2022
Market Policies
Rules, Procedures & Product Guidelines
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MISSION STATEMENT & PURPOSE

The Memphis Farmers Market’s mission is to:

- improve public health nutrition options by providing a vehicle to educate the community on nutrition and good health.
- provide access to local food choices.
- assist area farmers, producers, and artisans with sustainable business opportunities.
- generate a sense of local pride while furthering the economic development of our community.

The Memphis Farmers Market is a seasonal weekly, non-profit outdoor marketplace featuring local farmers, small business owners, and artisans. The MFM showcases locally sourced produce and food items, as well as handcrafted arts and crafts from the Mid-South region. The market strives to educate the community about eating local, nutrition, and food choices. The MFM is a producer-only market and prides itself in the quality of vendors and the products they offer to the community.

The Memphis Farmers Market began in 2006 as a diverse group of downtowners joined together in the hopes of offering healthier food choices to what was, and still is, considered a food desert in downtown Memphis. The MFM continues the founder’s mission to this day and is governed by a generous community of volunteers who serve as the Board of Directors. Go to https://www.memphisfarmersmarket.org/mfm-boardmembers to learn more about the current members of the MFM Board of Directors and staff.

The following Policies, Rules, Procedures & Product Guidelines are used to further the mission of the Memphis Farmers Market by maintaining high product standards and to maintain a safe and welcoming environment for all vendors, customers, guests, volunteers, and staff.

STAFF & VOLUNTEERS

The MFM employs one full-time and one part-time staff member. Kelly Didato is the Executive Director and also acts as Market Manager. Terre Gorham is the Market Coordinator. Both of these employees will wear an identifying name tag. The MFM would not be possible without the dedicated community members who tireless volunteer to provide this valuable market to the downtown community. Volunteers wear an identifying t-shirt.

ALL BUSINESSES SELLING AT MEMPHIS FARMERS MARKET MUST ADHERE TO THE FOLLOWING POLICIES, RULES & PROCEDURES.
PRODUCT STANDARDS & ELIGIBILITY

The Memphis Farmers Market only admits businesses that abide by our producer-only and local requirements, and that meet our standards of quality and appropriateness for our market. Those that fail to meet these requirements and standards will not be admitted or may be expelled if they fail to maintain compliance.

Producer-Only Requirements

1) All businesses selling at Memphis Farmers Market must exclusively sell products that they have grown or produced. Absolutely NO resales or third-party sales are allowed. The only exception to this is products sold from Food Trucks or MFM Coffee Cart. Such sales will be grounds for immediate suspension and/or expulsion from the market. Products produced must be grown or made by employees on the applicant’s payroll. Equipment, pesticides, fertilizers, etc. necessary and supplies for growing and/or production must have been purchased or rented by the applying business.

2) Contract growing, Co-operatives, and collaborative arrangements or agreements with other farms or lease arrangements in exchange for product do NOT qualify a business as producer-only and are not permitted.

3) Vendors may sell only those products applied for and approved by the Market Manager in the MMM application. Vendors may add products throughout the season but only with the prior permission of the Market Manager. The Market Manager has the authority to prohibit the sale of any product that does not conform to MFM standards.

4) Growers agree to only sell products that are considered in-season for the geographical location of farm address listed on MMM. Vendors wishing to sell products outside of what is typically considered in-season, whether produced through technique or equipment, must be pre-approved by Market Manager.

Farm, Business, Kitchen, Workshop and Studio Visits and Inspections

All vendors are subject to periodic farm or business visits and inspections. MFM representatives may visit any farm or business establishment used by its vendors during normal business hours (8:00 am-6:00 pm) to verify compliance with the producer-only requirement. Such inspections May or May Not Be Announced. Upon request, a crop plan and a farm map identifying locations of crops must be submitted. The farmer or producer must provide any help necessary to thoroughly document the establishment or property being inspected and the products being brought to market, which must be listed in the vendor application. Failure to permit a farm visit or inspection of an establishment used for the creation and processing product(s) may result in suspension from the Memphis Farmers Market. Additionally, all products sold at the Market must be of high quality and free of pests, disease, rot, and spoilage. The MFM has the authority to sample any vendor’s products and refuse the vendor the right to sell products that do not meet MFM standards.
ELIGIBLE BUSINESSES & PRODUCT TYPES

The Memphis Farmers will only permit the following types of vendors and product types. Even if you have a business that meets these requirements, there are many variables that determine admission into the MFM. Product appropriateness, quality, presentation, demand, diversity, and available market share are just a few of the factors that are considered for entry. If you are unsure, visiting the market and speaking to other vendors and staff may be helpful in determining the viability of your product offering.

FARMER/GROWER/RANCHER
The majority of our farmers are smallish, family-run operations selling crop-related products such as: vegetables, nuts, fruit, grains, ornamental plants, flowers, seeds, and seedlings. A producer of honey, eggs, or other meats and dairy products is also considered a farmer. Growers are not allowed to sell ANY items from wholesalers, retailers, or third-party vendors. USDA Certified Organic is not required, but we do encourage growers to use as few chemicals as possible. Ranchers and Hemp Farmers will also fall under the Farmer category, although different certifications and licensing is required.

PREPARED FOODS
Vendors that fall into this category must be “hands on” in the crafting of fine food products. This product category does not permit the sale of items meant to be eaten on site. Examples of eligible products are: Breads, cookies, pies, meals-to-go, deserts, and bottled sauces and pet products. Using locally sourced products is always a plus during the approval process for these types of vendors.

ARTISAN
These vendors make hand-crafted artisan products. Pottery, turned wood products, soap, candles, blown glass, bird houses, handcrafted jewelry, art, and crafts are approved examples from this category. This is our most limited category, and all products must be created by the vendor. Kitchen & Garden related products are always a plus for this type of vendor. This category requires the artisan/creator be present during the market hours.

FOOD TRUCK
We look for food trucks that incorporate locally sourced ingredients and provide delicious and healthy menu options. Food trucks must have all current inspections displayed. A power source with a 120-Volt receptacle is provided or vendor can run off their own quiet and pre-approved generator.
MANAGEMENT SOFTWARE

All vendors wishing to sell at the MFM must apply yearly and submit an application online via the Managemymarket (MMM) website at: www.managemymarket.com

Manage My Market is a Portland, Oregon web-based company that serves over 4,151 markets and 193,691 vendors nationwide. The MFM uses MMM to manage vendor applications, processing, billing, and communications. Managemymarket fees are paid by the application fees collected for each approved vendor per season. Fees collected from vendors who do not get approved are used for MFM’s administration costs.

The MFM does not own any part of Managemymarket or a vendor’s application. The applicant is responsible for the accuracy of all information submitted there.

APPLICATION PROCESSING

Returning Vendors:

Returning vendors in good standing wishing to receive priority approval and placement must apply within the first two weeks after new season applications open. Application fee must be paid, and all current documentation must be updated within this two-week period or vendor will forfeit this privilege and be processed and vetted on a first-come, first-served basis.

New Applications:

The following is an outline of what you can expect upon submission of application. Please keep in mind that processing will not begin until the application fee is paid. Invoices are sent to the email listed on the primary contact field in the application. Payment can be made using the link on the invoice or mailed to:

The Memphis Farmers Market
PO Box 3137
Memphis, TN 38173-0137
(Mailed payments may take longer to receive and process)

If you do not receive an emailed invoice shortly after submitting application, please verify that the contact email is correct. If you still don’t receive one, contact the Market Manager. Please be patient: processing and vetting can take up to 4 weeks to complete, especially at the beginning of the season. To avoid additional delays, verify that all information is correct and that you have uploaded all pertinent documents. Please note: Liability Insurance Cert is not required to be uploaded until after pre-approval is given.

Applications are processed and vetted on a first-come, first-served basis (except for some returning vendors, see above). If multiple qualified applications are received in the same categories, consideration will begin with the earliest completed application.
POST APPLICATION SUBMISSION

- An invoice for application fee will be sent to email on file.
- After the application fee is paid, Market Manager will review application and notify applicant if any clarification or if additional documentation is required.
- If applicant does not meet any of the Eligible Businesses & Product Types (see page 3), the vendor will be notified via email and no further vetting will occur.
- If applicant is a returning vendor in good standing, the Market Manager will begin pre-approval and notify vendor via email.
- If applicant is eligible and all information on application is complete, the application will be forwarded to the MFM Vendor Selection Committee Chair (VSC).
- The Manager will contact applicant if VSC requires additional information or samples.
- If pre-approved, Manager will contact applicant and wait for Liability Insurance Certification to be uploaded.
- Manager will notify “Vendor” of approval and any limitations in dates or products.

VETTING PROCESS

The vetting process generally follows these guidelines but can vary depending on the individual applicant. There are many variables that might qualify a vendor to be approved for the Memphis Farmers Market. The Vendor Selection Committee Chair will review each application and either approve, deny, or send to the full VSC for a vote. VSC Chair could also request samples or more information at this point. VSC decisions are final and may not be appealed nor negotiated.

The following is a set of questions from the “Vendor Committee Bylaws” and are used as guidelines to assist with the vetting process. Not all of these questions are applicable to every application.

- eligible businesses & product type
- aligns with MFM Mission statement & goals
- furthers the mission
- a community education need
- small business startup needs incubation
- produced locally, location
- grown or produced completely by applicant
- can be verified on aerial map
- high quality
- customer base would enjoy
- enough market share to support
- fill a special community niche or need, e.g., organic, gluten free
- offers something unique
- would garner a following
- artisan goods handcrafted and of good quality
- food produced in a licensed commercial kitchen
- has or can obtain all license, permits & insurance
- food delicious and made with healthy ingredients
- food truck clean, presents well
- ingredients/parts sourced locally, or from current vendors
- online presence impression
- image of product, vendor, packaging
- currently producing for any other markets or businesses
- is not over-extended
- keep up with demand & market hours
- farmers market vending experience
- garner MFM pride
- offerings unique
- affect the saturation of similar products
- good local reputation
- record of good customer service
- positive reviews
- bring repeat business
- good representation of MFM in community
- number of market dates applied for
- enough stall spaces
- standby or fill-in
- bi-monthly
- MFM associated reference
- would or could support MFM events
- proceeds helping a local charity, non-profit or community organization
- current/past customer or supporter

APPLICATION PRE- AND FINAL APPROVAL

The Market Manager will notify applicant of decision via email.

Approval from the Vendor Selection Committee does not guarantee entry into the MFM.

Decisions are final and may not be appealed nor negotiated, but the Market Manager may give guidance of what can improve the applicant’s success in future applications.

If application is approved by the VCS Chair, the Market Manager will notify the applicant of the days that are approved and of any caveats the VCS has stipulated. Not all products that a vendor applies for will be approved. If vendor agrees to proceed with its application as-approved, Market Manager will then change the status of the applicant’s Mangementymarket account to PENDING. The account will remain in pending until Proof of Liability Insurance valued at 1,000,000 (one million) with MFM listed as a certificate holder. No further action will take place until this certification is uploaded. In some cases, the applicant may prefer to have the certificate emailed to the MFM. The certificate can be emailed to info@memphisfarmersmarket.org. The certificate MUST have the following physical address as a certificate holder:

Memphis Farmers Market
540 S. Front St.
Memphis, TN 38103
(the above is the market location only and not a mailing address, please do not mail certs)
Once received, the application status will be changed to **APPROVED** and the Market Manager will contact the Vendor with further instructions.

**LEGAL DOCUMENTATION & CERTIFICATION REQUIREMENTS**

Vendor is responsible for carrying a current $1,000,000 (One Million Dollars) liability insurance policy that includes product coverage. If application is approved, vendors must upload a copy of certificate to MMM which shows that MFM is a listed certificate holder.

The following must be on certificate:

- **Memphis Farmers Market**
  - 540 S. Front St.
  - Memphis, TN 38103

Proof of insurance must be uploaded to the vendor’s MMM account before opening day before set-up is permitted.

Vendor agrees to abide by all city, county, state, and federal regulations that govern sampling, production, labeling, and safety of all products offered for sale at the MFM. Vendor will upload all pertinent documents to MMM and display all permits, licenses, and certificates as required.

Growers must obtain a letter or grower affidavit from their County Extension Agent stating what crops are grown and where they are grown. This letter must be on official government letterhead, of the current year, and be submitted with the application.

Producers must submit copies of all required current inspections and permits with their application. Producers must also keep copies on-site when vending at the MFM.

Meat-and-animal-product vendors are responsible for knowing which inspections, permits, licenses, and certifications are required for their operations to sell to the public in Tennessee, including but not limited to a Tennessee Department of Agriculture Meat Retail Sales Permit. This documentation must be submitted with vendor’s application.
STALL ASSIGNMENTS

FULL OR PARTIAL PAYMENT OF STALL FEES DOES NOT GUARANTEE NOR RESERVE ANY PARTICULAR STALL LOCATION AT THE MFM — ONLY THAT “A” STALL WILL BE PROVIDED.

Stall assignments are at the discretion of the Market Manager who is tasked with creating a market layout that is best suited for the overall customer experience while providing ALL vendors the best chance of a successful Market Day.

However, every attempt will be made to keep a vendor in the same location or near to it every week. If possible, the Market Manager will also place a vendor in a preferred or requested location. If you are not satisfied with your location, please reach out to the Market Manager or a board member. The set-up volunteers are not responsible for stall assignments and follow the direction of the Market Manager.

Stall assignments will be preliminarily laid out for the entire season on Managemymarket but may be changed at any time, including the morning of market of set up. Vendors should verify their assigned location with check-in volunteers BEFORE they set up to prevent having to pack up and move later if they are not in the assigned location.

Preference for stall locations is given to full-time & bi-monthly, season-long-committed vendors.
HOURS OF OPERATION

The MFM 2022 season will consist of 33 total market days and will operate every Saturday on the following days and times:

April 2nd to October 29th: 8:00 a.m. to 1:00 p.m. (arrival and set-up is 7 to 8am)
November 19th & December 10th: 9:00 a.m. to 1:00 p.m. (arrival is 8 to 9am)

The MFM is open rain or shine, but a market may be postponed or cancelled due to extreme weather conditions that may put vendors, the public, or MFM staff and volunteers at risk. If cancelled, the MFM will refund pre-paid stall fees for that Market Day. Vendors with assigned stalls who are unable to attend a market day must contact the Market Manager no later than 24 hours before the market.

The MFM operates under a User Agreement with Malco Ventures, LLC. Per this User Agreement, the MFM is allowed to set-up no earlier than one hour before market opening and must vacate the property by 1:30 p.m. After 1:30 p.m., the full parking lot must be available to Malco movie patrons and staff. The Market Manager is responsible for addressing any issues with Malco patrons or staff, and Vendor agrees to notify Market Manager immediately if any issues arise.

SET UP

Vendors arriving earlier will need to wait for check-in volunteer’s arrival to obtain stall assignments. The Market Manager will not be available until 1 hour before set-up. The Market Manager may be on-site but will not be available to vendors until 1 hour before set-up.

Vendor agrees to be set up and fully ready for business by opening of Market. Vendors arriving late and setting up after opening may forfeit the use of future assigned stalls and incur a $20 fee. Habitual lateness or missing assigned days (2 or more consecutive days or more than 4 during any MFM season) without contacting the Market Manager may result in disciplinary actions, including termination of Vendor Agreement.

BREAKDOWN

Vendor agrees not to break down before 1:00 p.m. Vendor may consolidate equipment and products and may minimally pre-pack if it doesn’t appear to customers that the Vendor is closed or in the process of closing. Vendors who have sold out of product may leave early only if approved by Market Manager.
VENDOR STALL REQUIREMENTS

1) Vendor is required to bring their own equipment. No additional equipment will be provided by the MFM. The Market requires Vendor to have weights of at least 25 lbs. per leg on all tents, umbrellas, or canopies, and such covers must be taken down in the event of high winds or wind gusts. Signs and other equipment must also be secured as not to cause injury to anyone. Vendor is solely responsible for any injury to persons or property caused by Vendor’s equipment.

2) Vendors are responsible for maintaining their stall spaces in a clean and sanitary condition and are responsible for sweeping and disposing of any debris before leaving. Sanitation containers provided by MFM are for customer use or light trash only. Agricultural waste and broken-down boxes must be hauled away or placed in the on-site dumpsters. Broken glass must be taken directly to the on-site dumpster.

3) Vendors are encouraged to use professional signage. Large banners or the equivalent are preferred, but a vendor MUST have at least one large print sign that lists their business name, city, and state. Each type of item for sale must have a clearly stated product name and price and ingredient information if required by law. No signage, pamphlets, or paraphernalia that promote or otherwise endorse activities outside the MFM (or are not otherwise related to vendor’s business) are not permitted. This includes, but is not limited to unrelated commercial businesses, controversial topics, and political and/or religious affiliations.

4) Vendors are required to keep their products and equipment inside their stall boundaries. A vendor cannot block another vendor, impede market traffic flow, or extend beyond their allotted stall space. Vendors must be always courteous and professional. Any unresolved concerns or disputes must be brought to the Market Manager’s attention immediately.

5) Power is available to all Stalls, but it may be necessary for Vendor to bring its own extension cord. MFM will not provide extension cords for vendors.

SPONSOR SET UP

Sponsors are required to follow the same guidelines and rules that apply to MFM Vendors. Sponsors are required to bring their own equipment. No additional equipment will be provided by the MFM. Sponsors must abide by these rules, including those pertaining to setup, stall requirements, weighting down tents and canopies, etc.

CUSTOMER PAYMENTS

Vendors are responsible for collecting payment for their own product and any applicable sales tax.

EBT & VOUCHER PAYMENTS
MFM is approved to accept SNAP/EBT (Supplemental Nutrition Assistance Program/Electronic Benefit Transfer) payments. State Vouchers can only be accepted by those TN vendors that have applied and are approved to accept them. The MFM will not reimburse unauthorized vendors who accept these vouchers.

The MFM provides a cash alternative for patrons using wooden $1 SNAP tokens which can be purchased at the market information table. Vendors selling applicable SNAP products must accept these tokens (which includes most food items sold at the MFM except for food from food trucks.) The MFM will reimburse vendors the following week for tokens collected. Direct deposit is available and highly encouraged for vendors to receive prompt payment.

**MFM TOKENS**

MFM offers a cash alternative for all patrons using wooden MFM tokens. Patrons may use a credit card to purchase these tokens, which spend at cash value. Vendors who choose to accept these tokens are to treat them as cash and give patrons the appropriate change back when warranted.

Vendors who wish to be reimbursed for $5 Market Tokens must sign up for direct deposit and will be required to fill out a ‘Token Direct Deposit Form’ to participate in reimbursements of the $5 Market Tokens. If vendor chooses not to sign up for direct deposit, tokens may be used to pay stall fees or to spend with other vendors.

**VOLUNTEER PROVIDED BREAKS**

Vendors may request on-site MFM volunteers to temporarily stand in vendor's stall, if needed, for 5 to 10-minute intervals. Volunteers cannot make sales and are only there to inform possible customers that Vendor will be back shortly. This service is available on a first-come, first-served basis and based on volunteer availability. The MFM is not responsible for Vendor’s property while a volunteer is at booth.

**MARKET SAFETY AND SANITATION**

Vendor agrees to allow Market Manager to inspect stall contents and equipment anytime during market.
1) All equipment used by a Vendor must meet all local and state requirements and be in good working order.

2) All persons working for or associated with a Vendor must be listed on Vendor application along with their address and contact information.

3) Extension cords and similar items must be secured or covered up and may not be left in such a way as to present a tripping hazard to other vendors, patrons, or market personnel and volunteers.

4) Children of vendors, or in the care of vendors, cannot roam or wander the market unsupervised.

5) Vendors may not play audio devices, instruments, or other musical devices without permission from the Market Manager.

6) Smoking, vaping, and using tobacco products is not allowed in the pavilion area at any time, including during setup and teardown.

7) The MFM does not allow firearms on the premises during market hours.

8) No outside alcohol is allowed on MFM premises.

9) Any vendor, vendor representative, or vendor guest who appears to be under the influence of an intoxicant must leave the MFM premises immediately and may be subject to further disciplinary action.

10) Vendors operating a motor vehicle on market premises must drive in a careful and prudent manner and yield to pedestrians. Any accident in the parking lot must be reported to authorities and Market Manager.

11) Vendors may park one light vehicle directly behind their stall, if space allows. The MFM designates a special parking area for large produce vehicles and vehicles that cannot be parked at certain stalls. The parking lot is reserved for market patrons only. Vendor’s Staff must park personal vehicles outside of the market parking lot.

12) Vendor may not try to alter or repair any MFM equipment, including electrical boxes. Vendor will notify Market Manager of market equipment failure.

13) Food truck vendors are provided with 120 Volt receptacles and must use a grounded, 3-prong extension cord.

14) MFM always insists on professional conduct from vendors, volunteers, management, and patrons. Assault, harassing conduct, threatening, yelling, swearing, sexual harassment, aggression, intimidation, and other unprofessional or violent behaviors towards vendors, volunteers, management, or patrons will not be tolerated and will result in immediate expulsion from the MFM. This includes such conduct in person or by electronic media, social media, or other forms of communication.
15) All produce and food must be stored or displayed off the ground.

16) Cut fruit and vegetables for the purpose of sampling is not permitted.

17) All food items must be always kept at the appropriate temperatures. Additionally, all coolers must have a working thermometer. Vendor agrees to allow Market Manager to verify temperatures.

18) Eggs are to be refrigerated and are to be maintained at a temperature of 45 degrees or below. Egg cartons must be new and not previously used. Vendor agrees to allow Market Manager to verify temperatures.

19) Per the Shelby County Health Department, no vendor is permitted to prepare or package food samples at or during the MFM hours.

20) Vendor agrees to only serve food samples that are prepared offsite in individual containers unless permitted by the Shelby County Health Department. Proof of exception must be made available to Market Manager. *Temporarily suspended

21) Vendors agree to set-up and properly use any facilities or equipment required by city, state, and federal laws and ordinances, including handwashing stations.

**EMERGENCIES & INCIDENTS**

In the event of a medical emergency, CALL 911, then notify any staff, security guard, or volunteer. In case of a weather emergency and when sirens are engaged, take cover. If there is a shooter emergency, shelter in place and wait for further instructions or exit the premises if possible. Report any non-emergency incidents to the Market Manager immediately.

**VENDOR COMPLAINTS**

General vendor complaints must be put in writing, signed, and forwarded to one of the following:
Executive Director
MFM Vendor Board Chair
A Vendor Board Representative
or mailed to P.O. Box 3137, Memphis TN 38173

Complaints must be submitted within 14 days from the date of the grievance occurring and must be specific in nature. Petition-style complaints, signed by numerous individuals, will not be addressed. Repeated complaints about the same topic will not be addressed each time if the investigative team deems them unwarranted.