

**RENSELAER COUNTY FARMERS' MARKET
RULES AND REGULATIONS
January 2010**

Governing Body

The Rensselaer County Farmers' Market will be governed by the Rensselaer County Farmers' Market Committee. As the governing body, the committee will:

- Establish rules and regulations, adopting and amending as needed.
- Establish requirements for participation in the farmers' market.
- Establish and collect annual dues and/or stall fees.
- Establish the operational schedule of the market.
- Advertise and promote the market.
- Hire a market manager. The market manager is responsible for the orderly and efficient conduct of the market and for implementing the rules and regulations. The market manager represents the management during market days.

Sponsoring Body

The Rensselaer County Farmers' Market is sponsored by Rensselaer County. As a sponsor, they will:

- Maintain a general liability insurance policy for the market.
- Provide assistance in securing grant funding.
- Provide promotional assistance in coordination with Rensselaer County Tourism.

Seasons and Times of Operation

The farmers' market will operate:

- Location: Twin Town Little League Fields, Williams Rd., North Greenbush
- Season: June 3, 2010 – October 14, 2010
- Day of the Week: Thursday
- Hours: 2:30 p.m. – 5:30 p.m.
- The market will be open rain or shine. The market manager has the authority to cancel the market in the case of severe weather or emergencies.
- Vendors may arrive up to 1 hour prior to opening to begin setting up, and must be ready to sell by 2:30 p.m.
- Vendors must remain set up until market closing.
- Vendors must have their market sites dismantled, packed up, and cleaned within one hour of the market closure (6:30 p.m.).

Who May Sell at the Farmers' Market

- The market is restricted to bona-fide growers or other vendors approved by the Rensselaer County Farmers' Market Committee. A minimum of 75% of the products by volume offered for sale must be produced by the vendor on lands, rented lands or in production facilities they own or operate in Rensselaer and surrounding counties. Vendors outside of the surrounding counties may apply on a case-by-case basis. The 25% not produced by the vendor must be grown in New York State and not grown and currently offered for sale by a Rensselaer County Farmers' Market full season farmer who has adequate supply to satisfy the demands of the market.
- The 25% of items that may be purchased for resale and not produced by the vendor requires labels identifying point of origin. 4-H members interested in participating are

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allowed to sell produce not represented in the market, unless produced by a 4-H member, on consignment from the above stated counties.

- All vendors applications must be approved by the Rensselaer County Farmers' Market Committee before they may be vendors at the market. The vendor's application must have a crop/product plan and vendor fees paid prior to selling at the market.

What May Be Sold at the Farmers' Market

- Fruits and vegetables. Produce offered for sale must be grown, harvested and cared for post-harvest so as to insure the freshest produce possible.
- Cider and fruit juices: sold only by the growers of those fruits. Can be pressed off farm.
- Eggs from the vendor's fowl must be refrigerated and maintained at a proper temperature as determined by the Health Dept.
- Honey or honey products derived from the vendor's hives.
- Maple syrup and maple products from the vendor's sugar bush or sugar bush under the vendor's control.
- Cheese and other dairy products must be processed from milk from farms in the region. All dairy products must be refrigerated and maintained at a proper temperature as determined by the Health Department.
- USDA or state inspected meat and poultry are permitted. Butchering may be done off the farm. But the vendor must have raised the animals. All meats must be refrigerated and maintained at a proper temperature as determined by the Health Dept.
- Bedding plants, nursery products, and cut flowers must be grown on the vendor's farm.
- Baked goods-fresh baked and prepared by the vendor. Preference shall be given to vendors using local ingredients purchased directly from the farmer/producer.
- Other products include preserves, herb vinegars, grains, and jams. All must be from product grown in the region.
- Products not specifically listed in these rules and regulations must be pre-approved by the Rensselaer County Farmers' Market Committee at the time of the vendor application or before sales if a new product is added during the season or after the vendor application was submitted.

Market Operations

- All applicable regulations must be adhered to when selling at the farmers' market and the appropriate permits must be displayed.
- Vendors must comply with the appropriate State and Local regulations.
- Vendors selling taxable items must display a valid NYS Certificate of Authority.
- Vendors selling nursery and greenhouse crops must display a valid NYS Nursery license.
- Vendors selling processed foods, prepared foods and other perishable items shall do so in compliance with the requirements of the Rensselaer County Health Department and the NYS Department of Agriculture & Markets.
- Vendors selling by weight must have scales approved by Rensselaer County Office of Weights and Measures; Joe Rappold; 283-0974.
- Vendors selling by volume must use standard size containers, such as pint, quart, etc.

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- All prepackaged items, such as baked goods, must be labeled in accordance with NYS labeling requirement.
- Produce cannot be advertised as organic unless it has been certified by a recognized third party certifying agency. Certificate must be displayed.
- All produce and products for sale should be priced clearly and displayed in a manner that does not confuse or mislead the consumer. Prices shall be plainly displayed to the customer during market selling times.
- All Vendors will be required to file a crop plan at the beginning of each season. The plan must show all products being grown or produced, quantities produced, and acreage under production of each item. Only items on the crop plan will be allowed for sale at the market.
- Any new members of the market will be allowed to sell during a probationary period of 4 weeks at which time the Committee will decide if the new member is allowed as an official member of the Market.
- Market members in addition to these rules and regulations must abide by the rules and procedures set forth by the New York State Department of Agriculture and Markets 2009 New York State Farmers' Market Nutrition Program (FMNP).
- The RCFM Committee will contract with an independent crop inspector who will inspect a farm or business at least once during the season to verify the crop plan submitted by the vendor. Inspections will be made only with the owner or his/her representative present, unless permission otherwise is given. The owner must provide any assistance necessary to thoroughly document products and conditions recorded at the time of the inspection. All vendors will be required to have crop inspections completed by July 15th subject to the availability of the crop inspector. Vendors who fail to have the inspections completed by that date will be suspended from the market until the inspections are completed. Results of the inspection will be reported to the business owner and the governing body of the market, who will make the final decision regarding any violations. Failure to follow the regulations shall be counted as a first violation under the guidelines accompanied by a verbal warning.

Guidelines For Selling at the Market

- Vendors must have a sign clearly showing their name and location.
- Each vendor will be responsible for all equipment and supplies for the setup of a stall.
- Displays should be constructed in such a way that they do not block customer walkways nor pose any other hazard to customers.
- 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.
- Vendors are required to keep their market space neat and clear of obstacles, litter and debris.
- No form of discrimination is permitted at the market.
- Vendors are expected to conduct themselves in a professional manner and treat customers in a courteous manner.
- Vendors must clean their sales area and remove all refuse at the end of the day.
- All produce displayed for sale must be at least 12" off the ground.
- No hawking or amplified music is permitted at the market.

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- **All vendors, without exception, must provide proof of general and product liability insurance of \$1 million each. Rensselaer County and the Town of North Greenbush should be listed as an additional insured. A copy of the insurance certificate must be given to the market manager one week prior to setting up or selling any products at the market.**
- Dogs must be on a leash or tied outside the market where they will not be a nuisance to customers or other vendors at the market.
- No smoking, consumption of alcoholic beverages or firearms is permitted at the market.
- All products offered for sale must be of good quality and condition. The market manager reserves the right to direct that inferior goods be removed from the display. Failure to remove products deemed inferior will be reported to the market's governing body and may result in loss of market privileges.
- No soliciting by political, religious or other special cause groups or individuals is permitted at the market.
- The Market Manager will notify Vendors of any rules' violations and notify the market's governing body of those violations. Failure of Vendors to adhere to the above rules and regulations will result in the following:
 - 1st violation – Verbal warning
 - 2nd violation – Written warning and appearance before the Rensselaer County Farmers' Market Committee to discuss violation and determine whether vendor may continue selling for the remainder of the season shall occur within two weeks of notification of the violation.

Fees

- Annual membership dues shall be \$25.00 for regular and associate member. An annual stall fee of \$250.00 is due to the market manager by the first market day of the season.
- The dues will be determined by the Rensselaer County Farmers' Market Committee. Fees collected will be used for operating expenses as well as advertising and promoting the market.
- Daily fees will be assessed for those wishing to sell occasionally or for only a short season. The daily fee of \$65.00 for 4 consecutive weeks will be assessed as determined by the Rensselaer County Farmers' Market Committee.
- Payment of the daily fee is due to the market manager before setting up for the day. Vendors selling occasionally must notify the market manager at least 1 week in advance and submit a certificate of insurance at this time.
- Vendors are offered a reduction in stall fees for attending a pre-season meeting. The reduced fee will be \$200.00 for the full season and \$60.00 for 4 consecutive weeks.

Stall Assignment.

- The market manager will assign stalls based on a first come, first served system.
- Stall sizes are 12 feet wide. A vendor may use more than one stall, if space allows, but must pay an additional fee for the extra stall space.
- If the vendor is paying on an annual basis, he/she will be assigned a permanent spot for the duration of the season and every effort will be made to keep them in that spot each season, so long as the annual fee is paid. Daily renters will be placed as room allows, on a first come, first serve basis.

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- Vendors must notify the market manager at least one day in advance if they will be absent. The market manager is then free to set up another vendor in that space for that day only.
- The market manager has the right to re-rent stall space to a daily renter if a seasonal vendor will be absent on any market day.
- No subletting of stall space is permitted.

Grievance Procedure.

- All complaints must be addressed in writing to the Market Manager and the Rensselaer County Farmers' Market Committee. The market manager will investigate the complaint and report such complaints to Rensselaer County Farmers' Market Committee. Vendor complaints against management can be made in writing to the market's manager and governing body and by appearing at the next meeting of the governing body to address the grievance.