

## **MAIN STREET FARMERS MARKET**

### **RULES AND REGULATIONS FOR GOVERNING MARKET OPERATION**

#### **WHO CAN SELL**

The use of the Main Street Farmers Market (MSFM) is restricted to members, who must be producers, growers, or other vendors as approved by the Board of Directors (BOD). No vendor or his/her representative shall be permitted to sell at the market until the vendor's membership is approved by the Board of Directors.

#### **HOW TO BECOME A VENDOR**

New vendor application period will be from December through January, and will be reviewed in January/February to begin attending in March. Outside the application period applications are accepted at the discretion of the board, but applicants will pay the full fee. Returning vendor applications are due by the end of March (last month of the market annual membership period), applications received after due date will require to pay the new vendor application fee. During the time between the application deadline and the Board of Directors' vote to approve or deny applications, renewing members can continue to attend market as a vendor.

#### **FEES**

The fees for participating in the MSFM shall be established annually by the Board of Directors, reflecting budgetary needs of the market as shown by the Board Treasurer, while also incorporating input and feedback of market members. Before fees are changed, members will be notified of any fee changes, and the notification will take place at all member meetings where there is a space for commentary and feedback. The change in fees will ultimately be decided by the board and will be recorded in the minutes of the meeting in which it is decided. The annual membership period is from April 1<sup>st</sup> until March 31<sup>st</sup> of the following year.

New vendor members applications will require a \$35.00 non-refundable application fee to be submitted with their application. If accepted as a member, the yearly membership fee is required before becoming a member.

Receipts for the membership fee and the stall rental fee shall be provided upon request to members by the On-site Supervisor.

#### **MANAGEMENT**

The market is supervised by the On-site Supervisor, who is hired by the BOD. All vendors participating in the market should know the identity of the On-site Supervisor and be familiar with her/his responsibilities. Her/his instructions are to be followed by all members or their representatives at the market. She/he is responsible for assisting and supervising all market volunteers, agents, and contractors.

No member is allowed to regulate any activities of other vendors, members, or volunteers.

#### **MARKET SETUP, OPERATIONS & BREAKDOWN**

Vendors will be assigned by the On-Site Supervisor to the market spaces that are available at the market site. Seniority, type of product, and previous market attendance may affect site placement.

The market will be open rain or shine. Vendors may set up their market site forty-five (45) minutes before the market opens. For safety reasons, vendors should have their vehicles and their stands in place before the opening of the market. Vendors must have their market sites dismantled, packed up, and cleaned within forty-five (45) minutes of market closure. Vendors are expected to remain on site for the duration of the market.

No products shall be bagged by the vendor or the customer, or sold until the market is open. The market will be open when the bell rings at 4:00pm, or up to 10 minutes before *IF* all vendors have had sufficient time to set up and be ready to sell (as observed by On-site Supervisor). The exception to this rule will be sales strictly to fellow vendors, current volunteers, or the On-site Supervisor which must take place in the 15 minutes before the market opens.

No vehicles are allowed access to market selling areas during the market selling hours unless approved by the On-site Supervisor.

Each vendor will be responsible for all equipment and supplies for the setup of their booth (table, scales, bags, signs, etc.).

Each vendor agrees to make his/her stand and products offered for sale as attractive as possible. Prices of each item shall be displayed plainly to the customer. Displays must be arranged so as not to endanger the safety of the customers. Displays must be a reasonable height off the ground and in accordance with health regulations. All labeling must be in compliance with Tennessee state laws.

Vendors' stands should be safe & orderly. Display tables, boxes, baskets, etc., should be free of sharp edges, splinters, nails, staples or anything else which may cause injury. All tent legs, umbrellas, tarps, and signs should be securely anchored to prevent movement by wind. **Vendors who do not attempt to securely anchor their canopy will be fined \$100 if it blows over and causes damage or injury, and they will be required to take down the item for the rest of the market.**

Each vendor shall keep his/her market space free from refuse during market hours. Empty containers and equipment shall be kept in an orderly manner and confined to their designated space.

Vendors must identify themselves with an easily-read sign listing the name of the farm or business where appropriate. Certifications such as "Certified Organic" (or others) are encouraged to be displayed. Copy of any certificates must be submitted to the market with yearly application.

Vendors should be able to provide customers with accurate information regarding the production of their product and the product itself.

Vendors shall exhibit courtesy and cooperation to customers and to other vendors selling at the market. The MSFM fosters a direct connection between local shoppers and the small-scale farms and food producers that the market champions.

## **WHAT ITEMS CAN BE SOLD**

IT IS ABSOLUTELY AGAINST THE POLICY OF THE MSFM FOR ANY MEMBER TO PURCHASE ITEMS FOR RESALE AT MARKET. Items approved for sale at market must be produced by a market member (or his/her household/employee), on land owned or rented by that member. Such products must be produced within the MSFM membership area. Exceptions must be approved by the MSFM BOD, and may include one member selling another current member's products - this will be approved by the BOD on a case-by-case basis. If approved, then both members will be expected to pay for the booth fee for that market day.

A member or their agent must be in full control and supervision of the individual steps of production of crops including tilling, planting, cultivating, harvesting, post-harvest handling, and labor. Similar control and supervision is required for the productions of all other items sold at market (e.g. meat, poultry, honey, bread, etc). Any other arrangement must be submitted in writing for approval by the Board. The Board reserves the right to ask for a letter of clarification from a member related to any product or request.

Once a member's item(s) are approved by the Board, the same item(s) will generally be reapproved for the following season, provided said item(s) is marked properly on the member's subsequent application(s). The Board reserves the right to deny an item or product at their discretion.

The MSFM is primarily a food-focused market, and will not accept all-craft vendors. Vendors wishing to sell crafts that are a byproduct of their food production may do so.

Any live animals at market must be restrained and supervised by the owner. Any actions by the live animal will be solely the responsibility of the owner.

If a member observes or suspects an apparent infraction of the market's policies, a written complaint should be forwarded to the On-site Supervisor and/or MSFM President.

## **CSA POLICY**

As a service provided by MSFM to its vendor members, any member with CSA shareholders may offer MSFM as a pick up location during market hours. All CSA products must be stored within the vendor's allotted space, clearly separated and labeled from the retail sale items. CSA distribution must be conducted by an authorized MSFM vendor or their agent. CSA sales numbers are required to be included in sales reports for each market (if applicable) to give accurate total sales data to the On-site Supervisor. This includes traditional CSAs, subscriptions, herd shares and pre-paid sales.

## **SAMPLES & PREPARED FOODS**

Any prepared food distributed at the market, either direct sales or CSA, must comply with the Tennessee Farmers Market Compliance Guide food safety laws. These laws regulate our market. The state compliance guide can be found at: <https://www.tn.gov/agriculture/consumers/food-safety/ag-farms-farmers-markets.html>

Tennessee Domestic Kitchen Laws explain what foods can be made in a home kitchen, and what needs to be made in a commercial kitchen. The Tennessee Domestic Kitchen Laws can be found online at: <https://extension.tennessee.edu/publications/Documents/SP799.pdf>

Ensure your work is compliant. If you are using a commercial kitchen, submit to the Board documentation of the kitchen's certification and your rental of the facility with your application. If rental facilities are used, then continued documentation will be requested.

### **MARKET CANCELLATION**

Any unsafe weather condition should be reported to the On-site Supervisor. The On-site Supervisor, collectively with the BOD, has the authority to take immediate action if necessary when there is a question of safety. The market may be cancelled at any time by the BOD/On-site Supervisor if weather conditions are unsafe. Examples that will be included are if schools close due to weather, or if weather conditions prevent the On-site Supervisor from getting to the market. If possible, the decision to cancel the market will be made by 1 pm eastern time to give vendors ample time to be notified, but the market may still be cancelled on-site if conditions worsen.

Vendors will be notified of cancellation by text and email, customers will be notified by social media and website.

### **LICENSING & INSURANCE**

The obtaining of all licenses, sales permits, insurance, sales tax information and other requirements for the sale of any item shall be the responsibility of the vendor. Vendors are encouraged to keep relevant certificates and paperwork handy at the market in case of regulatory agency inspection. **Each member is responsible for meeting all applicable federal, state, and local laws and regulations which affect local vendors.**

The MSFM shall carry public liability insurance for the market selling-area. The insurance is to include property damage, bodily injury and product liability, in order to protect the MSFM and its Board of Directors for their actions on behalf of the market. **The insurance held by MSFM does not protect individual vendors.** It is strongly encouraged for vendors to carry their own liability insurance to cover themselves during the course of all market activities.

### **BOARD APPROVAL & INSPECTIONS**

The MSFM reserves the right to cancel the privileges of any member who, in the opinion of the Board of Directors, has willfully violated the Rules and Regulations governing the MSFM.

Members of the Board reserve the right to inspect any farm or establishment, with advance notice if possible, as often as needed throughout the year. Inspections will be made only with a member or his/her representative present unless otherwise permitted. Members must provide any help necessary (e.g. grant access to production facilities, produce records, etc.) to facilitate the inspection process. The member will be notified in writing of the results of the inspection within seven days of the inspection.

The MSFM logo, or graphic images, may be used by vendors or market partners who have requested and been granted in writing permission to use the logo. MSFM retains full ownership and control over the use of this logo, or graphic images. The MSFM logo or mailing list may not be used to endorse products, services or practices.

**REPORTING**

Vendors are required to report sales weekly, within 24 hours of each market attended. Failure to do so will result in not being able to attend market until sales are reported. The market requires vendors to share CSA sales number as it allows us to see the full economic impact of the market. Sales numbers of individual farmers will be kept confidential. Aggregate sales numbers will be used in discussions with potential sponsors or partners, or in other business decisions regarding the market as a whole.

**MEMBER MEETINGS**

Members are strongly encouraged to attend all organization meetings. Board meetings happen every second Wednesday of the month. Member's attendance of all-member meetings and market attendance will be a factor in subsequent years' application approval.

The above Rules and Regulations are to be enforced by the Board of Directors, who are responsible for the overall management of the market.

**Adopted by the Board of Directors 2016, updated for 2022**