

2009 EAST END FARMERS' MARKET RULES

Mission: The East End Farmers' Market is organized to offer a venue where local farmers, food producers, artisans and craftsmen can sell their goods to local residents in a community setting. Its explicit mission is to encourage and assist a local and sustainable economy.

Membership: Individuals interested in becoming a vendor at the East End market must complete an application form and submit it to the market manager prior to setting up and selling at market. The applicant must meet all state regulations pertaining to sale of products and abide by the rules of this Market outlined below.

Associate membership is required if a full member buys product from a neighboring farmer or other qualifying businesses (listed below) for sale in their booth. The full member may pay the \$20 fee for the associate member or the associate member can pay the fee; payment is to be arranged between the full and associate members in advance of signing up to sell at market. All members must fill out a vendor application.

Fees: \$50/season for members; \$20 for associate members; payable in total in advance with your application OR \$10/market up to \$60 total for the season. A minimal electric surcharge will be added for vendors using electricity. Fees for prepared food vendors will be determined on a case-by-case basis.

Market Days: Saturdays, 8-1, June 13 – October 24.

Membership Rules:

1. Everything offered for sale must be grown, produced or handmade by the membership within a 30-mile radius of Cortland.
2. Items permitted for sale include: vegetables, fruit, grains, cheese, dairy products, eggs, meats, processed foods, jams and jellies, prepared foods, fruit juices, wine, cider, baked goods, maple products, honey, plants, flowers, nursery products, herbal products, soaps/lotions, fiber, original arts and crafts.
3. Applications must list the items that the vendor intends to sell. Applications are available at the Cortland Chamber of Commerce.
4. Items offered for sale must be of good quality and condition and be in compliance with relevant state and federal rules and regulations pertaining to the sale of the product being offered. Vendors who are eligible to accept Farmers' Market Nutrition Program coupons (FMNP) should display the sign provided to program participants.
5. All arts and crafts are to be of original design and not assembled from kits. Artisan products and crafts will be evaluated at market discretion.
6. Vendors are strongly encouraged to purchase their own general and product liability insurance.
7. Prices cannot be lower than wholesale and should be comparable to retail prices in other conventional outlets. . Prices of goods should be prominently displayed.
8. Vendors who hire someone to staff their booth should indicate this on their application. It is desirable that the producer be present at market at least once a month during the season. Vendors may sell items for an absentee vendor, provided that the fee for the absentee vendor has been paid in full. Absentee vendor's items must be clearly labeled as to their place of origin, distinguishing them from the items that belong to the vendor who is actually present at the market.
9. Regular members are permitted to sell products from associate members, provided that the total sales of the products from associates does not exceed 50% volume per day or 25% of total net sales for the season. Associate member's items must be clearly labeled as to their place of origin, distinguishing them from the items that belong to the regular vendor who is selling them.
10. Associate membership is open only to agricultural vendors. Associate members must be producers within 30 miles of Cortland who produce their own products.

11. Vendors may start setting up no earlier than 7 AM on Saturday, absent Market Manager approval. **NO SALES BEFORE 8 AM** bell. Each vendor is responsible for cleaning up his or her sales area within 45 minutes after market.
12. The Market Manager assigns vendors to their selling space. Each selling space is approx. 12 ft x 12 ft in area. Vendors are responsible for bringing all sales equipment including tables and tents. Vendors are required to clearly post the name of their farm and its location.
13. Vendors are not allowed to bring dogs to the market. Children should be properly supervised.
14. Vendors should strive to make all our customers feel welcome. Vendors are expected to treat customers in a courteous and non-discriminatory manner.
15. There is no soliciting by political, religious, or other special cause groups or individuals except by permission from Market Management.

Vendors who break these rules will receive a warning from the Market Management. Membership will be revoked if the situation is not corrected after the third offence notification. Market Management reserves the right to inspect all farms or worksites at least once a year as needed.

If you have questions about these rules or your relation to them, please contact: Tammie Whitson (849-4892) or Lisa Lickona (836-6069)

FARMERS' MARKET REGULATIONS

Applicable Local, State and Federal regulations must be followed at all times.

Sales Tax: Members selling taxable items must display their Certificate of Authority at market. Taxable items include: non-edible plants, flowers, crafts, prepared ready-to-eat foods. No exemptions for non-profits selling taxable items if other vendors have taxable sales. Questions: (800) 225-5829, www.tax.state.ny.us.

Prepared Food: Members selling prepared foods (ready to eat foods) must do so in compliance with Cortland County Health Department regulations (or the Dept. of Agriculture & Markets). Food must be prepared in a Health Dept. permitted kitchen or a facility licensed by Ag & Markets. Vendors should have hand-washing equipment at market. *Permits must be posted in order to sell.* Questions: 607-753-5035 or on line Temporary Food Service Establishment on the Cortland County Health Dept. website.

Home Processors: food processed in a home kitchen can only be sold if considered non-hazardous. This includes: jams, jellies, marmalades or similar products; candies (except chocolate); herbs and spices; snacks like popcorn, peanut brittle, caramel corn, etc. Herb vinegars and other acid foods may also receive the home processor exemption if vendors have an approved processing schedule. Products must be sold in sanitary containers; glass jars must have with rigid metal covers. Water tests are required and kitchens must be inspected to receive the home exemption certificate. Exemption certificates must be displayed at market. Questions: (585) 427-2273 – Cayuga, Tioga, Tompkins County; (315) 487-0852 – Cortland, Chenango, Broome

Baked goods: must be individually packaged or protected with a transparent tray cover. Ingredients must be included on the label in descending order and include the name and address of the producer and the quantity. Questions: (585) 427-2272 or 315-487-0852.

Meats and Poultry: Meats (beef, lamb, goat, venison) sold at market must be frozen solid, wrapped, and USDA approved and stamped, or tagged. Poultry sold at market is exempt from inspection for producers with 1000 or fewer chickens or turkeys/ducks/geese-packages but must be market labeled exempt from inspection. Questions: Ag & Markets at 518-457-5382.

Cheese and Dairy: Products must be prepared in a licensed processing facility. Cheese and butter must be prepackaged, labeled, and held below 40 degrees F. Eggs refrigerated at 45 degrees F or less. Fluid milk products must be packaged, pasteurized, in properly labeled, commercial containers at a facility with a permit from the Department of AG and Markets, Division of Milk Control. Questions: (518) 457-7771 - bill.fredericks@agmkt.state.ny.us.

Selling Produce: No special licenses are required. Must be sold free of debris in clean containers. If you are washing produce, it is a good idea to have your water tested annually for E.coli. Bulk displays are not subject to grading, labeling or packaging. Some produce is subject to USDA grade and quality standards: potatoes, apples, lettuce, and grapes. Grade, quantity of contents, name and address of producer is required on closed packages. NYS Ag & Markets enforces quality, grades, and standards. Questions: (518) 457-2090.

Juice & Cider: requires an Article 20-C license. Apples must be firm, washed. Cider must be pasteurized or UV light treated. If these items are sold wholesale, a HACCP plan is required for your processing facilities. Questions: call 518-457-2090.

Wine: Members selling wine must display a valid farm winery license. Purchasers must be at least 21 years old. Beer may not be sold at markets. Questions: (518) 457-2090.

Honey & Maple: exempt from licensing if you do not add ingredients or repack. Production facilities must be clean and sanitary. If you make specialty honey or maple products, you will need an Article 20-C license. Maple syrup must be identified by grade.

Plants: Members selling any live plants in potting mix or soil must obtain a NYS nursery license. Questions, call plant inspector, Leslie McIntyre (315) 697-6196

Scales: Members selling by weight must have their scales approved and sealed annually by the Cortland County Bureau of Weights and Measures. Questions – Carl Moses, 753-5025

Containers: Members selling by volume are required to use standard size containers such as pint, quart, ½ peck, peck, ½ bushel, and bushel.

Food Labeling: all packed foods including canned jams, jellies, baked goods, etc. must include a label that includes the following: product name, name and address of producer, ingredients in descending order by volume and net contents. Questions: (518) 457-1762.

Food Stamps – can be accepted at farm markets if you have a wireless terminal to swipe EBT cards; USDA 585-283-6744, Rochester to register as a food stamp vendor

FMNP Coupons – Can be accepted for fresh produce sold at a farmers' market (with 2 or more vendors). Growers must file a crop plan and grow at least 50% of what you sell in order to qualify to take coupons from customers. Coupons are in \$2 denominations, no change given. Coupons can only be accepted at markets that are certified to accept coupons. Check with Market Managers.

Organic Certification – If you want to sell organic foods in the marketplace and call them organic, you must become certified if you have sales of \$5000 or more. Fact sheets relevant to the current standards can be found at the National Organic Program website, <http://www.ams.usda.gov/nop/indexIE.htm>

For information and questions about becoming certified, contact NOFA-NY 607-724-9851 or email certifiedorganic@nofany.org or check the website: www.nofany.org

Funding is available from NYS to help offset the costs of certification - contact NYS Ag & Markets - 518-457-2195.

For assistance in developing your processed food recipe and developing a processed food product, contact **NY Food Venture Center** at Geneva, 315-787-2259

Request a copy of the publication: *Small Scale Food Entrepreneurship: A Technical Guide for Food Ventures.*

Unsure where to start....start with Cooperative Extension

General guidance provided by Monika Roth, Ag Development & Marketing Educator

CCE South Central NY Agriculture Program (607) 272-2292 or email mr55@cornell.edu