

Leavenworth Community Farmers Market

2017 Rules and Regulations

The Leavenworth Community Farmers Market (LCFM) is a state non-profit organization developed in response to community demand for growing popularity and support for local produce and goods. The Market's primary benefactors are farmers, producers, and the greater Leavenworth Community. It provides local farmers and producers with a direct outlet to sell their food and handcrafted products; people with an opportunity to buy directly from producers; the Leavenworth downtown with a focal point for pedestrian activity, entertainers and live music; and the community with a festive gathering place for improved access to local agricultural, environmental education and a heightened cultural awareness and of community resources.

The LCFM operates as a volunteer organization in accordance with all applicable rules, regulations and laws established by the Washington State Farmer's Market Association (WSFMA), municipal, county, and state governments. There will be no discrimination according to race, color, creed, religion, sexual orientation, age or nationality.

Mission:

"The Leavenworth Community Farmers Market (Der Bauernmarkt) is designed to increase access to fresh, locally produced foods and other products of local labor for all people. We strive to serve culturally and economically diverse populations, and bring together families, neighbors, visitors and local food producers to create community and social gathering; to enhance our quality of life and foster a sustainable local economy."

Our Vision for the 2017 year is to stabilize and strengthen the market with reliable, consistent farmers, prepared food vendors and high quality artisan crafts and to cultivate an engaged, sustainability-educated community.

Article 1: General Information

Section 1. Market Season, Location, and Operating Times

Season: June 8th-October , 2017); Thursdays 4-8 PM (subject to change due to weather and daylight)

Location: Lions Club Park, 696 US Hwy 2 (Between City Pool and City Hall)

Section 2: Contact Information

Leavenworth Community Farmers Market
PO Box 2184
Leavenworth, WA 98826

leavenworthmarket@gmail.com

Current Market Manager: Hana Butler: 360-961-2257

Article 2: Who Sells at the Farmers Market?

Section 1. Farmers

One who raises the produce, plants or animals on land they own or lease/rent in the State of Washington, or counties that border Washington State (refer to WSFMA Roots Guidelines for a list of said counties). It may include someone who processes produce grown on their own property into a value added product such as jams, cider, salsa, or alcoholic beverages. It may also include farmers who raise the basic ingredient(s) of a product, but who must send it out for fundamental processing before creating the value added product. Such Vendors might include those farmers selling mint oils, emu oils, smoked meat or fish, etc. Alcoholic beverages must be made entirely from ingredients grown in Washington, or from grapes grown in a recognized Washington appellation, except for certain additives required for processing, but which cannot be produced in the State of Washington, not amounting to more than 5% of the total volume of the beverage.”

Section 2. Processors

One who sells processed foods that they have personally prepared on their own or on leased/rented property. **Processors** are persons or entities offering fresh food products (such as meats, seafood, ciders, baked goods, jams, etc.) that have added value to their product through some sort of “hands- on” processing (e.g., hand-filleted fish, smoked or butchered meats, handmade candies, etc.).

All **processors** must meet all Federal, State, County and local Health Department requirements. All appropriate permits and licenses shall be provided to the market manager and displayed whenever a processor is selling at the LCFM. **Processors** must produce their products in Washington State or in those counties that border the State of Washington. Processed food products should use ingredients from Washington State farms or waters as much as possible, and stall preference will be given to processors using ingredients from Washington State farms or waters. Alcoholic beverages must be made entirely from ingredients grown in Washington, or from grapes grown in a

recognized Washington appellation, except for certain additives required for processing, but which cannot be produced in the State of Washington, not amounting to more than 5% of the total volume of the beverage.

In the case of **Seafood** vendors, product must originate from the greater Pacific Northwest, which includes Washington, Oregon, Alaska and British Columbia.

Section 3. Crafters

Crafters are persons or entities who craft with their own hands the products they offer for sale at the LCFM. To qualify as a crafter, a majority of the tools and equipment used by the crafter to produce their products must require skills, personal handling and/or guidance by the crafter. **Crafters** should incorporate materials produced in Washington State as much as possible and they must create their craft products in Washington, or in counties that border the State of Washington.

Section 4. Prepared Food Vendors (Concessionaires)

Prepared Food Vendors offer freshly made foods, available for sale and immediate consumption on- site at the market. **Prepared Food Vendors** shall possess and maintain all required State, County and local Health Department permits. Prepared Food Vendors should use ingredients produced in Washington State as much as possible. When selecting Prepared Food Vendors, the LCFM strives to provide a good variety of healthy foods, and to give preference to vendors using ingredients produced in Washington, particularly those locally sourced. No commercial items allowed, which includes but is not limited to: bottled water, soda, candy, etc. Food vendors are encouraged to use earth friendly or biodegradable food packaging. The LCFM can assist in locating these products.

Section 5. Miscellaneous

Vendors who do not fit in the above categories but who have items or services for sale that are not contrary to the mission of the LCFM will be admitted for vending at the discretion of the LCFM Board.

Section 6. What is not Allowed at the LCFM

No commercial or imported items

No Second Hand Items (Exception: Those vendors who take a second hand item and recycle that item into a new use)

No Franchise: Those who have entered into an agreement or received a license to sell a

company's products and/or use a company's packaging, logo, ingredients and/or marketing tools under that license or any franchise agreement

No Non-Owner Operated Businesses: Only those businesses that are operated and controlled by their Washington State-based or border county-based

No Out of State Processing: All processed products must be processed within Washington State and

No Brokers/Resellers are not allowed to sell at the LCFM.

Article 3: Fees

Section 1. Annual Fees

A. Annual Membership fee for the season: \$25

Section 2. Daily Stall Fees (per 10'x10' stall space)

A. Farmers: \$15 minimum per market fee and 6% of sales over \$300.00

B. Processors, Artisans/Crafters, Prepared Food Vendors and Miscellaneous Vendors: 10% of total sales for the day with a minimum fee of \$15 per 10' x 10' stall space.

C. Double Booths: Additional 10'x10' stall spaces, when available and at the discretion of the Market Manager, are \$15 per vending day.

D. Shared Booths: Shared booths are allowed with the prior consent of the LCFM Board. Fees will be established by the LCFM Board.

E. Sales Reporting & Payment of Stall Fees:

Sales reports and stall fees are due at the end of each market and are collected by the Market Manager.

Article 4: Cancellation Policy

For 2016 the LCFM will be holding vendors accountable for not attending the days committed to previously in their application by charging a \$25 no-show fee.

The LCFM understands that vacations, medical and/or possible emergencies may/ could transpire throughout the market season. We ask that you contact the Market Manger, Hana Butler at 360-961-2257or leavenworthmarket@gmail.com 24 hours before the market for these emergencies. Otherwise you will be considered a no-show and charged

the daily stall fee. This fee must be paid prior to setting up at following markets. If an emergency should occur and you are not able to make the market for that day, please contact the Market Manager by 4:00 pm, the following day. If the Market Manager is not notified that an emergency occurred, it will be assumed that you are a no-show.

Article 5: Market Manager

The Market Manager is an employee of the LCFM and represents and upholds its mission, values, rule and regulations while being present and open to assisting to the needs, concerns and well-being of the vendors and customers of the market. The Manager will enforce and implement LCFM policies at all times. This includes overseeing Market set-up, booth assignments, and collection of fees, providing information on Market policies, and ensuring vendor compliance with all Market policies. The Manager will make booth assignment decisions based on available space in the Market and the need for specific products. The Manager will be responsible for public concerns and vendor complaints. The Manager is a conduit between vendors/customers, the LCFM Board of Directors. The Market Manager has complete authority to interpret and implement policy on the Market site; including the authority to rescind stall space for just cause. Vendor grievances should be directed to the Market Manager and not your Vendor neighbors. However, if your grievance is about the Market Manager, please direct your comments/ questions to the Board of Directors either via post at LCFM, PO Box 2184, Leavenworth, WA 98826 or via email at info@leavenworthfarmersmarket.org.

- LCFM reserves the right to prohibit anyone from selling or any product from being sold.
- LCFM is not responsible for loss of property or damage.

Article 6: Vendor Rules

Section 1. Hours of Operation: Thursdays from 4-8 PM (subject to change due to weather or available sunlight). Vendors must arrive for set up no later than 45 minutes prior to the opening of market. If a vendor does arrive after the 45 minute window they will have to unload and carry their wares in from the parking lot. No vendor may begin selling or exchange money before the market opening. The Market Manager will signal the opening of the market. If this Policy is violated it could result in the termination of vendor's permit to sell. Vendors are required to stay until closing. Vendors who sell-out early should post a sign letting customers know they have sold-out and should not leave their booth unattended. No Vendor is allowed to pack up or tear down their booth space early. Vendors who leave before the market is officially closed will not be allowed to return for the remainder of the season. If having to leave due to an emergency, then the Vendor shall notify the Market Manager immediately so that Volunteers may assist in your loading and departure to ensure safety for our customers and other vendors.

Section 2. Stall/Booth Rules:

A. Selling Space: The allowed selling space is 10' x 10,' with the option of purchasing additional spaces for \$15 if there is room available. The vendor's sales area and signage must not extend beyond the allotted boundaries of the booth space. Displays and signs must allow clear visibility to adjoining booths. Display and selling technique must not impair other vendors' ability to sell, nor create a hazardous situation for customers.

B. Canopies, Umbrellas, Equipment: All vendors who wish to erect canopies (including umbrellas) on the farmers market site during a normal period of market operations, including the setup and break down period, are required to have their canopies sufficiently and safely anchored to the ground from the time their canopy is put up to the time it is taken down. Any vendor who fails to properly anchor his or her canopy will not be allowed to sell at the farmers market on that market day, unless that vendor chooses to take down and stow their canopy and sell without it. Each canopy leg must have no less than 25 lbs (pounds) anchoring per leg and each umbrella must have no less than 50 lbs (pounds) anchoring. The market does not provide canopies, umbrellas, or tables. Tables, and overhead shades (canopies), and required weights must be maintained and used in a safe manner. Legs must be firmly locked into place on the shades. Tables must have smooth edges. If using plywood for table tops, please place a vinyl cloth over table to protect edges. Table must be stable when loaded with produce or heavy items.

C. Cleanliness: Vendors are responsible for keeping their space attractive during market hours and for cleaning up their space after the market closes. Produce should be washed and prepped for sale at home or on the vendor's farm. Vendors should not wash produce at the market. All vendors must pack out their own trash. Use of municipal dumpsters is not allowed. Vendors are encouraged to use earth friendly or biodegradable food packaging. The LCFM can assist in locating these products.

D. Vendor Conduct: Vendors are requested to dress appropriately and conduct themselves courteously. It is the market's intent to maintain an open and supportive relationship with friends and patrons of the market that benefit the vendors, consumers and the community.

Vendors may not:

- Play pre-recorded music
- Hawk (calling attention to your products in a loud, repetitive, public manner) during the market
- Smoke in the vendor sales area
- Bring their pets to the market
- Leave children unattended during the market. The LCFM will take no

responsibility for their safety or whereabouts

Vendor membership may be revoked by a vote of the LCFM Board at any time. In such an event the Vendor annual membership fee would be refunded.

E. No Dumping Allowed: Pricing of goods sold at the Market is solely the responsibility of the individual vendor. The Market Manager does not have the authority to fix prices. However, the Market Manager does reserve the right to conduct market research and set a minimum price, and vendors will not be allowed to sell below this price. Thus, vendors are prohibited from giving produce or items away for free or below market value, as this unfairly undercuts potential sales of other vendors. However, sampling is permitted in accordance with Article 7, Section 7 of LCFM rules. Bargain boxes (i.e. #2's, etc.) need to be clearly labeled as such. Please consider that local food banks and shelters are the best resources for distributing your unsold product to the local community in need. Please see the Market Manager if you are wishing to donate.

Section 3. Who Can Sell: Only Washington State farmers and other producers as listed may sell at the market. A principal farmer/producer may send family members, partners or employees to the market in their stead, but are responsible for having their on-site representatives aware of all LCFM rules and policies. Vendors residing in Oregon or Idaho counties bordering Washington may be admitted to the LCFM at the discretion of the Market Manager.

Section 4. Farm Visits: The LCFM has the right to inspect or visit any farms or establishments used by vendors. Farm visits will be conducted with at least a 24-hour notice. Vendors should provide help during the visit in identifying the crops listed on the application for permit to sell.

Section 5. Jurying: All artist/craft vendors shall have their work juried prior to being allowed to sell at the market. All products sold must be completed by a single artist/craft person in the state of Washington. Products must be of the highest quality, handcrafted and not imported. Artisans must submit pieces to be juried that are representative of the work they plan to sell at the market. An artisan may not sell anything that has not been juried prior to the day of the market. The jury criteria are: craftsmanship, quality, percentage of raw material used, percentage of product that is handcrafted vs. non-handcrafted and originality. The decisions of the jury are confidential and final. Once a product has been accepted, selling space at the market will be granted based on space availability and compatibility with current product mix.

Section 6. Setup and Breakdown: No vendor will be allowed on the site more than an hour and a half prior to market opening. All vendors must evacuate the site by 9 PM. Vendors must park their vehicle in the pool parking lot or the gravel parking lot East of

city hall during market hours in order to leave the closer parking lots for customers.

Section 7. Signage and Labeling:

A. Vendors must post a sign identifying him/her or the name of the business/organization represented. The City of Leavenworth has restricted vendor signs to two square feet in size.

All vendors are required to clearly mark the prices of their items. This can be done by individually tagging each item or by listing all of your items and prices on a larger sign or blackboard.

B. Labeling must follow the regulations of the WSDA. All processed and baked foods must have a label that states the name or business name and phone number of the processor. The labels must be on each individually packaged item. Each individual item that contains nuts must have a label attached stating: "Contains nuts." A list of all ingredients in each food item must be placed on the label or next to those items for sale. Items that do not follow this rule may not be sold.

Section 8. Scales: All scales are subject to inspection by the USDA Weights and Measures program. All vendors must supply their own scales if selling a product by weight. All scales must be "Legal for Trade" licensed, registered, and certified by the USDA and have a current sticker. Vendors using scales must also have a valid Scale License for the State of Washington Business Licensing Service.

Article 7: Licenses, Permits, and Special Requirements

Section 1. Onsite Food Storage Requirements

All prepared food must be kept at least 18 inches above the ground and must also comply with Chelan County Health Department requirements.

Section 2. Taxes

Retail sales taxes and Business and Occupation taxes are the responsibility of the individual vendor. Unless exempt by law, vendors are required to have a Washington State Master Business License Number and must supply this tax number when applying to sell at the Market. (Note: Vendor's application will not be processed without this number.)

Section 3. Insurance

Vendors selling bath/beauty/essential oil products and food handlers are required to have

Liability Insurance.

Section 4. Permits and Licenses

All vendors shall provide, at the time of application, copies of any permits and licenses applicable to the sale of their products. These will include the vendor's Washington State tax number, and where applicable, the Washington State Nursery License, Washington State Dept. of Agriculture Food

Processors License, Certification for Organically Grown Produce, Grade A Dairy Permits, Pesticide Applicator's License, or Department of Fisheries Wholesale License. Hand/Body Lotions, Creams or Home/Farm Essential Oil Distillation are required to submit proof of testing.

Section 5. Organic Products

If a product is labeled "certified organic," it must be certified in accordance with Washington State law (WSDA) or other recognized certifying agency. Verbal or written declarations of certified organic status not verifiable as such will result in suspension and review of vendor's permit to sell. When an organic producer is also selling non-organic produce at the same stand, the non-organic produce must be clearly separated from the organic produce and clearly labeled as non-organic or conventionally grown. Consumer queries regarding farming practices must be answered factually.

Section 6. Labeling

Processed foods, including honey, shall comply with Washington State labeling requirements. Labels on processed foods and any and all bath, beauty and health products must meet State requirements and include:

1. The name of the product
2. Company name
3. Address (if not found in the phonebook)
4. Net weight on bottom 1/3 of label
5. Ingredients listed in decreasing order of predominance

Section 7. Sampling

Vendors offering samples must follow all Health Department regulations regarding sampling. Any vendor displaying samples must follow all appropriate food handling requirements and have a hand washing station in place. No exceptions. Farmers sampling fruits and vegetables must also comply with Chelan County Health Department requirements.

Section 8. Food Handler's Permits

All prepared foods and baked goods vendors must have a current Chelan County Health Department Food Handler's Permit and disclose the Commercial Kitchen where food has been prepared if prepared by their own hands.

Section 9. Vendor Contributions

Vendors may be asked to contribute product to the Market's promotional and educational events such as chef's demos, produce tasting, musicians, and special events.

Contributions from the vendor for these events are greatly appreciated. Please also consider that the local Food Bank or Shelters are the best resource for distributing your unsold product to the local community in need. Please see the Market Manager if you are wishing to donate.

Note to vendors: rules are subject to change. Vendors are expected to follow all federal, state, local and city regulations related to their operation.

We are open to your suggestions on improvement of our rules and market operations.