

Market Square Farmers' Market: Farm and Garden Application

May 2– November 17, 2012

The Market Square Farmers' Market is open every Saturday from 9am-2pm and Wednesday from 11am-2pm. Set up may begin two hours before opening. Vendors are required to remain open for the entire market, or until their products sell out.

No resale is allowed by any vendor at the Market Square Farmers' Market. If you did not make it, grow it, or produce it, you cannot sell it at the MSFM. Occasionally collaborative efforts may be accepted with prior approval from the MSFM. Vendors may only sell products approved through this application. Additional products can be added with prior approval.

Community Supported Agriculture (CSA) deliveries are allowed as long as the vendor also will be selling product at each market to the general public as well.

Farm & Garden Vendor Requirements & Regulatory Information

Farm and garden products include, but are not limited to: produce, plants, eggs, honey, meat, cheese, milk, decorative gourds, herbs, animal fibers, and cut flowers. Farm vendors cannot change food from its original state without approval from the Tennessee Dept. of Agriculture (TDA) Regulatory Services. This includes jams and jellies, shelled beans or sliced watermelon. Baked goods & value added products require the "prepared food & commodities" application. Foods prepared on-site, such as concessions, are under the regulatory authority of the Tennessee Dept. of Health.

New vendors will be subject to a farm inspection before being accepted into the MSFM.

Farm products requiring licenses include:

Eggs: An egg permit is required for all vendors selling eggs in Tennessee. Cartons must be new with the name and contact information of the grower. At the market, eggs must be stored properly.

Meat: Must be processed in a USDA certified facility. All meat products offered for sale must have the USDA seal and be stored properly for the entirety of the market.

Honey: Honey processors who produce less than 150 gallons of honey per year are not required to obtain a Regulatory Services Permit. The product must still be labeled with contact information, net weight in ounces and grams and ingredients.

Cheese and Milk Products: All dairy products sold in Tennessee must be registered.

Plants: Vendors selling rooted plant materials at farmers' markets in Tennessee have to be certified by TDA before selling their nursery materials. Exceptions include tomato, squash, and eggplant starts. All bedding plants, strawberries, and herbs require a license. There are several types of nursery, greenhouse, or plant dealer applications. A description of the various applications can be obtained from TDA Division of Regulatory Services. Potential vendors must send a copy of their certificate to the MSFM, as well as keep a copy at his/her booth during each market.

Most permits and certificates can be found through the TN Dept. of Agriculture website, www.state.tn.us/agriculture/regulatory/permits.html or by calling 615-837-5137.

All vendors selling products by weight must have certified scales in accordance with state law.

Commercial Scale Testing: Contact Robert G. Williams, robert.williams@tn.gov (615) 837-5109.

Market Rules and Regulations

1. **Booth Assignments:** The MSFM will assign a booth space of 10' x 10'. Vendors may reserve one or two booth spaces for no more than a 10' x 20' space. Farmers may reserve a space with parking for one vehicle. These spaces are limited and will be assigned based on demonstrated

need and seniority. Booth assignments are emailed each week of the market. Vendors are encouraged to reserve their spaces early. Preference for booth assignments will be given in order of seniority and for diversity of product.

2. **Rates:** Space Rate will be \$5 per market for each 10x10 space. An additional \$5 will be charged per vehicle/trailer left on site, due one week in advance of each market. A non-refundable \$25 annual membership fee will be due upon acceptance into the MSFM.

3. **Cancellations:** The MSFM is held rain or shine. Cancellations for a reserved market must be made 48 hours in advance of the market to receive a refund on pre-paid booth fees. The MSFM understands that emergencies do happen and will be considerate to any last minute emergencies, but will not tolerate abuse of this policy.

4. **Safety:** Vendors assume all responsibility for any losses of property or money from the market site. Booths should never be left unattended. There will be an officer on site at each Saturday market. If you see suspicious activity, please contact the market manager.

5. **Market Money & EBT:** Vendors are required to accept Market Money. The vendor will be reimbursed for Market Money at the end of the market by turning in tokens to the Market Manager. However, only eligible vendors are allowed to accept the red restricted EBT tokens. These tokens are only applicable for food items to take home, not to be consumed on site, and vegetable or fruit plants. If you are not an eligible vendor and take any red tokens, you will not be reimbursed for these tokens. Additional instructions for Market Money & EBT will be sent upon acceptance. Vendors can take whatever additional forms of payment (cash, check, credit card) they would like, along with Market Money.

6. **Prohibited Products:** The MSFM does not condone the use of threatened or endangered materials. The sale of alcohol or tobacco products is prohibited. Vendors are not allowed to give away food other than approved samples of a vendor's product. No candy or other foods should be given away at booths. The MSFM does not allow the sale of potentially dangerous foods.

7. **Booth Guidelines:**

- a. In the interest of the health and cleanliness of the MSFM, smoking or tobacco use is not allowed in or around vendor stalls or where food is displayed. Please be courteous to your vendor neighbors by not smoking behind their booths either. Vendors are not allowed to bring animals of any kind, including dogs.
- b. All vendors are expected to be open and ready for business by opening time. Continued tardiness or no shows will result in forfeiture of the vendor's assigned space. Detailed guidelines for set up and breakdown will be sent to vendors upon acceptance. Driving within the market boundaries will be kept to a minimum. Vendors should be completely packed up and ready to load their vehicles before driving to their spaces to leave.
- c. No outside amplified music is allowed.
- d. Vendors must clearly post prices on all products being sold. Vendors are responsible for all their own applicable sales tax.
- e. All necessary equipment and displays must be provided by the vendor. MSFM will not provide chairs, booths, tents or tables. Tents must be safely secured from set up to tear down with weights. No equipment may be staked. Any tents, canopies, or equipment determined to be unsafe will not be allowed.
- f. Electricity is available at most booths, but not all. If you need electricity, indicate this on the application. Extension cords will be required and may not be stretched across walkways.
- g. Each vendor is responsible for maintaining his/her area in a clean, neat manner throughout the day and cleaning the area before departing at the end of the day. This means picking up all debris from craft demonstrations, paper, cigarettes, customer's trash, etc.
- h. Vendors are not allowed to use more than the allotted booth space, which includes placing signage in aisles and displays outside the 10' x 10' area. The Market Manager and volunteers have the right to ask for signage or displays to be rearranged if they are blocking another vendor or traffic flow. Only farm product vendors are allowed to leave vehicles within the market, as assigned. Other vendors will be required to unload and park their vehicles off site.

- i. In accordance with health department regulations, all food should be displayed off the ground. This includes baskets of produce and coolers containing food to sell.
- j. The MSFM strives to be as environmentally responsible as possible, and therefore does not allow the use of styrofoam packaging. The MSFM strongly recommends using recyclable or compostable materials for all packaging. Recycling bins are available at each market.

8. Transients: Please do not give money or accept help during set up or break down by someone other than market staff, volunteers or vendors. We have had issues in the past with transients assisting vendors in exchange for money. While the decision to give money is ultimately up to you, the policy of the MSFM is not to give money or food to panhandlers. We feel this is in the best interest of our vendors and our customers, and also allows you to cite the policy of the MSFM to anyone asking for money.

9. Solicitation: Advertising for other events or businesses during the market is not allowed without prior approval of the Market Manager. This includes anyone not associated with the MSFM passing out flyers to vendors and/or customers. Please alert the market staff to any problems with persons visiting the market to solicit so that we may assess and deal with the situation.

10. Insurance: Vendors are responsible for carrying their own liability insurance for product in the amount they deem appropriate. The MSFM carries event liability insurance for the overall market, but does not cover individual vendors.

11. Complaints: Complaints should be submitted in writing to the Market Manager and should be specific in nature. Allegations of resale by another vendor will be taken seriously and investigated through business/farm/studio inspection and questions regarding the manner in which the product is produced.

12. Conduct: Professional conduct is expected. Any yelling, swearing or threatening customers, vendors or staff will not be tolerated. This includes in person or by electronic media. This type of behavior will result in expulsion from the MSFM.

Enforcement of these guidelines is the responsibility of the market manager. Vendors should report any suspected offenses to the manager. Any vendor found not in compliance with any of the above rules will receive one warning. If the vendor still does not comply, he/she will be asked to leave the market for the remainder of the season. The Market Square Farmers' Market has a zero tolerance policy concerning resale. Any vendor found selling anything he/she did not make will be banned from the market for the remainder of the season.

Farm & Garden Products Application

Name _____
(Individual or Business and Owner)

Address where products are grown: _____

City _____ State _____ Zip _____

Phone Number: _____ Email _____

Note: email is our primary way of contacting vendors. We do not give out any contact information not readily available to the public by a website without prior consent.

Mailing Address (if different than above) _____

City _____ State _____ Zip _____

Website, if available: _____

Please select one:

I sold at the MSFM in 2011 I sold at the MSFM in year _____ but not 2011
 I have never applied I applied before, but was not accepted or did not attend

How many seasons have you participated in the MSFM? _____

Please list types of products to be sold, including intended types of produce:
(attach sheet or use back if needed)

What are your growing practices? (eg, certified organic, pesticide-free, conventional, free range)

If certified organic or certified naturally grown, include a copy of your certification.

Which days are you applying for: (circle one): Wed. Sat. both

During which months do you plan on participating? _____

How often do you plan on participating, i.e. once a month, every market?

Will you require a vehicle space (circle one)? Yes No

If yes, describe the vehicle and measurements. _____

I have read and understand the requirements & rules of the Market Square Farmers' Market. I certify that the goods I will bring to sell are grown by me or within the business that I own. I understand that Market Square District Association may use my name for advertising purposes. I agree to be added to the MSDA e-newsletter mailing list.

Signature(s) _____

Date _____

Please return this application and any required permits to the following address. Provide directions to your farm or garden on the back of this application.

Do not send booth fees at this time.

Market Square Farmers' Market
P.O. Box 2263
Knoxville, TN 37901

For questions, call Charlotte at (865) 405-3135 or email charlottetolley@hotmail.com.

Participation Agreement

I hereby acknowledge receipt of and agree to abide by the Market Square Farmers' Market (MSFM) Rules and Regulations as outlined in the application.

I/We hereby agree, as a vendor at the Market Square Farmers' Market, that I/we will indemnify and hold harmless the sponsors of the market site, the Market Square District Association, their agents and employees, from and against any and all liability, claims, demands, expenses, fees, fines, penalties, suits, proceedings, actions and causes of action of any and every kind and nature arising or growing out of or in any way connected with my/our use or occupancy as a vendor at the Market Square Farmers' Market.

I hereby agree and understand that the participation of my farm/business is on an annual basis and the renewal of my selling privileges is based upon the following factors: consistent reserved attendance, quality of products, adherence to the market rules and regulations, cooperation with the market manager, and adherence to the State of Tennessee Health Dept. regulations.

I hereby declare that I have the authority to sign this acknowledgement/agreement as the participant or the participant's representative. By signing this acknowledgement/agreement, I acknowledge that a representative of MSFM is hereby given permission to visit the location(s) where my product(s) is/are produced and/or stored to verify compliance with the MSFM Market Rules and Regulations and the State of Tennessee's regulations.

Signature

Date

Print Name