

UNION COUNTY FARMERS MARKET 2014 GENERAL REGULATIONS

OPERATIONS

1. Market allows the selling of local produce, nuts, fruits, homemade crafts, and farm grown products only. Products must be of good quality and sold at a reasonable price.
2. Local shall be defined as originating (produced) within the boundaries of Union, Anson, and Stanly counties OR 15 miles from the boundary of one of the three named counties. The Local Foods Agent and Union County will utilize the Advisory Committee to express ultimate discretion of those items allowed for sale. (Specific exceptions may be made to ALL vendors equally for tree fruits, fish, citrus, and dairy)
3. Item categories generally permitted for sale:
 - a. Produce and meat items grown locally.
 - b. Potted plants, hanging baskets, vegetable plants and flowers may be sold as long as plants are free of insects and diseases and locally produced.
 - i. Must obtain a Nursery Dealer's license by NCDA
 - c. Local, home preserved food items may be sold only if they meet NCDA Food and Drug Protection Division Regulations governing products exhibited at farmers markets and curb markets.
 - d. Art and crafts – may include only articles that are hand made and legal for sale.
 - i. No resale of items manufactured that have not been crafted by the seller
 - e. Baked goods- Baked from scratch by the vendor and in accordance to State and Federal regulation.
4. The Union County and Cooperative Extension may make management changes in terms of overall policy.
5. The Union County Farmers Market shall not be responsible for loss through theft or otherwise private property, personal injuries or damages to individuals or personal property.
6. Liability for all goods and food sold or traded lies on the vendor/seller. It is highly recommended that each vendor of food items carry a \$1 Million dollar liability policy.
7. Vendors that resale, sell value-added products, or anything other than raw product, originating from their farm, must have a proof of registry with the NC Department of Revenue for tax purposes.
8. The market will have a manager to solve disputes, enforce rules, handle fees, and for general information. The Union County, Cooperative Extension, and the Farmers Market Advisory Committee will conduct an annual review.
 - a. Assistant manager will act as Manager in his/her absence
 - b. UCFM Advisory Committee may be utilized to resolve issues or disputes fairly
 - c. Ultimately, Union County and the Cooperative Extension Service will deal with disputes, concerns, marketing, business, and regulation that will affect the market as a whole.
9. Market Advisory Committee will consists of:
 - a. Certified Local Producers
 - b. County Partners & Representatives
 - c. State Agency Representatives (NCDA, CES, Soil and Water, FSA, etc)
 - d. Interested Consumers
 - e. Observers- Local Foods Extension Agent & Executive Director of Community Services
10. Union County and Cooperative Extension exercises control of all concessions, vending machines, tables, coolers, furniture, power, and facilities
11. Vendors of locally grown crops, that are labeled as such, must be willing and able to prove the origination of product.
 - a. Those items labeled as "grown by the vendor" are susceptible to a farm visit to verify the origination.
12. Those items labeled "Rocky River Local Foods (Certified)" receive priority due to the "local" focus of the market.
 - a. Any farm or individual wishing to become certified and a member can do so by communicating this interest to the Market Manager or the Local Foods Agent. There is no limiting cost or process to become a member other than to verify that you produce 100% of your own product or the items you sell originated from a RRLF certified farm.

13. Produce may be stored overnight with express approval of the market manager. Space in the cooler will be allotted proportionally to the number of vendors present each operating day.
14. Produce or items found to be of poor quality might be refused for sale at the discretion of the Manager and/or Local Foods Agent based on the written Standards of Quality for Market.

SPACES

1. All vendors or users of space in the market MUST keep premises clean, sanitary and orderly. The market manager will report to Cooperative Extension requesting to prohibit vendors, if the vendor refuses to meet these standards.
2. Vendors are limited to TWO stainless steel tables (if available). Use of wooden tables may be permitted to wrap around the sides of each space in order to expand vendor display.
 - a. A space is described as two front-facing, lengthwise tables.
 - b. No space is to be utilized outside of the covered area except for market events or on a case-by-case basis with the written permission of the market manager.
3. Only one space is permitted to each vendor. Only the Manager or Local Foods Agent may give permission to utilize more spaces depending on the season and availability.
4. Saturday spaces
 - a. A limited number of designated spaces may be reserved for Saturdays (April 1st to October 1st) for \$100 per season.
 - b. At 8:00am, each operating day, the empty spaces are available for \$5, on a first come basis.
 - c. There is a maximum charge of \$50 per season for those vendors paying by the week.
 - d. A space is described as two front-facing tables.
5. Weekday Spaces
 - a. Weekday spaces are FREE on operating days
 - b. Vendors are required to use sequential spaces, leaving no gaps. Spaces to be filled on a first come basis.
 - c. No selling is permitted during non-operating days/hours
6. Market tenants must confine the piling and display of product to the space assigned to them and no higher than 3' from the tabletop.
7. No personal/farm sign shall be wider than a space. Personal/Farm signage may be no taller/higher than 5ft if in front or beside of table. Signs at least 5ft behind of a table may be no higher/taller than 8ft and must be well secured.
 - a. All signage allowances are at the discretion of the Market Manager and the Local Foods Agent
 - b. No signage shall remain or be left after the market is closed.
8. No vendor is to falsely portray high quality food by covering inferior products beneath.
9. No salamander heaters will be permitted in the market without the approval of the market manager.
10. Uniform displays are desirable. And stainless steel tables are NOT to be moved.
11. No person shall erect any facility upon the market without the approval of the Union County at the recommendation of the Cooperative Extension Service.
12. If a producer or dealer wishes to designate a person to represent him/her in their space, prior approval shall be obtained from the market manager and must be documented.

CONDUCT

1. Vendors of the market must not approach a buyer that is in conversation with another vendor. Nor should a vendor approach/converse with another vendor while they are dealing with a customer.
2. Abandoned products and/or containers will be disposed of by the market manager. If this occurs on multiple occasions, a disposal fee of \$10 will be applied.
3. Children under 12 years of age are NOT permitted to roam and wander around the market unless accompanied by an adult. Wholesalers, retailers, truckers, farmers and buyers who have minors accompanying them shall abide by these regulations.

- a. Bicycles or similar devices in use. under the covered portion of the market, are STRICTLY FORBIDDEN.
PETS ARE ALSO FORBIDDEN.
4. NO WEAPONS, TOBACCO OR ALCOHOL ALLOWED ON THE PREMISES as it is a county facility. Punishable by expulsion from the market and/or reported to law enforcement.
 - a. No tobacco use within the building or parking area. Tobacco use shall only be permitted in the grassed area behind dumpsters.
5. All vendors and users of the market are responsible for the actions of their children, volunteers, and employees. The market manager, along with Cooperative extension, has the right to deny selling to anyone who conducts their self in an unsafe, disorderly, and/or obscene manner.
 - a. All vendors shall be properly dressed
 - i. Shoes, shirt, unrevealing pants, with no midriff or cleavage displayed
 - ii. No suggestive or derogatory implicit clothing
6. No person shall damage or deface the building, pavement or other physical equipment of the market. Anyone damaging or defacing facilities will be liable for replacement/repairs and denied vendor rights to sell.
7. Use of profane, abusive or discourteous language in the market is prohibited and is punishable by expulsion from the market.
 - b. Threats and abusive language will not be tolerated and will be terms for vendor right-to-sell being revoked.
8. No person shall make any public outcry, noise; give any musical or other entertainment for the purpose of drawing customers exclusively to a specific space.
9. No person shall distribute, scatter about or post on the market any advertising, signs, pamphlets, cards, handbills or any other print matter without the consent of the market manager.
10. Fraudulent, dishonest and deceptive practices carried on at the market are punishable by revocation to sell at the market.

Vendor/Business Name: _____

Owner Name: _____

Phone Number: _____

Address: _____

Email Address: _____

Signature _____ Date: _____

Union County Farmer's Market Vendor Application

Farm or Business Name:

Name(s) of Owners:

Email Address: _____

Mailing Address:

Telephone Number(s): _____

Website (if applicable): _____

Address of production location (if different from above, please indicate if owned or rented and amount):

Which vendor category are you applying for? Please check one box.

- Farmer (main season only)
- Farmer (main and Fall/Winter seasons)
- Prepared Foods/Baked Goods/Value-Added Foods (main season only)
- Prepared Foods/Baked Goods/Value-Added Foods (main and Fall/Winter seasons)
- Crafter/Value-Added Products (non-food) (main season only)
- Crafter/Value-Added Products (non-food) (main and Fall/Winter seasons)
- Guest Vendor (1-3 market days per year)

Please indicate which months you will be able to participate.

___April ___May ___June ___July ___August ___September ___October

___November ___December ___January ___February ___March

PRODUCT AVAILABILITY

Please indicate what you intend to sell at the Union County Farmers' Market.

-Please estimate, by category, the percentage of total sales each category represents (to total 100%).

-For each category, indicate the type of products you intend to sell and a detailed product list for each type.

Category 1: Raw or minimally processed farm products

Estimated % of sales: _____

Raw Vegetables:

Raw Fruits:

Herbs:

Nuts and Seeds:

Grains and Flours:

Eggs:

Honey:

Bedding Plants:

Landscape Plants:

Cut Flowers:

Other:

Category 2: Processed Foods (that require an NCDA and/or County Health Department inspection)

Estimated % of sales: _____

Baked Goods- Number of different goods: _____

Please list below:

Jams, Jellies, Preserves- Number of different goods: _____

Please list below:

Vinegars- Number of different varieties: _____

Please list below:

Other:

Category 3: Products that require more stringent inspections, regulation and usually refrigeration.

Estimated % of sales: _____

Acidified foods like pickles and relishes (require FDA short course certification. Please list varieties.):

Cheese/Other Dairy- Number of different varieties: _____

Please list below type and producer/origin:

Meat (requires a meat handler's license obtained from NCDA Division of Meat and Poultry)

Please list below:

Fish/Seafood- Number of different varieties: _____

Please list below:

Category 4: Crafts

Estimated % of sales: _____

Please list and describe craft items:

VENDOR BACKGROUND INFORMATION

1. Will you be bringing a trailer with you to market? If so, what size?

2. Do you buy and resell any products?

3. How long have you been farming/practicing your craft?

4. How long have you been selling the products you wish to sell at the market?

5. What other venues (including other farmers' market) do you sell your product? How many years have you been selling at each?

6. Farmers only: Please describe your growing practices (please list fertilizers, insecticides, herbicides, chemicals used and indicate if you follow organic practices but are not certified).

7. Farmers only: If you have a greenhouse, which products do you grow in greenhouse that you will bring to UCFM?

8. Do you offer a CSA? If so, would UCFM be a CSA pick-up location?

9. Seafood vendors: Please describe your processes and practices.

10. Do you require electricity? If so, what amount (#) of volts and amps are needed?

11. Photo Release: I hereby grant the Union County Farmers' Market and NC Cooperative Extension Service permission to use a photograph of myself, my employees and/or my product, including written and electronic copy, where my photo appears. I am knowledgeable that I may send photographs of my business and/or products to the Market Manager or Local Foods Agent to consider for publication.

Yes or No (please circle) Signature _____ Date _____

STANDARDS OF QUALITY

The following standards are a basic foundation for the level of quality expected at the Union County Farmer's Market. For further detail and explicit guidelines, visit the USDA website for fresh fruit and vegetable standards

<http://www.ams.usda.gov/AMSv1.0/standards>

- 1) All fruit, vegetable, bread, meat, cheese, and plant material must be free from defect, disease, pest, and foreign material (dirt, dust, debris, mulch, etc.).
- 2) All product sold should be of sound and ethical practices. No covering of poor quality, masking defects, intentional misinformation, etc.
- 3) Products should be held at proper temperature to sustain quality and meet state and federal law.
 - a) Eggs- on ice or 40 degrees F
 - b) Meat- Frozen or at 40 degrees F
 - c) Cheese- As package requires
- 4) Open/Cut fresh food should be covered, wrapped, or contained and only for sampling or serving (kitchen certification required)
- 5) Fruit and vegetables that are leaking, dripping, and cracked must be discarded.
- 6) All fresh foods should have proper coloring, texture, shape and smell. (Based on USDA Standards and at the discretion of the Manager/Local Foods Agent)
- 7) Meats should be free from freezer damage, have proper coloring, labeled, and sealed without leaks.
- 8) Plant material:
 - a) Certification/License with the NCDA
 - b) Free from pests
 - c) Not listed as invasive
 - d) Of good health and vigor
 - e) Labeled/Identified on the container/plant
- 9) Crafts must be:
 - a) Crafted by the vendor or have a representative
 - b) Free from obscene, provocative, or questionable subject or reference
 - c) Signed or labeled by the crafter
 - d) At the discretion of the market manager and local foods agent
- 10) Produce shall be transported and displayed in or own clean, safe boxes, tables, trays, trucks, etc. and may not be sold directly off of a truck or the floor.
- 11) Cut flowers should have turgid stems, semi-closed buds, and displayed and stored in water.
- 12) Handling of samples and ready-to-eat foods should be done with food-grade gloved hands.
- 13) Personal clothing shall be clean.
- 14) Jams and Preserved foods must meet state law requirements and should be of good color, consistency, sealed, and in a clear container.
- 15) Old, poor quality produce and products should be discarded and not sold at a discount.

Dear Vendor/Producer,

As you may know, the NC Department of Revenue has updated its interpretation of the recent legislative changes relating to farmers markets and NC Department of Revenue enforcement activities. This most recent change may be viewed in its entirety at <http://www.dornrc.com/taxes/sales/specialty.html>. A business may register at this website, also.

Under the updated policy, farmers who are exclusively selling their own farm products at farmers markets are not required to obtain certificate of registrations from the Department. They are, however, required to either (1) attest in writing to the farmers market operator that they are selling only their own farm products at the market or (2) provide the market operator with their agriculture exemption number, which is used to purchase farm inputs and equipment sales tax free.

The registration list must clearly and legibly show each vendor's name, permanent address, and certificate of registration number. The specialty market operator or other event operator must require each vendor to exhibit a valid certificate of registration for visual inspection by the [manager] at the time of registration...and must require each vendor to keep the certificate of registration conspicuously and prominently displayed, so as to be visible for inspection by patrons of the vendor at the places or locations at which the goods are offered for sale.

The sale of "food" at retail as defined in G.S. 105-164.3, is subject to the 2% rate of tax. The sale of prepared food is subject to general State rate of tax of 4.75% and the applicable local and transit rates of sales and use tax as applicable.

In order to comply with this state policy, this letter and form must be retained at any farmer's market or vendor event in Anson, Stanly, or Union County.



Dustin Adcock- Area Local Foods Agent
Anson, Stanly, and Union County Cooperative Extension Service

Please mark one of the following options and sign below:

I attest that 100% of the products I sell originate from my personal farm and I am therefore exempt from this policy to register with the NC Department of Revenue.

All or some of the product I sell does not originate from my personal farm. I have registered with the NC Department of Revenue and my registration number is _____ . (Attach a copy of the Registration Certificate)

I attest that the products I sell are of craft, baked, or processed materials. . I have registered with the NC Department of Revenue and my registration number is _____ . (Attach a copy of the Registration Certificate)

Vendor Signature: _____ Date: _____

Market Manager Signature: _____ Date: _____