

Columbia Farmers Market
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Rules & Regulations, Effective February 16, 2010

1. What Can Be Sold

A. Raw Agricultural Products: This category includes fruits, vegetables, grains, herbs, flowers, bedding plants and potted plants. Bedding plants and potted plants must be grown from seed, plug, cutting, bulbs or bare root, and be well established in its current container, by the seller. No resale of pre-finished plants is allowed.

B. Value-added Agricultural Products: This category includes products made of raw agricultural products grown/raised/produced by a CFM vendor that have been processed. Examples are jams and jellies, salsas, oils, vinegars, baked goods, cider, molasses, ice cream, burritos, sandwiches, picked out nuts, etc., and similar processed products that may not be covered by other CFM rules. Vendors of value-added products must abide by all applicable federal, state, and local health and label regulations. The value-added product must contain significant/meaningful material grown or produced by the vendor. If value added products would be enhanced by additional items such as condiments, bread products, fruits or vegetables, etc., every effort should be made to obtain the additional items locally, preferably from other CFM vendors. The vendor must complete the Value Added Food Application for specific value-added items and send it to the CFM Board for review. Approval for one specific value-added item does not grant approval for additional items. Applications need to be submitted three weeks prior to the selling date.

C. Non-agricultural Products: This category includes farm, garden, or food related crafts and value-added agricultural products made without raw agricultural products grown by the member. Examples include: baked goods, juried arts and crafts, handmade soap, handcrafted furniture, other garden related products, pottery and similar items. The member selling them must have created these items. These products are admitted at the discretion of the Board, for members in good standing only. Any stall with greater than 50 percent non-agricultural products in member's possession at the opening bell of a market session shall be a non-agricultural stall. Non-agricultural stalls shall not number more than 5 stalls or 10 percent of the total membership, rounded to the nearest whole number, whichever is greater.

D. Meat and Other Animal Products: This category includes meats, poultry, milk, cheese, eggs, farm-raised fish, honey, wool, leather, and other products derived from animals. All slaughter animals shall be in the vendor's immediate custody, care and control a minimum of 50 percent of the animal's life at time of slaughter. Vendors must abide by all applicable federal, state and local regulations and inspection regimes. In addition, they must adhere to federal or state guidelines on all labels. All animals sold as cut meat at the Columbia Farmers' Market should come from a known source; no resale of trader or sale barn livestock and no livestock from any condemned or "for slaughter only" herds shall be sold in any form. No live animals are to be sold at the market. No live animals will be displayed without a week's advance permission from the Board. Placement of animals shall be determined by the Board. Animals will be displayed no closer than 20 feet from food products.

E. Samples: Samples can be cut or opened for displays at the market if properly wrapped, but they cannot be sold. Free samples may be given to customers in accordance with Columbia Health Department regulations. (573-874-7355)

www.gocolumbiamo.com/Health/Food_Safety/Temp_Food_Operations/farmers.php

2. Vendor guidelines

A. Vendor Agreement: All vendors must complete and sign a vendor agreement with the Columbia Farmers Market and pay appropriate fee prior to selling. The Columbia Farmers Market, Inc. reserves the right to prohibit anyone from selling at the market and to cancel the privileges of any member who in the opinion of the Board of Directors has violated the rules governing the market. Participant or member has the right to respond in writing to the board, to include an explanation of how the violations in question will be remedied. The market board reserves the right to make a final decision on the response. Fees will not be refunded. Participants or members wishing to return to the market following expulsion must apply to the Board of Directors for re-admittance and pay appropriate fee(s) prior to selling.

B. Farm Inspections: Vendors may sell only their own products as per Rule 1. The resale of any products that are not grown or produced by the member/vendor, in the area as defined in Rule 4.B, is strictly forbidden. The Board of Directors or its representative(s) reserves the right to inspect any participant or member's farm by appointment, to ensure compliance with market rules and regulations. This will include random inspections. The primary purpose of a farm inspection will be to determine whether the participant or member is in fact producing all that he or she is selling at the market. Upon notification, participant or member must make all production areas available within three (3) days. Refusal to allow inspection is grounds for indefinite suspension. A decision regarding the inspection must be rendered six (6) days from completion of inspection, to be delivered in writing. Any member/vendor found to be in violation of this rule will be immediately expelled from the market without refund of any fees.

C. The Board of Directors reserves the right to place a moratorium on membership.

D. Vendors that offer CSA (Community Supported Agriculture) shares may promote and distribute their shares at the Market. However, CSA shares distributed at the Market must follow all CFM regulations including Rule 2B (producer-only); CSA shares containing items not produced by the CSA vendor may not be distributed during market hours.

E. Each vendor may set their own prices.

F. Any grievance regarding vendors should not be directed to the vendor in question. The initial grievance should be reported to the Market Manager who will bring it to the attention of the Board of Directors. The Board will determine if a special meeting needs to be called to settle the grievance.

G. Inappropriate language or behavior, profanity, or other harassment or abuse by a member or participant toward another member or participant, employee, or customer of the market is grounds for immediate and permanent expulsion from the market.

H. Each vendor is encouraged to provide scales of certified accuracy ('Legal for Trade'), display racks or tables, sacks, money for change and post prices in full view

of the consuming public with lettering and signs being limited to the individual stall area. It is the responsibility of individual vendors to maintain a clean and healthful condition within their assigned area and to leave that area free of debris. Products should be displayed in an attractive manner. Canopies, tents and umbrellas shall always be safely secured from unexpected weather events.

3. Market hours.

A. The market will be open at the corner of Clinkscales and Ash from mid-March through the Saturday before Thanksgiving. Open dates shall be March, April, and November on Saturday only, May through October on weekdays (4-7 p.m.) and Saturday (8 a.m.-noon).

B. No product may be sold, distributed or bagged by customer until opening time. There shall be no customer vehicular traffic in or out of the Market area proper during Market hours. Escorted vendor traffic will be allowed only with the Market Manager's permission. One hour will be allowed for finishing sales and clean up after closing time.

C. Saturday Member Arrival - Members with annual spaces should arrive at the market by 6:30 a.m. Saturday, or have informed the Market Manager by 8 p.m. the night before that they will attend.

D. Unoccupied Member Stalls - At 6:30 a.m., unused annual stalls may be assigned to any member in good standing. At 7:00 a.m., stalls will be available for assignment by the Market Manager to qualified or daily vendors.

E. Failure to Show - Members with annual spaces who have arrangements to hold their stall(s) and who do not show up for the market by opening bell at 8 a.m. must be in their stall(s) by 7:00 a.m. at their next attendance to Saturday market.

4. Membership.

A. Persons living within a radius less than or equal to the furthest point in Boone or a contiguous county are eligible to become members of the market. Any vendors growing products outside this area must be individually approved by the Board of Directors on an annual basis.

B. Anyone wishing to become a member or participant must apply for admission and must sell at least two (2) times per year to remain in good standing. The applicant may sell at the first market, but must turn in a completed application before parking. Market management will contact the applicant before the next market regarding their application. April 1 will be the cutoff date for new vendors, unless these vendors have approval of the Board.

C. Transfer of Ownership - At the death or retirement of a member in good standing, membership seniority can be transferred to an immediate family member or partner, as listed in the vendor application and approved by the Board of Directors. Membership seniority cannot be transferred by the sale of a business. The new owner must apply for membership as a new business.

5. Market Manager: The Columbia Farmers' Market will employ or select a Market Manager, whose duties shall be collecting daily fees, assigning market stalls, supervising the market and other duties as assigned by the Board. The Manager will

be responsible to the Board and report any violations of rules to the Board. The Manager will be final authority on the day of Market - all decisions may be appealed to the Board for later consideration.

6. Stall Policy:

A. Effective January 1, 2010, membership fee will be \$250.00. This fee allows the vendor to sell at the market for the entire season in a space assigned by the Market Manager on a daily and space available basis.

B. 'Annual' (reserved) stalls – Annual stalls are determined at the March vendor meeting (moved from D). (A vendor does not need an annual stall to sell at the Market.) Fees for annual stalls will be as follows.

\$250 + \$150 annual stall fee = \$400 for membership & 1 annual stall.

\$250 + \$150 + \$200 second annual stall fee = \$600 for membership & 2 annual stalls.

\$250 + \$150 + \$200 + \$250 third annual stall fee = \$850 for membership & 3 annual stalls.

C. Non-Annual Stall Vendor Fee – Effective February 16, 2010, in addition to the annual membership fee of \$250, vendors not holding an 'annual stall' will pay an additional daily vending fee of \$5 per Saturday. This fee will be capped at a maximum of \$50.

D. Continuance of Occupancy - Members who had annual spaces the previous year will have the option to renew the same space for the next season, but must do so on or before the regular March membership meeting date. The March meeting will be the absolute deadline for payment of annual stalls or the stall will be forfeited.

E. Any available annual stalls will be drawn by lottery at the March meeting and interested eligible parties must be present for the drawing. Annual spaces available will be assigned by lot to market members requesting them. A stall waiting list for annual stalls is maintained by the Board. The list is ranked by seniority based on years of continuous membership. As stalls become available, individuals with most seniority on the list, (for example all those who signed up in 1994) will draw for the opportunity to rent a stall. Seniority guarantees the opportunity to obtain a stall through drawings before those having less seniority. Vendors will be placed on the waiting list according to the earliest year of continuous membership.

E. Stall Trades - Members with annual spaces will be able to trade with the approval of the Board.

F. Subleasing - No member shall sublease, sell or permit anyone to use their space; this right is reserved for the Market.

G. Stall Shares - A member may arrange use of another member's annual stall(s) when the owner is not present. Members sharing a stall(s) shall both pay the appropriate stall fee as determined by Rule 6B. Sharing arrangements must be approved by the Board of Directors annually. Original owners of a shared space maintain the option for the whole space.

H. Daily Stall Rentals – Effective February 16, 2010, daily vendors or members using an additional stall on a daily basis shall pay a daily rental fee of \$10.00 per stall on Monday, \$15.00 per stall on Wed., and \$50.00 per stall on Saturday. Individuals paying daily fees shall become members after paying the price of membership plus one additional Saturday daily fee payment.

7. The Columbia Farmers Market, Inc. and its Board of Directors are not responsible for product liability or the paying of sales taxes for individual vendors. Each member/vendor shall provide proof of sales tax status (tax number) on their member application form.

- <http://dor.mo.gov/tax/business/faq/farmers.htm>
- <http://dor.mo.gov/tax/business/register/forms/2643f.pdf>

8. Because type of product and cultural practices are important to some customers, the market expects members to truthfully represent their products and operations.

9. The Columbia Farmers Market, Inc. will not discriminate against anyone because of race, color, creed, national origin, sex, age, disability, or sexual orientation.

10. Effective February 16, 2010, vendors wishing to utilize electricity shall pay an additional yearly fee of \$50 for each electric line. Generator use will only be allowed if adequate power is not available.

11. Animals (except service animals) and bicycles are prohibited in the market area.

12. No smoking will be allowed in the Market area.

13. All children in the care of vendors during Saturday Market need to be supervised by an adult at the vendor's stall.