooms provided to local retail establishments are derived from commercially available spawn, and are indeed cultivated and harvested from a farm, this office would have no objection to Shiitake Mushrooms being provided to local restaurants and/or grocery stores. Under such circumstances, the mushrooms are considered to be from an "approved" source. After consulting with our FDA program contacts for retail food and food-manufacturing, it appears that this reasoning is consistent with the latest FDA Food Code.

Additionally, where harvesting consists exclusively of removing the mushroom stem from the growing medium and placement into a field-run container for transport to the restaurant, grocery store, or sales location, a permit to operate would not typically be required. On the other hand, this is to advise that any post-harvest processing by growers in your respective areas—including but not limited to washing, slicing, cutting, chopping, drying, canning, or over-wrap packaging—would require a permit-to-operate

and inspection by the Cabinet or its Agents. Processors or Manufacturers who primarily wholesale their products are permitted/inspected through the Kentucky Food Safety Branch.

The purpose of this correspondence is to promote a uniform, statewide interpretation among local health department food safety inspectors with what appears to be a growing trend across the state involving the cultivation and promotion of farm-fresh mushrooms. It should be emphasized that a distinction is made between farm-grown, cultivated mushrooms and mushroom species picked in the wild. Consequently, this guidance on mushroom sales to restaurants pertains only to farm-grown/farm-fresh, cultivated mushrooms (such as Shiitakes). The interpretation does not pertain to mushroom species harvested from the wild (such as wooded and forested areas). ***By contrast, mushroom species picked in the wild are generally prohibited for sale or distribution to restaurants, grocery stores, or the public.***

Should you have any questions concerning this correspondence, feel free to contact Ms. Anita Travis (extension 3718) or myself (extension 3677) at (502) 546-7181.

Cc: Sandra Bastin, University of Kentucky Cooperative Extension Service  
Janet Eaton, Kentucky Department for Agriculture