

Springwater Farmers Market Application

Farm/Business Name: _____

Contact Name: _____

Address: _____

Telephone: _____ Fax: _____

Cell Phone: _____

Farm/Business Address: _____

(If different from above) _____

E-mail Address: _____

Business Type: Check all that apply: (use additional sheet if necessary)

Fruits/vegetables – complete crop plan below

Dairy: specify products

Fish: specify products

Meat: specify

Maple/honey products: specify products

Baked goods: specify products

Prepared foods: specify products

Crafts: specify products

Value added: specify products

Nursery products: circle product types – annuals, perennials, vegetable/herb plants, nursery stock

Eggs

Herbs (dried or fresh cut)

Other

Goods/Craft/Crop Plan:

Indicate the goods, crafts, or the crops grown, that you plan to sell at the farmers' market:

Production Methods Used:

- Certified organic. Copy of current certificate must be placed on file with the market.
- Non-certified organic. My gross agricultural income from organic sales totals \$5000 or less annually and I comply with applicable organic production and handling requirements.
- Conventional

Please note: Pursuant to CFR Part 205, Subpart B, Section 205.100(c)(1) any operation that knowingly sells or labels a product as organic, except in accordance with the ACT, shall be subject to a civil penalty of not more than \$10,000 per violation.

Market Operations:

Selling space size information is specified in the market rules.

- I would like to reserve ____ number of selling spaces for the current season.
- How often will you participate?

The market season runs from June 22 to October 26. Please indicate when you plan to start coming to market and when you are likely to finish.

- I plan to attend market for the full season.
I will start attending market: _____, and
I will be finished for the season on or about: _____

Certificates/Licenses Required (If Applicable): Please attach copies of all documents.

- Proof of general and product liability coverage. A certificate must remain current and on file with the market.
- Sales Tax Certificate, if you sell taxable items.
- All appropriate permits as required for products being sold: i.e. health permits, 20C Exemptions, farm winery permit, nursery license, dairy and meat permits, etc.

Return completed application to:

springwaterfarmersmarket@gmail.com

or

Springwater Church of the Nazarene
P.O. Box 116
Springwater, NY 14560

Springwater Farmers Market Rules and Regulations

The following is a basic set of rules for farmers markets. Each market must address each issue in terms of its own mission and set of circumstances. This means adjusting the rules included here, as well as determining any other issues that are pertinent to each individual market and then addressing them within the adopted rules.

Definitions

Bona fide –

- As in growers – 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, and a financial interest in the products.
- As in crafts person – all crafts offered for sale are original in nature and produced in whole by the seller. No crafts shall be permitted that are derived from kits.
- As in homemade products – all products are produced, baked or manufactured by the seller and are original in nature. No baked goods from mixes or purchased for finishing off will be permitted.

Daily vendor – any vendor who is permitted to sell on the market, who participates in the market less than the full season and chooses to pay on a daily basis for any space used.

Market governing body – the market's board of directors or committee, ultimately responsible for setting the policies of the market

Market Manager – a person or persons empowered by the Governing Body to implement market policies and directives, and to oversee the operation of the Market.

Market sponsor – any governmental agency, nonprofit organization or association that lends its support to the market in any way.

Vendor – any seller or exhibitor participating in the market.

Market Governance

1. The farmers market has the support of the Town Board of Springwater and will be sponsored by the Springwater Church of the Nazarene. The farmers market will operate with an independent market committee.
2. The market managers are responsible for the orderly and efficient conduct of the market and for implementing and enforcing the Rule and Regulations. The market manager will represent the market and its governing body during market days and in community activities. The market manager will assist the market's governing body with developing, implementing, and establishing market policy, vendor recruitment, the operational schedule, and advertising and promotion of the market.

General Operations

3. The market will be located at the four corners in downtown Springwater. The market will operate every Friday, 3pm – 6pm and will run from the Friday June 22nd through Friday, October 26.

Revised 05/10/2018

4. Vendors may arrive as early as 2:30 p.m. to begin setup and must stay through the end of the market day to provide a full market to shoppers arriving throughout market hours.
5. Vendors may leave early only under extenuating circumstances and with the permission of the market manager.
6. Vendors may, on a limited basis, supplement their product line with additional New York State only products, as long as that product is otherwise missing from the market and the market manager has given permission for the supplement. This permission is valid for one season only and must be re-applied for each new season.
7. All agricultural products may be sold at the market, including but not limited to locally grown fruits and vegetables, dairy products, meats, flowers, plants, honey products, maple products, eggs, herbs and related products.
8. Craft vendors may sell products that they have hand produced themselves.
9. Bakers who have baked the products themselves and who possess the proper licensing from either the NYS Dept. of Agriculture and Markets or their County Dept. of Health.
10. Prepared food vendors with a current mobile food service license.
11. Products not specifically identified must be pre-approved by the market management.
12. All applicable food safety regulations, both state and local, must be adhered to at all times.
13. All applicable licenses and permits for products sold must be obtained and kept current. Copies of applicable permits and licenses will be kept on file with the market management.
14. 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.
15. 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.

Guidelines for Selling

16. All stall spaces must be swept clean and any refuse removed at the end of each market day.
17. All vendors must have a sign clearly showing their name and location.

Revised 05/10/2018

18. Each vendor will be responsible for all equipment and supplies for the setup of a booth. Displays should be constructed in such a way that they do not block customer walkways nor pose any other hazard to customers.
19. Vendors who provide samples and/or products that will result in waste material, such as cups, rinds, and corn cobs, must provide containers for waste disposal.
20. Vendors are required to keep their market space neat and clear of obstacles, litter and debris.
21. All produce displayed for sale must be at least 12" off the ground with the exception of heavy or large items such as pumpkins.
22. Sellers must post prices. While it is expected that prices will be fair to consumers, the seller and fellow sellers, collusion among sellers to attempt to influence prices is strictly prohibited.
23. No smoking or alcoholic beverages permitted at the market.
24. No hawking, proselytizing or amplified music is permitted at the market.
25. All products offered for sale must be of good quality and condition. The Market manager reserves the right to direct any inferior goods be removed from display. Failure to remove products deemed inferior will be reported to the market's governing body and may result in loss of market privileges.
26. Each vendor in the market must be directly involved with or knowledgeable about the production of the produce or products being sold at the market.
27. All vendors must provide proof of general liability coverage. A current certificate must remain on file with the market.
28. Vendors are responsible for the actions of their representatives, employees or agents.

Stall fees and assignment

29. Stalls will be assigned by the market manager on a first come first serve basis.
30. Farmers with a seasonal lease will be assigned a permanent spot for the duration of the season. These spaces will be reserved each year for the seasonal vendor, provided that all stall fees are kept current.
31. Reserved market spaces must be occupied at least 30 minutes prior to opening of the market day. After that time, daily vendors will be permitted to set up in those spaces, as assigned by the market manager. Seasonal leaseholders, arriving after that time, will be re-assigned to another space for the day.

32. Daily vendors will be assigned space by the market manager on a first come first serve basis, as space is available. Space in the market is not guaranteed, nor is it guaranteed that daily vendors will be assigned the same space each week that they are in the market.

No subletting of a seasonal booth is permitted and rents are not reimbursable, either in whole or in part.

33. To ensure the safety of market patrons, any vendor arriving after market opening may be required to set up on the periphery of the market.

Compliance

34. All complaints must be addressed in writing to the Market Manager.

35. All other complaints will be reviewed by the market manager in an attempt to resolve the issue. If the manager is unable to resolve the complaint, then a written follow up may be made to the market's governing body. The governing body will address the complaint at the next regularly scheduled meeting. If the complaint is of an immediate nature, the market manager may ask for a special convening of the market's governing body to address the complaint. The decisions of the governing body are final.

36. The submission of application for admission to the market serves as the vendor's agreement to abide by the rules of the market, as established by the market's governing body and enforced by the market manager. Violations of the rules of the market may be grounds for warnings, dismissal from the market, or both.

- The first violation of the rules will result in a verbal warning by the market manager. Documentation of the warning will be kept on file by the market manager.
- The second violation of the rules will result in a written warning, given by the market manager. A copy of the letter will be kept on file by the market manager, along with any documentation of the violation.
- The third violation of the rules will result in a one week suspension of selling privileges.
- The fourth violation of the rules will result in a two week suspension of selling privileges.
- The fifth violation of the rules will result in dismissal from the market.

37. At the discretion of the market manager, when a violation occurs that jeopardizes the health of a customer, another vendor, market management or the overall health of the market, the manager may convene the market's governing body to request a suspension of the compliance procedure and call for immediate dismissal from the market. The dismissal will require documented proof of an egregious violation. The vendor will be given an opportunity to review the documentation, prepare a defense and appear before the governing body.

38. If after receiving a warning or suspension, a vendor is in disagreement with the market manager over the infraction, the vendor may make written application to the market governing body to be heard on the issue. Both the vendor and the market manager will appear before the governing body and present their sides of the issue. The decision of the governing body is final.

Source:

Revised 05/10/2018

“Farmers Market Managers Training Manual”, Farmers Market Federation of New York, funded by NE SARE, 2009. Available online at www.nyfarmersmarket.com/publications;htm