

Fredonia Farmers' Market

Rules & Regulations, effective 3/10/2020

Our Mission

The mission of the Fredonia Farmers' Market (FFM) is to provide a marketplace for high quality locally grown food and handcrafted products for the community, offering healthy food options, promoting a strong local economy, and contributing to the preservation of small family farms.

Definitions

Bona fide Farmer/Producer – The seller is the producer of the products being offered for sale, from lands he owns or rents, with control over the production, harvesting and marketing of the products.

Bona fide Artisan/Craftsperson – All crafts offered for sale are original in nature and produced in whole by the seller. No crafts are permitted that are derived from kits.

Small Scale Food Producer – All products are produced, baked or manufactured by the seller and are original in nature. No baked goods are permitted from mixes or purchased substantially completed for finishing.

Seasonal Vendor – Any person, family, partnership or cooperative (or as agent for another local producer) engaged in selling their products to the public for ten (10) or more selling days during the calendar year. Seasonal vendors have full voting membership in Fredonia Farmers' Market, Inc. and make payment in accordance with the established fee structure.

Daily Vendor – Any person, family, partnership or cooperative (or as agent for another local producer) engaged in selling their products to the public for nine (9) or fewer selling days during the calendar year. Daily vendors have a non-voting membership in Fredonia Farmers' Market, Inc. and pay a daily rate for space used.

Local – Any product grown, raised, or produced within a 50 mile radius of the market venue.

Regional – Any product grown, raised, or produced within a 100 mile radius of the market venue.

Organic – Used in association with any product or farm, whether labeled, stated or implied, shall mean the farm, products, or ingredient(s) have been inspected and certified by an accredited agency such as NOFA-NY, in compliance with all provisions of the National Organic Program of the USDA. Any vendor using the term “Organic” without proof of valid certification, or on having that certification lapsed or revoked shall immediately cease to make any such claim. Making claim of an item as being Organic without such certification, or claiming Organic ingredients without a verifiable paper trail, is a Federal crime subject to fines and/or imprisonment.

Market Manager – A person empowered by the FFM Board of Directors to oversee the operation of the Market, is responsible for the orderly and efficient conduct of the market, and for implementing and enforcing the Rules and Regulations.

Rules and Regulations – The set of guidelines as reviewed and approved annually by the Fredonia Farmers' Market Board of Directors that defines participation and operation of vendors in the Market.

General Operations

The Summer Market is located on Church Street across from the Opera House along Barker Commons in downtown Fredonia. The market operates every Saturday rain or shine from 9:00 a.m. – 1:00 p.m. from the Saturday prior to Memorial Day in May through the end of October. **Vendors may arrive as early as 8:00 a.m. to begin setup, and must vacate Church Street no later than 2:00 p.m.**

The Winter Market is located at 321 E. Main in the Masonic Forest Lodge. The market operates every Saturday, 10:00 a.m. – 1:00 p.m. from the first Saturday in November through mid-May. **Vendors may arrive as early as 9:00 a.m. to begin setup, and must vacate the building no later than 1:30 p.m.**

Regulations Pertaining to All Vendors

1. Fredonia Farmers' Market, Inc. carries public liability insurance for each market venue. The policy covers incidents arising out of regular farmers' market activities and which are caused by the market's negligence; cause injury to customers; and/or cause damage to customer's property or the property where the market is held. Coverage for vendor products and general vendor liability is not covered by the Fredonia Farmers' Market, Inc policy, therefore each individual vendor **must** secure his/her own insurance policy.
2. No one is permitted to sell at the Fredonia Farmers' Market until their annual membership application is approved and all required documents submitted. Vendors are not allowed to sublet, transfer, or permit any other party to use the assigned space without the written consent of the Board of Directors.
3. Vendors will be assigned market space according to spaces available, seniority, type of product, and previous market attendance. Requests for a change in location will be handled on an individual basis.
4. Vendors may sell or give away only those items which have been designated, approved and listed on their annual membership application.
5. Restrooms in the lower level of the Opera House will be available for vendor use only.
6. No selling is permitted before the official opening time, except for sales between vendors. All products must be properly marked, priced, and visible to customers at market opening.
7. Vendors shall set up and remain at their designated market space during the market's operating hours. Vendors may leave early only if they have sold out of product or under extenuating circumstances with the permission of the Market Manager.
8. Vendors must supply their own tables, chairs, and canopies as needed, and signage identifying their farm or business. Please advise if electricity is required. A limited number of canopies are available for loan on a first-come, first-served basis. Vendors are responsible for setting up and taking down their canopies, as well as for returning them to the FFM shed or Market Manager at close of market. Vendors must weigh down canopies using sandbags, gallon jugs of water, or by some other means in the event of high winds. Vendors may be fined \$75.00 if their borrowed canopy is destroyed due to negligent care.
9. All vendor stands are to be set up with display tables, and all displays are subject to Market Manager's approval. Vendor agrees to keep his stand and products as attractive as possible. Each vendor will keep his market space free from refuse during market hours, and will clean his/her space at the end of each market day, carting away all refuse. In the event that the vendor's space is not cleaned up after hours of operation, any clean-up cost will be charged to the vendor.

10. The Fredonia Farmers' Market is open to all community members, and is dedicated to providing a variety of quality local items. Therefore, no vendor shall have a monopoly on any product.
11. All vendors shall maintain professional appearance and behavior at all times. All customers will be treated in a courteous manner, and discrimination of any kind for any reason is NOT permitted. Hawking, shouting, or other objectionable means of soliciting will NOT be tolerated.
12. Vendors must notify the market manager no later than twenty four (24) hours before market time if they will be absent for that market day.
13. The Fredonia Farmers' Market is a proud participant in the United States Department of Agriculture's Supplemental Nutritional Assistance Program (SNAP/EBT). Only market vendors who complete an application and sell approved products may participate in this program. The USDA defines approved products as "breads and cereals; fruits and vegetables; meats, fish and poultry; dairy products; and seeds and plants which produce food for the household to eat." Vendors may not accept SNAP/EBT tokens for non-approved products. Non-approved products include "Beer, wine, liquor, cigarettes or tobacco; pet foods; soaps, paper products; household supplies; vitamins and medicines; prepared food meant to be eaten on site; and hot foods." Any misuse of this program whether intentional or unintentional may result in dismissal from the market. Misuse of the program includes accepting tokens for a non-food item, trading tokens for food, money, or other goods from another vendor, trading tokens to customers or other individuals for money or goods, and any other practices determined to be unlawful.
14. The Fredonia Farmers' Market takes all concerns and complaints about vendors seriously. However, not all issues warrant formal complaint procedures. It may be appropriate and in the best interest of all parties to address and resolve complaints immediately. Complaints or concerns should be brought to the market manager. The market manager is authorized to resolve the complaint/concern and/or consult with the Board of Directors if warranted.

If the parties can not satisfy their differences on their own, or through mediation with the authorized FFM representative, a formal complaint should be submitted. All such complaints must be made in writing and addressed to the Board of Directors. All formal complaints must be accompanied by a \$20 "good faith" check. If the complaint is found to be valid, the "good faith" check will be returned. If the complaint is invalid, the \$20 will be forfeited and deposited in the market's general funds with a letter of explanation sent to the vendor. The board has the sole authority to resolve all formal written complaints. All board decisions are final.
15. Vendor using an open flame are required to have their own fire extinguisher with them onsite.

Regulations Pertaining to Craft Vendors and Home-Processed Food Vendors

1. All baked goods must be fresh baked and prepared from scratch (no commercially prepared dough mixes, crusts, shells, or fillings).
2. All processed food (including items such as jams/jellies and baked goods) must be labeled according to New York State Ag & Markets Labeling guidelines.
3. All homemade craft items or artwork must be original creations (not from kits). All craft items must be pre-screened prior to admittance to the Market.
4. Manufactured products may not be sold without approval of the Market Manager/Board of Directors.

Regulations Pertaining to Produce and Meat Vendors

1. All produce farmers participating in the Farmers Market Nutrition Program (FMNP) must provide a crop plan with their application showing the type of product grown, row length or acreage, and estimated time frame for market sales.
2. Each farmer/producer must grow at least 50% of the produce offered for sale on the day of market. Produce must be grown/raised by the vendor, the vendor's family, or the vendor's employees, on the property owned and/or leased as listed on the vendor's application.
3. A farmer/producer may purchase products for resale from another local producer(s) if they are listed on the vendor's application and/or if the Board of Directors determines that such products meet at least one of the following conditions:
 - A. The products are in greater demand than the ordinary supply at the market.
 - B. Identical products are not otherwise available from any other vendor at the market at the time they are offered.
 - C. When a cooperative agreement exists between local or regional producers to market the other's products at a market the other would not normally attend.
4. All farmers shall label produce for sale with item description, item price, and the name and location of the grower (such as "Grown By John Doe Farm, Westfield, NY").
5. Products or produce purchased for resale from sale barns, auctions, or wholesale suppliers are FORBIDDEN. This includes animals purchased at or near finished size (from any source) and sent to slaughter. This does not include items that are purchased and subsequently raised by the vendor, such as purchased seeds, growing supplies, started plants, day-old poultry, or weaned livestock.
6. Daily produce vendors must grow 100% of produce items they sell at the market.
7. Farmers that wish to attend the market with season specific produce must complete a vendor application with detailed descriptions of produce intended for sale and estimated market dates prior to the start of the market season.
8. Farmers that participate in the Farmers' Market Nutrition Program (FMNP) and WIC Vegetables & Fruit check program are required to adhere to all rules and regulations applicable to those programs. Vendor agrees that the Market Manager may verify any and all information listed on the farmer's crop plan.
9. To ensure compliance to market rules, the Governing Body reserves the right to direct the Market Manager or appoint a committee to inspect any vendor's farm or establishment with advance notice. Inspections will be made only with the farmer/owner or their representative present unless written permission is given. Vendors must provide any help necessary to thoroughly document products and conditions recorded at the inspection. The vendor will be notified in writing of the results of the inspection within seven days of the inspection.
10. All new vendors will be subject to a ninety (90) day at-will probationary period commencing on the first day of selling in the market.

KEEP THIS COPY OF THE RULES AND REGULATIONS FOR YOUR RECORDS