

# EMMAUS FARMERS' MARKET 2020 RULES AND REGULATIONS

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## **Introduction**

It is recognized that although members of the EFM sell as individuals, the market is a cohesive unit. Its success depends on the cooperation and joint efforts of all the vendors as a whole. As a valued EFM vendor, you are responsible for informing yourself and your staff about and following all applicable market rules, policies and regulations pertaining to your business category, as well as regulations and policies set by local and state agencies. By following the rules, you help keep Emmaus Farmers' Market a vibrant, viable community asset.

Staying in compliance with the rules also makes you a "Vendor in Good Standing." Actions and behavior that may put you out of compliance with market rules will result in a range of consequences, including warnings, fines, probation and suspension. We appreciate your cooperation!

## **Mission**

To provide the Emmaus community with a source of safe, locally produced, highly nutritious fresh produce while educating the public, including farmers, on the benefits of supporting local agriculture in order to preserve farmland in the surrounding community, improve individual health and strengthen community.

## **History**

In 2003, the market opened with the Emmaus Main Street Program serving as administrator, treasurer and on-site manager. Two years later, the Emmaus Farmers' Market Board of Directors was formed and bylaws written and adopted. With much pride in the market's success, the EMSP turned the market over to the newly developed group and the Emmaus Farmers' Market has grown to what we know today.

The market offers a wide variety of seasonal local produce (fruits and vegetables) as well as meats, cheeses, pastries, pies, breads, flowers, bedding plants and prepared foods. Farmers' Market Nutrition Program checks are accepted by registered vendors.

## **General Market Rules**

### **Workplace Violence**

The safety of EFM employees, customers, vendors and visitors is of utmost importance. Verbal or physical threatening behavior or acts of violence against employees, customers, vendors, visitors or others while at EFM's markets, offices or by electronic means will not be tolerated. Any person who engages in this behavior shall be removed from the premises as quickly as safety permits, and shall remain off EFM's premises pending the

outcome of an investigation. Subsequent to the investigation, EFM will respond appropriately. This response may include, but is not limited to, suspension and/or termination of any business relationship, and/or the pursuit of criminal prosecution of the person or person involved.

## **Pets Policy**

In the interests of health and safety, a farmers' market is not the best place to bring a pet. Exotic animals are NOT allowed at the market. If customers do choose to bring a pet, we ask them to abide by these six rules to make a pet's visit to the market a good experience for everyone:

- Dogs must be kept on a short (non-retractable) leash.
- Dogs must be under control and by the owner's side at all times.
- Keep dogs away from produce, plants, and other food products.
- Dogs must be friendly with other dogs and children to earn the right to be at the market.
- Be considerate—not everyone loves dogs and some customers are allergic to animals.
- Don't forget to clean up after your dog!

EFM reserves the right to request that owners remove pets from the market.

## **Conduct**

EFM is committed to the highest possible ethical standards and we encourage everyone associated with our organization to commit to acting in the best interest of the organization, and its membership. It is critical that we operate in a manner that is above reproach in all aspects of our work, following the values of; integrity, openness, honesty, accountability, fairness, confidentiality, approachability, respect and responsibility.

Vendors, employees, entertainers, and volunteers are expected to maintain high standards of honesty and respect toward one another and conduct themselves in a courteous and helpful manner. Vendors, employees, entertainers, and volunteers may not publicly disparage other vendors, products, or markets.

Customer questions regarding farming practices should be answered factually and knowledgeably. The EFM does not allow the solicitation of signatures for political organizations or individuals nor signage for such. Rudeness and dishonesty are grounds for suspension from the market.

## **Nonprofit organizations**

Nonprofit organizations offering services and information of general interest to EFM's customers are admitted by EFM based on space availability and compatibility with EFM's mission. Political and religious advocacy organizations are excluded from

Participating in the EFM. Nonprofit booths are not permitted to sell (or give away) any products, unless it is for fundraising purposes and the market approves the products in writing. Organization representatives shall not interfere with market operations by aggressively soliciting signatures, donations or attention. Such activities shall not block sidewalks or access to assigned stall spaces. Nonprofit organizations are required to submit an application but are not required to pay seasonal booth or inspection fees. The market retains the right to regulate the time, place and manner of activities relating to displays, signs, posters, placards, and other expressions of the interests represented. Each organization must prominently display its name. All organizations are expected to adhere to all applicable rules.

### **Entertainment**

Entertainers are not permitted to sell(or give away) any products, without prior approval of the Market. Entertainers shall not interfere with the market operations by aggressively soliciting merchandise sales, donations or attention. No activities shall block sidewalks or access to assigned stall spaces. All entertainment shall be family oriented. Entertainers may place signage onsite, but it must not interfere with EFM signage. All entertainers are expected to adhere to all applicable rules.

### **New Vendor Application Process and Existing Vendor Expectations**

New vendor applications are screened by the Market Board to eliminate any that do not pertain to what spots we are looking to fill. Those applications that meet our requirements are then presented at the next vendor meeting and voted on. All vendors are expected to read and agree to the EFM Bylaws. All vendors will provide all necessary licenses, certifications, etc. All current vendors are expected to complete an application for new product offerings which must be approved by the vote of the Membership.

Applications must include:

1. Completed and signed application, by which the vendor agrees to abide by the EFM Bylaws and Rules and Regulations.
2. Complete an accurate list of all items the vendor wishes to sell.

### **Products**

The EFM is a producer only market. Reselling product is not permitted. Buying products from another farmer, wholesaler, store or other food operation and then selling those products is not permitted at the market.

“Producer-Only” is defined as follows for farm-raised products, Edible Products and Non-Edible Products

## **Eggs**

Producers may only sell eggs from poultry or fowl that they possess on their land.

## **Meat and Meat Products**

### 1) Red Meat and Pork

Producers may only sell meat that is 100% from animals they raise from weaning.

### 2) Poultry and Fowl

Producers may only sell meat that is 100% from poultry and fowl they raise from day-old chicks.

### 3) Processing of Animals

Meat may be processed, cut and wrapped (e.g. smoked, made into sausage, dried, ground, frozen) on or off farm provided only meat from the Producer's animals is used. All local, state and USDA guidelines must be followed and necessary licenses acquired by the producer or their processor. Other ingredients, such as spices, may be added.

## **Fruits and Vegetables**

Producers may only sell fruits and vegetables that they have raised 100% on their land.

## **Land**

1) All land used for production must be within the designated region (75 mile radius of the market site).

2) Producers must own or lease land they use for production.

3) Producers may sell products they grow on land they lease provided

a) Leased land is local to the Producer's farm

b) Another grower is not actively farming the land the Producer rents

c) The Producer meets a required period of cultivation

i) Annual crops: Leased land must be fallow at inception of lease.

ii) Orchard, Vineyard and Perennial crops: Leased land must be either planted by the Producer or under the Producer's full control of production for one full growing season before the Producer may bring the crops to market.

## **Animal Products**

### 1) General

Producers may only sell animal products (e.g. down, feathers, fleece, untooled leather and wool) from animals they raise.

2) Wool, Fleece, Feathers and Leather.

Wool, fleece, feathers and leather may be processed off farm if Producers receive their own animals' product back. Producers may only sell crafted wool products they make from their wool or fleece.

### 3) Candles

Producers may only sell candles they make from their hives' beeswax.

## **Plant Materials**

### 1) Field-and Greenhouse-Grown Plants and Flowers

a) Producers must start bedding and potted plants and flowers either from seed, cell pack, bulbs, cutting, or plugs or received dormant (e.g. azaleas, hydrangeas, and roses).

b) Producers must plant or repot all plant material.

c) Producers must be registered, licensed, or listed with PA Dept or Ag in the appropriate counties.

d) Producers must own their greenhouses, unless other arrangements are approved by the Emmaus Farmers Market Board.

e) Repotted plants must be well rooted to the next size container.

f) Producers may only sell large foliage plants from air-layered cuttings rooted in their greenhouse in limited quantities and varieties.

### 2) Cut Christmas Trees

Producers may only sell cut Christmas trees they start from seed, seedlings or transplants, and manage for a minimum of five years.

### 3) Vines and Gourds

Producers may only sell vines and gourds that they grow.

### 4) Wild and Foraged Plant Material.

Only Farmers may forage plant material not protected by law from property they own, or from rented property within 20 miles of their farm.

### 5) Displays and Other Arrangements.

Producers may only sell displays and other arrangements of fresh or dried flowers or greens (including wreaths and roping) they make from plant materials they grow or forage.

### 6) Wood Products.

Only farmers may sell wood products (e.g. firewood, mulch chips, rough-cut wood, and baskets made from vine and woven wood). Farmers must obtain wood products from property they own or rent.

The Market does not offer exclusive rights to any one vendor to sell any one product. Market customers generally benefit from having a choice. However, if EFM believes the number of vendors offering the same or similar products is excessive, duplicate products

maybe denied entry Vendors shall only display items that have been approved for sale. Vendors may promote farm-related activities at their stall at the discretion and approval of the Market Board.

Vendors will strive to sell only products of the highest quality and freshness in keeping with the market's desired image.

## **Licenses & Certifications**

Vendors and their employees are responsible for informing themselves about and complying with federal, state, and local health regulations and licensing requirements governing the production, display, distribution, sampling and sale of their products.

**All vendors must provide EFM with a copy of General Liability Insurance, naming Emmaus Farmers' Market and Emmaus Borough as additional insured.**

Each vendor attending the Emmaus Farmers Market should determine whether sales at the market are subject to taxes. EFM cannot give tax advice or legal advice. Vendors with questions are encouraged to contact a qualified tax consultant. All scales must bear a current seal from the Dept. of Weights and Measures.

## **Marketing**

Vendors are responsible for promoting their business. Vendors must provide market management with up to date information about their business. Presently, (2020) the market will update the EFM website on an as needed basis. Vendors are responsible to inform the market of available products, farm updates and anything of interest to our customers. Vendors are encouraged to sample their products. Samples mean sales. Additionally, good photos help promote your business to your customers and EFM as a whole.

The Marketing Coordinator is responsible for promoting the market. Vendors are strongly encouraged to send in updates for the weekly newsletter and interact with EFM social media efforts; the more engagement we have, the better it will be for all. Customers can sign up for our emails through the website, facebook and via text.

Vendors agree to participate to the best of their ability in any promotions and fundraisers the EFM conducts on the behalf of the market.

# MARKET OPERATIONS

## Attendance

Vendor attendance at the market is mandatory. Vendors will be limited to four (4) excused absences per market season (excluding April and December). Vendors must contact the market President and/or Marketing Coordinator about a planned absence two (2) weeks in advance of the date of absence so customers can be informed via website and weekly emails. In the event of illness or unforeseen emergencies, the vendor should inform the market President of their absence as soon as possible. Unexcused absences or late arrivals without sufficient notice may result in termination of the vendor's participation in the market. By majority vote of the EFM board, individual vendors may be approved for a different, but regular requirement, as in the case of a single crop grower, (e.g. strawberries, corn, etc).

## Space Assignments

On the first day of market season, vendors will be assigned spaces by the Market Board. Vendors will have the same space each week during the regular market season. Space assignments may be moved due to special events, absences and fluctuation in overall size of the market.

## Site set-up, Safety & Misc.

- \* All electrical equipment must be pre-approved by the Market Board. Vendors requiring electrical power are responsible for providing their own outdoor extension cords and mats to cover all portions of the cord that lie in any area by market customers.
- \* Vendors may begin setting up at a reasonable time prior to market opening, and breakdown must begin promptly at closing with complete cleanup of booth area finished within one hour (or a reasonable time).
- \* Vendors must occupy their assigned space(s) at least 30 minutes prior to the opening of the market. At this time extra vehicles must be removed from the market area. Vendors who arrive late must park outside the designated market boundaries and carry product to booth space.
- \* Vendors must be prepared to sell from 10 am to 1 pm (or opening and closing of the market). Vendors may NOT sell before 10 am (You may accept orders or set aside orders, but neither product, nor the payment will take place before 10am - no for other vendors, etc.). Selling before 10 am will result in a \$25.00 fine. In addition arriving to set up at 9:30 am or later, or leaving the market before 1pm will also result in a \$25.00 fine.



- \* Vendors are required to have a canopy, in good condition, covering their booth. No tent should be used in excessively windy occasions. Vendors are responsible for weighting and/or tying down their tents and umbrellas with at least 25 lbs of weight on each tent leg to sufficiently eliminate wind disruption and danger.
- \* Vendors are liable for any damage occurring from their personal property.
- \* Vendors must supply their own tables and table coverings (preferably made of cloth) and display items (preferably made of natural materials). Booths and tables must not be a hazard to the public or other vendors.
- \* Extra vehicles must not be parked in customer parking spaces i.e.: on-street or in side lot.
- \* Vendors are responsible for keeping their space clean and attractive during market hours and must clean up their space after the market closes, including sweeping up any debris and removing trash.
- \* Vendors are responsible for the safety and behavior of their children. Vendor pets are not allowed.
- \* Vendors and all staff are not permitted to smoke or drink alcohol on Emmaus Borough property. Customers may sample alcohol at vendor stands that sell alcohol.
- \* No scooters, bike, skateboards, etc are to be ridden on Emmaus Borough property. Bikes and scooters are to be pushed through the market area only.
- \* Vendors agree that photos featuring themselves (their staff) and/or their product can be used in EFM promotions.

## **Signage**

- \* Each booth space must prominently display a sign clearly identifying the farm or business by name and the location of the farm or business. Signs must be a minimum of 24" x 36" (or 864 square inches) with lettering at least 3" high. Signs must be in place before the opening of the market day.
- \* All descriptions of products must be accurate and truthful. Claims on signage must not be misleading. Signs and labels must clearly identify the products on a vendor's table that are certified organic. Farming practices must fully and truthfully disclosed when customers inquire.
- \* All permits necessary to sell must be on display or available for review at all times. Vendors who market their products "organic" must provide proof of certification and have certificate on display.
- \* All items for sale must be clearly marked with their retail price. Prices may be posted on the product with an individual sign or posted as a list of prices on a large sign or board.

- Packaged processed foods must be labeled with the following information: Name of product, net weight, ingredients listed in descending order by weight, and name and address of the producer or distributor.
- Signage at vendor stands is limited to business and product related matters. The Market Officers of the Board must approve any other signage.

## **Product pricing & sampling**

All product pricing will reflect typical market value. Vendors are not allowed to use end of day discounting as a means of selling their products. This does not include sampling. Vendors are not permitted to use the following techniques while at the market: hawking, calling attention to products in a loud, repetitive public manner, and selling products in an aggressive way. When aisles are particularly crowded, standing in the aisles while providing samples to customers is not permitted.

Vendors providing samples of their products must comply with local health laws and the rules governing market sanitation and health, including but not limited to:

- Food intended for sampling shall be washed, or cleaned in another manner, of any soil or other material by potable water in order that it be wholesome and safe for consumption.
- Clean, disposable plastic gloves shall be used when cutting samples.
- Potable water, soap and individual hand towels shall be available for hand washing and sanitizing.
- Samples shall be kept in appropriate, clean, covered containers.
- Food samples shall be maintained at appropriate temperatures.

## **Garbage/Recycling**

All vendors are responsible for cleaning up their market site at the end of the market day. Large quantities of refuse may not be disposed of in the EFM containers. If anything a vendor sells or distributes produces trash, the vendor must provide a trash can available for customer use. EFM may attempt to begin a recycling program at the market. Vendors are expected to comply with reasonable recycling efforts.