



## **Greenfield Farmers Market 2019 Rules & Regulations**

### **A. Vendor Priority and Diversification**

General priorities within the Greenfield Farmers Market (GFFM) in order from highest priority to lowest priority are as follows:

1. Diversity of products: Allowing more than one vendor that sells the same or similar products that are already represented in the market is determined by customer demand and discretion of the Farmers Market Committee. While no vendor is given 100% exclusivity, there may be a waiting period until the demand grows or the current vendor(s) is no longer selling at the Market.
2. Locally grown produce and local goods.
3. Vendors who are willing to commit to the mission of the GFFM and adhere to rules and regulations.

General priorities on the types of products that will be allowed at the GFFM in order from highest priority to lowest priority are as follows:

1. Certified producers (fruits, vegetables, flowers, plants)
2. Fresh made foods (coffee, bakery, etc.)
3. Local artisans and crafters for the Makers Market (separate application process) including locally, handmade products, fair trade and environmentally friendly products and other unique products that fit with the market (Fit is determined on an as-requested basis by the Farmers Market Committee)
4. Specialty or nontraditional vendors such as face painters, caricature artists, etc. will be determined on an on-going application basis but may be turned away at the discretion of the Farmers Market Committee.
5. Manufactured items (Very limited space will be used for manufactured items; priority would be on cookware and food related manufactured products if at all.)
6. Nonprofit organizations will be allowed to apply for booth space on a limited basis. One vendor stall is designated for nonprofits and participation will be rotated based on interest and availability, in conjunction with/exchange for volunteer duties for the market operation.

7. The Farmers Market hosts weekly musical entertainment. Musicians should contact the GFFM with a description and sample of their music. Bookings will be made upon approval. Please see musician guidelines for more details.

General guidelines on vendors or products not admitted in the market are as follows:

1. Produce not grown in Wisconsin
2. Multi-level marketing, network marketing and pyramid scheme groups
3. Health screenings by for-profit organizations
4. Religious groups
5. Political groups
6. Hawkers (vendors who are overly aggressive to customers who walk by)
7. Real Estate Agents, Insurance Agents, Talent Scouts, Financial Advisors and any other business that the Farmers Market Committee does not see as a good fit for the Market.

#### **B. Terms and Conditions of Sales**

1. All persons desiring to sell items at the GFFM must submit a completed GFFM Application, Inventory List, and appropriate permits or license forms. By signing the application, each vendor is indicating that they have read, understand, and agree to abide by the rules of the GFFM.
2. All persons submitting an application must provide a list of items to be sold at the GFFM. The submitted Inventory List will be examined at the time of application review and must be approved by the Market Committee.
3. In the event that a vendor would like to modify his/her list, an amended Inventory List must be submitted to the Market Manager or Committee for approval. New items identified on the amended inventory list may not be sold prior to approval.
4. Only Wisconsin-grown or produced items that meet all applicable federal, state, and local rules and regulations and/or approved by the Market Committee may be offered for sale, as well as vendors who currently operate a brick and mortar business with like product(s) in the Greater Greenfield Area. Selling product not locally grown and/or crafted will result in expulsion from the GFFM. Exceptions to the locally grown rule include local businesses of coffee, bakery and those others deemed acceptable by the Market Committee. By signing the application you agree to a location inspection. You will be given notice prior to your visit; each vendor is subject to a minimum one visit per season though vendors will likely be inspected on an every third season rotation. Additional visits will be conducted as needed, primarily to address questions or concerns.
5. Vendors are required to give legal description, address or other information to sufficiently identify the area or areas where their crops or products are grown or produced. Vendors sharing production areas may not rent stalls other than in the names of all partners sharing those production areas. Failure to provide this information may be cause to deny rental of stall space at the GFFM.

6. Farmer grown and produced shall mean the following:
  - a. Pertaining to all the items mentioned in paragraph 4 above, all pruning, spraying, fertilizing, and harvesting is undertaken by the farmer, members of the farmer's household, or persons directly employed and paid by the farmer. This may include items grown on land under written lease or license, provided that the farmer who leased or licensed the land undertakes all of the above activities.
  - b. Preference is given to local growers and producers. The practice of co-opting is not permissible. Specific requests may be granted by the Market Committee on a case-by-case basis if the product is determined as a need for the Market.
7. All produce and food sold at the market must be displayed and sold in a manner which prevents contamination by dust, dirt, flies or other insects. Covering of such food with cellophane or other transparent paper does not meet this requirement.
8. All vendors who use a scale must have proof via a current seal or certification. If not current, vendor must become licensed by the City of Greenfield. All scale use must comply with regulations as determined by the Office of Weights and Measures.
9. Processed foods, produced by the contract holder and prepared under proper conditions, may be sold by producers, subject to review of the Greenfield Health Department.
10. All items offered for sale at the market must be first quality, unless they are expressly posted as "seconds."
11. Only products certified as organic may be labeled "organic." Certification must be proven and kept on file for organic vendors.
12. All labeling laws with appropriate terminology for products must be followed.
13. All processed foods should comply with the requirements set forth by federal, state, and local laws, regulations, and rules.
14. Items may be sold by the pound, bunch, piece, or measured container.
15. The fee for the 2019 Greenfield Farmers Market (May through October, closed Memorial Day Weekend) is based according to the following fee-structure (**per stall space**):

A) **EARLY BIRD PRICING** – Application, approval and payment by February 15, 2019

<u>License Type</u>	<u>Full Season (25 weeks)</u>	<u>Half-Season (12 weeks)</u>
i. Non-Food*	\$240	\$166
ii. Food, No Processing	\$240	\$166
iii. Food, Processing	\$299	\$206

*\*Non-food vendors who have participated in the past will be grandfathered into the Market vendor category. Future non-food vendors must apply to the Makers Market occurring the first Sunday of each month for a cost of \$30 per stall space.*

B) **2019 VENDOR FEES** AFTER FEBRUARY 15, 2019

<u>License Type</u>	<u>Full Season (25 weeks)</u>	<u>Half-Season (12 weeks)</u>
i. Non-Food	\$275	\$201
ii. Food, No Processing	\$275	\$201
iii. Food, Processing	\$334	\$241

*Payments are non-refundable.*

- Non-Food: Not edible items including local products, soaps, pet foods, etc. \*Note: Grandfathered vendors may apply in this category; others need to apply to the Makers Market.
  - Food, No Processing: Edible food items not being processed on site. Examples include produce, pre-packaged food items such as bakery.
  - Food, Processing: Edible food items processed on site. This involves the cooking, processing, cutting, dividing, spooning or serving of food items. Examples include: Food Truck Vendors making food and selling at Market, popping and serving popcorn, cutting pies/bakery items to plate and serve, etc.
16. There is typically no electrical access for vendors; however there may be limited sites available for the 2019 season. A request would have to be made to the Market Committee; upon approval, a seasonal usage fee of \$50 would apply.
  17. Part-time or stand-by vendors *may* be accepted if there is space available and only at the discretion of the Farmers Market Committee. All rules and regulations must be followed. Stand-by options, if available, would exist at \$30 per stall per week. You must contact the Market Committee or Market Manager for more information.
  18. Vendors must carry insurance to cover the extent of their operations and liabilities and supply a copy of their policy with their application materials.
  19. Vendors are required to comply with all federal, state, and/or local laws and regulations.

**C. Prices and Signs**

1. Prices for all items for sale shall be posted clearly on a sign. No item shall be sold unless the price of the items is clearly displayed.
2. Prices for items shall be established only by individual vendors.
3. Collusion among vendors to raise or lower prices or exert pressure or persuasion to cause any vendor to increase or decrease selling prices is prohibited.
4. Each vendor must post the farm or business name and location as well as items being sold at his/her assigned selling area in the market.

#### **D. Daily Operation: Rules & Enforcement**

1. Each vendor may request a maximum of two stalls, but may be limited to one depending on past use of space and stall demand. Some exceptions for more stall space may be made at the discretion of the Farmers Market Committee. Due to the nature of the market location, stalls may not be uniform but are approximately 12' wide. Each stall should accommodate a 10'x10' tent. No stakes are allowed in asphalt. *NOTE: Konkel Park can be very windy. Tent anchoring is extremely important; please take appropriate measures to secure your booth set up.*
2. The GFFM utilizes a warning system to enforce rules and regulations and keep the market safe and successful. All vendors are subject to written warnings if any rules or regulations are broken. Full authority of Market Operation is given to the Market Manager and Committee. Warnings will be distributed by the Market Manager or Committee; follow up action may be required. Three written warnings may result in expulsion from the Market. Additional disciplinary action may be taken and determined by the Market Manager and Committee. (See "H. Enforcement of Rules and Regulations for more details".)
3. The Market Manager or Committee must be notified in advance of any dates you know that you will be absent from the market. Unless an emergency situation occurs, notification should be received by noon on the Thursday prior to the market to avoid any penalties. *NOTE: All vendors will be warned if more than three absences of any kind occur throughout the season.*
4. Vendors shall arrive no earlier than 7:30a to set up displays. All vendors must be set up and ready to sell by **9:30a**. Vendors not in place by this time may not have access to their regular space or may not be allowed into the Market that day. Vendors who do not abide by this rule may lose their preferred assignment and will receive a warning.
5. Selling at the market shall begin promptly at 10:00a, and no selling may take place before this time. A bell will sound or signal will be made to announce the opening of the Market.
6. Vendors must agree to sell for the entire market day and are required to stay to represent their business, even if sold out. No early pack up or departure will be tolerated.
7. Vendors must vacate the selling area after 2:00p – no earlier - and all clean-up must be completed promptly. No vehicles will be allowed to exit the lot before 2:00p.
8. All vendors are subject to participation in the Credit/Debit/EBT program as their business fits within the system (i.e. only approved vendors and items may accept EBT). *NOTE: Details of system operation and reimbursement processes will be provided to those who request a copy.*
9. No vendor shall engage in solicitation, collection drives, political or religious activities in the market. No loud hawking of items is allowed.
10. Vendors must keep the vicinity in and around their selling area clean at all times and remove all refuse and unsold items at the end of each market day. Unsold produce must be removed from the market site and not left in the refuse receptacles.

11. Vendors must provide an approved trash receptacle when selling ready-to-eat items and handing out samples.
12. Vendors must be courteous to other vendors and to the public at all times. Vendors and their agents, employees, and representatives must maintain a neat and clean personal appearance at all times.
13. No vendor shall smoke tobacco, drink alcohol, and/or possess or use any controlled substance while at the market.

***Not complying with daily operations, rules and regulations may result in a written warning. Please reference D. Daily Operations, #2 and H. Enforcement of Rules and Regulations for further detail.***

#### **E. Grievances**

1. In the event of a dispute regarding any aspect of the GFFM, the Market Manager or Committee will make a decision. Any failure to abide by the decision may be sufficient grounds for excluding the vendor from the market.
2. A vendor may file an appeal from the Market Manager or Committee's decision in writing to the Greenfield Farmers Market Committee. Any appeal must be filed within ten days of a decision.
3. Upon receipt of an appeal, the matter will be reviewed.
4. The Greenfield Farmers Market Committee will respond as promptly as possible from the receipt of the appeal to make its decision. During this time, the vendor must adhere to the original decision with no right to restitution for any losses.

#### **F. Vendor Licensing**

All participants are responsible for obtaining all licenses or permits required for the sale of his/her product to the public. Copies of such licenses/permits shall be submitted to the Market Committee upon submitting an application. Whenever necessary, the vendor shall submit copies of any applicable license/permit renewals. Food vendors must follow City of Greenfield Health Department regulations. For more information, contact the City of Greenfield Health Department at (414) 329-5275.

Vendors selling non-food items must also include a copy of their Wisconsin Seller's permit. Please call the Wisconsin Department of Revenue at (608) 266-2776 for more information on obtaining a Wisconsin Seller's permit.

## **G. Food Vendor Guidelines**

### **General Requirements & Regulations for the Farmers Market Food Selling:**

- Ready-to-eat (prepared foods) must be protected from consumer contamination through the use of lids and covers.
- Sampling must be done using a safe method (i.e. toothpicks, tongs, etc.)
- Samples should be prepped prior to the market to keep food handling to a minimum. If they are prepped on site, this should be done in a protected manner.
- For any food handling other than strictly pre-packaged items, hand washing needs to be provided by each vendor.
- Ready-to-eat (prepared food) items may not be handled with bare hands.
- Product temperatures need to be maintained at a minimum of 135 degrees Fahrenheit for hot potentially hazardous foods and 41 degrees Fahrenheit for cold potentially hazardous food. Frozen foods shall be maintained frozen.
- Food items must be stored a minimum of 6 inches off the ground.
- Display items (not for sale) must have a sign stating "Display Only."

### **Bakery**

- A food processing license is required. For pre-packaged non-potentially hazardous items, a license at the market is not required. For unpackaged and/or potentially hazardous items a DATCP (Department of Agriculture, Trade and Consumer Protection) Mobile Retail license is required.
- Labeling of unpackaged products requires: product name on placard by product and binder or placard with ingredient information available to customers.
- Labeling of packaged products requires: product name and net weight, ingredients, business name and address, handling instructions if necessary, nutritional information required for special nutrition, health or quality claims.
- Note: If bakery products are packaged in transparent containers and sold by the baker, operator or employee directly to the consumer *and* the baker of the establishment has produced the products, *then* a counter card, sign, or binder with the labeling information is acceptable.

### **Honey and Maple Syrup**

- A food processing license is not required for “raw” honey. If it is heated to 160 degrees Fahrenheit to inhibit crystallization, a food processing license is needed from DATCP.
- A food processing license is not required for sales of maple syrup under \$5,000 per licensing year unless it is sold for resale.
- A DATCP Mobile Retail license is not required.

### **Meat**

- All meat must be inspected and approved at a Wisconsin or Federally inspected facility.
- A DATCP Mobile Retail license is required.
- Product labeling requirements include: product name, ingredients (if more than one), name and address of packer or distributor, handling statement, inspection legend (WI or USDA) and safe handling instructions.

### **Poultry**

- If < 1000 birds, all poultry must be slaughtered at a Wisconsin or Federally inspected facility. If >1000 birds, all poultry must be slaughtered at a Wisconsin or Federally inspected facility and have bird by bird inspection.
- A DATCP Mobile Retail license is required.
- Product labeling requirements include: product name, ingredients (if more than one), name and address of packer or distributor, handling statement, inspection legend (WI or USDA) and safe handling instructions.

### **Eggs:**

- A food processing license is required. Exception: If the eggs are produced at a farm licensed as a Wisconsin Dairy Plant per ATCP 70.03(7)(c) then a food processing license is not required.
- A DATCP Mobile Retail license is required.
- Labeling of egg cartons requires: product identity, name and address of packer or distributor, quantity, grade and size or “Ungraded”, Keep Refrigerated, date of packing, Expiration/Sell by date (not to exceed 30 days including day of pack), Safe Handling instructions.
- Storage at 41 degrees Fahrenheit or below.

### **Juice and Cider:**

- No food processing license required by the grower.



- Juice/cider processed by someone other than the grower and harvester must be produced under a HACCP plan containing a 5 log reduction process.
- If the juice is potentially hazardous a DATCP Mobile Retail license will be required.
- Labeling requirements include: name, ingredients (if more than one), name and address of processor or distributor, net volume in fluid measure, handling instructions, “Keep Refrigerated” or “Refrigerate After Opening”.
- If the juice/cider is not pasteurized, the main label must bear the following warning statement set off by a box:

WARNING: This product has not been pasteurized and, therefore, may contain harmful bacteria that can cause serious illness in children, the elderly, and persons with weakened immune systems.

**Apple Cider Additions and Clarifications (New from 2017):**

*Apple orchard vendors are permitted to sell cider, only.*

A. Producer selling at farmers market: no license required; cider must be pressed and bottled at producer’s orchard; cider must be fully labeled including approved warning statement; no Greenfield specific ordinances apply.

B. Producer distributing from approved operation: finished product must come from a licensed processing plant; must comply with juice HACCP and 5-log reduction; finished product must be fully labeled; must be sold in the packaged quantity received from the manufacturer; if co-opted (and approved by market committee) must clearly state the origin of product.

C. Label Requirements:

- a. A statement of product identification; Co-opted product identification includes a label from point of origin or distinct statement of co-opting
- b. A net contents statement
- c. A percent juice declaration
- d. Name and address of the manufacturer, packer or distributor
- e. Statement of ingredients
- f. Treatment process: Cider producers may voluntarily opt to label their products to identify the treatment process, for consumer education purposes.

g. Nutrition facts: Small businesses have exemptions from nutritional labeling requirements as long as there are no nutritional claims on the product. Please see federal requirements for more details.

h. Warning statement: Processors who sell direct to consumers are not required to use HACCP programs or achieve a 5-log reduction of target pathogens, but their containers must bear the following FDA-prescribed warning statement: “This product has not been pasteurized and, therefore, may contain harmful bacteria that can cause serious illness in children, the elderly, and persons with weakened immune systems.”

### **Cheese**

- All cheese offered for sale must be manufactured at a licensed food processor.
- A DATCP Mobile Retail license is required.
- Labeling requires: name of product (the word cheese must be included), State ID – either the words WISCONSIN or the #55 indicates Wisconsin, Dairy plant and Vat ID number, date of manufacture – alpha numeric, numeric or Julian calendar date, ingredients, name and address of the packer, distributor or processor, net weight and nutritional information.
- Soft and semi-soft cheeses with a moisture content above approximately 43% require refrigeration as do cold pack cheeses. Hard cheese, hard grating cheeses with a moisture content below approximately 43% and pasteurized process cheese do not require refrigeration except when the hard cheese is oiling off or is unpackaged. Please note that the seller is required to provide evidence of the moisture content of the cheese if questioned.

### **Cheese Curds**

- All cheese curds offered for sale must be manufactured at a licensed food processor.
- A DATCP Mobile Retail license is required.
- Cheese curds must be maintained at 41 degrees Fahrenheit or below, except fresh cheese curds may be displayed out of refrigeration at any location on the day they are made for a period up to 24 hours after the time of manufacture. The package must be labeled with the date and time of manufacture. Fresh cheese curds must be discarded after 24 hours.
- Labeling requires: name of product, ingredients, net weight or volume, name, address and zip code of manufacturer, packer or distributor, “Keep Frozen / Refrigerated” (if necessary).

### **Canned Goods**

- A food processing license is required.

- A DATCP Mobile Retail is not required for non-potentially hazardous canned food items.
- Labeling requires: name of product, ingredient listing, net weight or volume, name, address, and zip code of manufacturer, packer or distributor, nutritional information required for special nutrition, health or quality claims, "Refrigerate after Opening" if necessary.

### **Pickle Bill**

- Products included: fruits and vegetables with a pH value of 4.6 or lower (jams, jellies, sauerkraut, pickles, and salsa).
- Products excluded: low acid canned foods: vegetables, fish, meat, sauces, dressings, condiments, lemon curd, pesto, pickled eggs, baked goods, dried, processed or packaged foods, etc.
- No license is required provided the following conditions are met: product is a pickled fruit or vegetable being sold only at a farmers market (or community/social event in WI), and sales do not exceed \$10,000 per year. A sign must be posted stating, "These canned goods are homemade and not subject to state inspection."
- Labeling requires: name and address of processor, date the food was canned, the following statement: "This product was made in a private home not subject to state licensing or inspection," and ingredient listing using common names.
- For further information regarding the "Pickle Bill":  
[http://datcp.wi.gov/Food/Home\\_Canned\\_Foods/index.aspx](http://datcp.wi.gov/Food/Home_Canned_Foods/index.aspx)

### **Produce**

- If cut samples are provided, safe food handling practices must be followed.

### **Restaurant/Retail Type of Foods**

- Example food types: soups, sandwiches, coffee drinks containing milk, egg rolls, etc.
- A DATCP Mobile Retail license is required. In some cases a DHS (Department of Health Services) Temporary or other Temporary Event license is required.

***These food vendor guidelines are meant to provide general information. For detailed questions please contact the Greenfield Health Department to speak with the Environmental Health Specialist or member of the Market Committee.***

## **H. Enforcement of Rules & Regulations**

Participants in the Market must abide by market rules at all times. The Market Manager and Committee have full authority to enforce all rules. All participants failing to comply are subject to disciplinary action according to the Warning System (See D. Daily Operation: Rules & Enforcement, #2). An excess of warnings will be handled at the discretion of the Market Committee and uncooperative vendors may be asked to leave. Market rules supplement City ordinances.

A vendor, market consumer, or market representative may submit a signed written complaint where there is cause to believe a violation of market rules exists.

These rules do not create third party rights and are only enforceable by the GFFM at its discretion.

These rules have been put in place to help ensure that the market operates in a successful and safe manner that is fair for all. The GFFM reserves the right to amend or change these rules as needed and again, we hope that we will all operate in the spirit of cooperation.

Any violation of market rules and regulations may be grounds for termination of lease agreements. The Market Manager and Committee shall be responsible for the on-site admission of these rules and regulations. Disputes arising from the use of market space, including stalls and aisles, parking and similar matters, will be handled by the Market Manager and the Greenfield Farmers Market Committee.

## **I. Market Governance**

The Greenfield Farmers Market is coordinated in the City of Greenfield Health Department and supplemented with collaborative efforts from other City Departments. The Market Committee consists of Health Department team members with dedicated staff time to the Market Operation. The Market Manager is an additional member to the team; the manager assists in Market oversight, development, operations and promotions. The Health Department is located at 7325 W. Forest Home Avenue, Greenfield 53220 and the Market Committee can be reached at 414.329.5275 or [farmersmarket@greenfieldwi.us](mailto:farmersmarket@greenfieldwi.us).