

**Fayette County Farmer's Market
Rules and Regulations
2007**

Purpose and Interpretation:

One purpose of the Farmers' Market is to provide small farmers and ranchers with a viable direct marketing venue, and consumers with the opportunity to purchase locally produced agricultural products. To that end, the intent of these Rules and Regulations is to protect small farmers and ranchers from market displacement by larger producers of agricultural commodities in small, specialized local market venues such as our Farmers Market. This Farmers Market is a "members only" vendor market to achieve these ends. Therefore, membership preference will be given to small farmers and ranchers in the approval of applications for membership to sell at the market. Disputes as to vendor eligibility will be resolved by the Fayette County Master Gardener's Farmer's Market Committee, whose decision is final.

I. General

A.

1. These rules and regulations may be revised or amended by the committee from time to time with or without notice.
2. In addition to the following Rules and Regulations, all vendors agree to abide by all city, county, state, and federal laws and regulations.
3. The committee reserves the right to deny the acceptance of any application for any reason.
4. The market will remain 80% farmers and 20% other (craft, processed foods/ products).
5. The committee may assign the category most suitable for a vendor's products if it is different from that applied for.

B. Local agricultural products

1. Vendors may only sell local agricultural products at the market.

Local agricultural products are:

- i. Cultivated or gathered plant crops and plants grown in the local area.
 - ii. Products of domesticated animals (livestock, rabbits, poultry and fowl, bees, and fish) that are raised in the local area.
 - iii. Processed and crafted items derived from the above meeting specified content rules of the market.
2. Products from outside the County are permitted only according to the following guidelines:
 - i. The Market may look for and individually invite the products and vendors to be represented at the market with the main goal of increasing the diversity of the market.
 - ii. This pertains only to products that are not available from vendors within the county.
 - iii. Participation by out-of-area vendors will be re-evaluated each year. The committee shall include availability of product from vendors within the county in their evaluation.

II. Vendor Spaces & Reservations

A. Vendor Spaces

1. Sales tables, trucks and trailers must be confined within the sales space boundary lines (approx. 10'x15') as defined by the Master Gardener in charge. All shelters must be self supporting. The committee encourages an attractive display.

B. Allocation of Reserved Spaces

1. The Committee shall allocate reserved spaces to vendors.
2. Reserved spaces shall first be allocated to returning vendors with a reserved space, providing their application

2007 Rules and Regulations

is timely and complete.

3. Priority for any available reserved spaces shall then be to vendors whose principal products are locally (within Fayette County) grown fresh agricultural products for human consumption.
4. The Committee shall then use its discretion to allocate spaces to vendors not included in rule 3 (three), and include in their consideration the vendor's product mix and number of years of participation in the Market, and the overall vendor and product mix of the whole Market.

C. Assigned Spaces

1. Vendors without reserved spaces and with assigned spaces must abide by the same rules and regulations as all other sellers.
2. The attending Master Gardener assigns spaces for these vendors.
3. Assigned space vendors may be moved around to different spaces each market day you attend.

D. Other

1. All spaces will be primarily reserved for vendors of locally (within Fayette County) grown fresh agricultural products for human consumption.
2. Vendors are encouraged to carry product liability insurance, keep all necessary paperwork and license on hand.

IV. FOOD PRODUCTS

A. Produce

1. Farmers are only allowed to sell fresh fruits and vegetables grown by them.
2. Reselling is not permitted except that farmers may sell limited amounts of produce grown from farms of other current market members on a temporary basis upon prior approval of the committee.

B. Cottage Food

1. Cottage Food Production Operation is defined in Chapter 3715 of the Ohio Revised Code to mean a person who, in the person's home, produces food items that are not potentially hazardous foods, including bakery products, jams, jellies, candy and fruit butter.
2. Foods that are not permitted under Cottage food are processed acidified foods, low acid canned foods or potentially hazardous foods. Examples of this is salsas, relishes, mixes in a jar (cookies in a jar), snack mixes (Trail mix), dried chopped herbs and Pumpkin pies.
3. All cottage foods must be properly labeled with the following information. (See attached Example)
 - ✓ The name and address of the business of the "Cottage Food Production Operation"
 - ✓ The name of the product.
 - ✓ The ingredients of the food product in descending order of predominance.
 - ✓ The net weight or net volume of the Product
 - ✓ The following statement in 10 pt font: "*This Product is Home Produced*"
4. For items such as salsa mixes in a jar and snack mixes you would need to contact the Division of Food Processing at the Ohio Department of Agriculture

C. Meat and Eggs

1. Farmers are permitted to sell eggs, , and meat and other products of slaughter, at the Farmers' Market that they have raised/ grown themselves in the Market's vendor county with a valid Mobile Retail Food License obtained from the Fayette County Board of Health. **NO RESELLING IS PERMITTED.**
2. Vendors must take it upon themselves to maintain all necessary licenses and documents.

D. Honey and Maple Syrup

2007 Rules and Regulations

1. Maple Syrup, Sorghum or Honey that is produced by a maple syrup or sorghum producer or bee keeper described in Division (A) of section 3715.021 of Revised Code (see attached appendix A). Honey that is processed or has any additional ingredients is a processed food and food processing permit and liability insurance requirements also apply.

VI NURSERY STOCK & CUT FLOWERS

1. Farmers are permitted to sell plants, trees, fresh and dried flowers, herbs, and decorative vegetation which have been grown or legally gathered/wild-harvested in the local area by themselves. Nursery and cut flowers require a State inspection certificate from the Department of Agriculture.
2. Purchased nursery stock must be repotted and grown for a minimum of 30 days before being sold at the Market. Nursery growers shall submit a crop list with the approximate numbers of each variety to be sold at the Market.
3. The producer shall maintain a verifiable source log of all purchased stock. The log shall be available for review by the committee. Failure to maintain a complete and accurate source log is presumptive evidence of non-compliance with the nursery and cut flower rules.
4. The Farmer's Market does not currently hold a Nursery or Fresh Cut Flowers license, the vendor must supply their own.

VIII. HERBAL, THERAPEUTIC, and TOILETRY PRODUCTS

1. This category includes processed products such as soaps, tinctures, creams and lotions, therapeutic products, scents, toiletries, essential oils, bags, home-care and herbal products.
2. All items in this category are subject to approval by the committee.
3. Eighty per cent (80%) of herbal and other plant material in these items must be grown and produced locally in the Market's vendor county. Herbal and plant material includes herbs, distillates, scent or flavoring agents, active ingredients etc.
4. Local raw materials must be used for the non-herbal components of these products to the extent possible.
5. Reselling, rebottling, or repackaging of products not crafted by the Market vendor is prohibited.
6. Soaps in addition to the above:
 - i. must be made using at least 25% material grown or produced in Ohio.
 - ii. Soaps must be hand made where fats and alkali are mixed on your premises. Melt and pour, and similar production techniques are not permitted.

IX. MUSHROOMS

1. Selling wild-collected mushrooms in any form is prohibited at the Market.

XI. SIGNS (Including the use of "Organic")

1. All vendors are required to display a clearly visible sign with your name, the name of the farm, and the farm location.
2. Any vendor who uses the word "organic" in any sign or communication must be either certified or registered according to federal and state laws. The word "transitional" is not recognized by federal or state regulations and may not be used with the word "organic". If a vendor is certified or registered "organic", they must have a copy of their certification or registration visible at the Market.
3. It is strongly recommended that vendors post a sign with prices for all produce and products at their stall.

XII. Hours of Operations

1. The Market will be available to vendor's mid-May and continue until late September. The market will be open

2007 Rules and Regulations

each Saturday (assuming weather permits) from 9 a.m. until 12p.m. Vendors will be allowed to set up at 8:30 A.M. Sales may begin immediately upon set up.

XIII. PENALTIES, BEHAVIOR, AND LIABILITY

1. Any vendor who challenges the authority of any staff member or inspector, or who behaves in a violent, threatening, or intimidating manner toward any person at the Market may be permanently banned from the Market, or subject to such lesser penalty as the committee may impose in its sole and unlimited discretion.
2. Before leaving each producer must clean their area by removing all refuse such as: vegetable scraps, husks, silks, containers, ECT.
3. The Fayette County Farmer's Market, The Fayette County Master Gardener's, The Ohio State University Extension, and its staff and representatives, are not liable for any damages, loss of earnings, or other recovery by a vendor subsequent to application of the Rules and Regulations of The Fayette County Farmer's Market.

XV. MISCELLANEOUS

1. No consumption of alcoholic beverages or drugs is allowed onsite during market hours.
2. Dogs and cats (including for adoption) and livestock and other animals are not permitted at the Market except for assistance dogs or as part of Market organized events with hand sanitation facilities and signs advising hand cleaning.
3. Any Vendor using any device with an open flame must have a visible fire extinguisher appropriate to the fuel being used, and in proper working condition.