

# **JOHN DAY FARMERS' MARKET**

## **2011 Rules and Guidelines**

### **“A Farmers’ Market for Everyone”**

**Mission Statement:** The John Day Farmers’ Market improves the quality of life in our area by providing a place for people to gather, whether to buy and sell locally-grown and -produced items or to share information and entertainment.

**Objectives:**

1. Encourage locally grown produce.
2. Provide an outlet for farmers and artisans to sell directly to the public.
3. Provide healthy food to the community.
4. Provide access to healthy food to Supplemental Nutrition Assistance Program (SNAP), Women/Infants/Children (WIC) and Oregon Farm Direct Nutritional Program (FDNP) participants.
5. Stimulate downtown business.
6. Increase community activity.

## Market Location and Hours

The John Day Farmers' Market ("Market") will be located in John Day, Oregon on west Brent St. at the intersection of Main St., between the Bank of Eastern Oregon and Sterling Savings Bank.

The Market will open each Saturday from **9:00 a.m. – noon.** beginning **June 18, 2011** and ending on **October 15, 2011.**

## General Product Guidelines

The Market Managers reserve the right to visit your farm for the purpose of determining what produce you are growing. Any vendor who does not comply with the policies and guidelines of the Market (after one verbal warning) may be prevented from returning to the Market for the remainder of the season. Vendors found selling goods other than their own will be penalized and/or barred from the Market.

All produce sold at the Market must be locally or regionally grown (Baker, Crook, Grant, Harney, Malheur, Morrow, Umatilla, Union, and Wheeler Counties) or collected by the vendor, the vendor's family members or employees of the farm. Produce that is harvested or collected in the wild is considered as if grown by the vendor. Vendors are expected to be knowledgeable about the growing practices and varieties of the produce they sell.

The Market allows sale of produce or products grown, collected or prepared by the vendor as follows:

- ◆ Vegetables
- ◆ Fruits
- ◆ Herbs
- ◆ Flowers
- ◆ Meat, eggs, honey and cheese
- ◆ Prepared foods (see guidelines below)
- ◆ Other agricultural and horticultural produce (such as bedding plants, native plant starts, dried gourds)
- ◆ Non-cultivated/collected products (wildflowers, wild grasses, berries, etc.)
- ◆ Selected handicrafts

The Market aims to support agricultural growers by assigning them 60% of the available stalls. Value added products (soaps, personal care, etc.) and prepared foods will occupy 25%, and arts/crafts will occupy the remaining 15% of stalls. The Market Managers have discretion to assign stalls in accordance with this ratio, and with the diversity and quality of the Market.

## **Produce**

Fresh fruits and vegetables do not require a food safety-related license but vendors should review handling and sampling procedures. Brochures (from the Oregon Department of Agriculture) are available from a Market Manager regarding these safety procedures or you may find information on the USDA farmers' market website. Produce must be insect-free, fresh, and have no residual that cannot be removed by normal washing. Be prepared to answer questions related to farming practices and chemical usage. Vendors are not allowed to use the word "organic" in their signage or marketing unless they are certified organic by a USDA authorized certifying agency.

Produce must be cleaned, priced and labeled before the Market opens.

## **Prepared Foods**

The Market allows sale of prepared foods provided they are prepared in compliance with all State laws and health regulations regarding the preparation and marketing of these foods. Prepared foods include such items as baked goods, canned goods, and ready-to-eat foods. No franchised foods, or commercially prepared mixes, shells, fillings, beverages, syrups, etc. are allowed. All vendors of prepared foods must be pre-approved prior to Market day. Processed foods must be stored and/or displayed off the ground, at the proper temperatures, either on tables or from a vehicle.

All prepared foods must be from a licensed or certified kitchen and/or under a temporary restaurant license. Food processing certifications that vendors may need include:

**Domestic Kitchen:** Home kitchens that meet certain requirements may be licensed for some food processing activities including high-acid canned foods (fruits and pickled items) and some baked goods. You may not process dairy, meats, low-acid canned goods or potentially hazardous baked goods such as cheesecake or pumpkin pie in a domestic kitchen. Your kitchen must be inspected by the Oregon Department of Agriculture (ODA) in order to be certified.

**Certified Kitchen:** If your home kitchen does not meet the above requirements, there are public certified kitchens in the community that you may be able to rent in order to process food.

**Temporary Restaurant License:** If you are preparing hot food at the Market, you will need to obtain a temporary restaurant license from the county health department in the county where the food is served.

At this time, cookies, biscuits, crackers and scones are not required to be baked in a domestic or certified kitchen. Also, baked goods sold for fundraising purposes are exempt from the requirements of using a domestic or certified kitchen.

Meat and poultry vendors must have a license from ODA and certain activities require USDA inspection. Processing in a USDA-licensed facility is required for beef, pork, lamb and certain quantities of poultry must be slaughtered under USDA inspection.

Seafood (fish and shellfish) licenses may be required. Oysters require a shellfish shipper license. Most other types of seafood require either a processing license or a retail food establishment license, depending on whether products are processed by sellers or other licensed facilities. See regulation websites for further information.

Dairy products sold at the Market (cheese, milk, yogurt, etc.) must be processed in a USDA certified facility.

Eggs may be sold at the Market without an egg handler's license and without labeling, but *only by the farm that produces the eggs*. All other eggs must come from licensed facilities and comply with labeling requirements.

Honey licenses generally are required to extract honey, but an exception is made for operations with 20 or fewer hives. Honey in combs is not extracted and thus does not require a license.

More information on licensing is available from the following website for the Oregon Department of Agriculture; Food Safety Division, Farmer Market Guidelines:  
[http://www.egov.oregon.gov/ODA/ADMD/farmers\\_markets.htm](http://www.egov.oregon.gov/ODA/ADMD/farmers_markets.htm).

ODA Food Safety Division  
635 Capitol Street NE  
Salem, OR 97301  
(503) 986-4670

### **Nursery (landscape, bedding plants, and flowers)**

All plants propagated from seed, cuttings, bulbs or plant division must have been under the vendor's control for a minimum of 30 days.

Sellers of plants, bulbs, and in some cases seeds for planting, must be licensed by the ODA. There is an exemption for people selling less than \$250 of product annually. Information about nursery regulations can be obtained from:

Oregon Department of Agriculture, Plant Division  
635 Capitol Street NE  
Salem, OR 97301  
(503) 986-4644.

### **Value-Added Products**

Personal care products (soaps & beauty products), inedibles such as herbal products, dried flower arrangements, and other items not specified under the previous paragraphs may be offered for sale with prior permission of the Market Managers. These products must be fabricated by the vendors themselves with materials optimally coming from regional sources.

### **Arts and Crafts**

Crafts and artwork may be sold at the Market. Crafts refer to home-crafted products personally created by the vendor. The Market does not allow re-sale of crafts bought from distributors or other artisans and resold at the Market.

# Vendor Obligations and Responsibilities

## Membership

Vendors represent the John Day Farmers' Market to the public and are required to conduct themselves in a friendly, courteous and professional manner at all times.

Vendors must apply annually, submit all necessary licenses or certifications, and must be in good standing with the Market (no previous safety, selling or regulation infractions). Application does not guarantee a Market space. Vendors will be accepted based on the quality, locality and diversity of their products. All products sold at the Market must have prior approval of the Market Managers.

## Applications

Each vendor must fill out and submit a **Membership/Vendor Application** at least **one week prior to selling at the Market**. This application will list the dates you want to sell and the products you will provide. You will be notified by a Market Manager no later than Wednesday evening prior to the Market whether or not your application has been accepted.

Please review any policies that relate to your product and provide the required certifications with your application when appropriate. Examples might include certifications for organically grown produce, nursery licenses, and licensed kitchens for processed foods.

## **Direct Agent (Pre-designated market representative for another farmer)**

The right to sell another farmer's produce must be approved by a Market Manager at least one week in advance before selling your products at the Market. A Direct Agent for another farm will be considered the responsible party for the marketing of another's goods and will be responsible for meeting all Market guidelines.

Vendors serving as a Direct Agent for another farmer must display a **clearly marked** sign identifying the "farm of origin" on which the agricultural or horticultural produce and/or edible food products were grown. Selling as a Direct Agent does not provide for **reselling** of another's produce or product. You are selling **for the farm of origin**, not yourself. Any person who sells goods that are not of their own production (while claiming that they are) will be permanently expelled from the Market.

## Meetings

All Board of Directors' meetings are open to all members. The Board of Directors will schedule an Annual Board Meeting in early spring to discuss season plans, fees, events, policies, etc., and to reserve full season spaces for the upcoming season. Vendors will be notified of the location of their assigned stall(s) prior to the first Market day.

### **Insurance**

The Market will be covered by general commercial liability insurance to cover fire, medical and personal injury as it occurs within the Market. The Market is not responsible for any loss or damage incurred by vendors.

### **Set-up**

Please allow yourself adequate time to complete the set up of your display **before** the Market opens. Vendor set-up may begin at 7:30 a.m. for the Saturday 9:00 Market. **If you do not arrive by 8:30 a.m. to begin setup of your both, you will be turned away.**

Vendors are responsible for providing their own tables, chairs, signs, containers/display items, change and pricing. Certified scales must be provided by the vendor (information about weights and measures can be obtained from the ODA Measurement Standards Division (503) 986-4670). Any canopy or awning provided by the vendor for shade **must be adequately secured** to prevent hazards caused by high winds.

After unloading items for your stall, please move your vehicle from the Market area. A separate area will be provided for vendors with vehicle-based sales.

### **Stall Size, Location & Fees**

A stall size is approximately **10 x 10** feet. Vendors may reserve a specific stall (or stalls) upon payment of the full season vendor fee of **\$65.00**. This fee must be **paid in full by July 4, 2011**. The Market reserves the right to grant only two full seasonal stalls per vendor to sustain Market diversity and vending opportunities.

Notice must be given to a Market Manager if a full season vendor will not be participating in the Market on any given Saturday. If the full season vendor is not in the process of setting up his/her stall by 8:30 a.m., the on-site Market Manager will be allowed to assign their stall to another vendor.

For occasional vendors, the weekly rate for each stall is **\$5.00**. Additional adjacent stalls (if available) are also **\$5.00** per week. Occasional vendors who have not reserved a full season stall (and who have already submitted a Membership/Vendor Application) must notify a Market Manager at least two days in advance of the Market that they will be attending. They will be assigned a stall on a first-come, first serve basis.

If there is limited space available, vendors selling produce and food products will have priority over arts and crafts vendors.

### **Stall Displays and Signage**

Each vendor is responsible for creating attractive displays for their products. Baskets, bins and shelves help to utilize space in a small area and are more efficient than single layer tabletops. Colorful/inviting merchandise displays with clearly labeled products are important to the overall appearance of the Market and also help to increase sales for the vendor. The Market Managers reserve the right to ask vendors to upgrade their stalls or displays to provide a festive and inviting Market atmosphere.

Signs must have a minimum of 2” lettering identifying your farm, business or personal name and the location of your business. Product labeling is required and prices must be clearly marked prior to the Market opening time.

### **Cleanliness**

Vendors are responsible for maintaining their stall in a clean and attractive manner, with special attention to public safety. Please make sure that your stall is free of hazards, especially for young children and seniors.

Vendors are responsible for providing garbage containers and must remove their own garbage from their stalls after the Market closes. Failure to do so could result in exclusion from the Market in the future.

The Market has no access to running water at this time. Public restrooms are available at the Outpost Restaurant, Dairy Queen, and other businesses close to the Market.

### **Oregon Farm Direct Nutrition Program (FDNP), (Women/Infants/Children (WIC) Fruit & Veggie Vouchers, and EBT (Oregon Food Stamp)**

Vendors who choose to participate in the FDNP, WIC and EBT programs to provide fresh fruits and vegetables to SNAP participants must follow the rules and guidelines outlined on the ODA website at [www.Oregon.gov.ODA](http://www.Oregon.gov.ODA). For further information, call 503-872-6600. Contact a Market Manager for details and training about accepting these coupons.

### **Supplemental Nutrition Assistance Program (SNAP) Benefits**

The John Day Farmers Market accepts Supplemental Nutrition Assistance Program (SNAP) benefits for all eligible food items. The Market has one Electronic Benefit Transfer (EBT) machine where the Market Manager will process a customer’s SNAP card for the amount that the customer wishes to spend at the Market. The customer will then be given that amount in \$1 wooden tokens. Then the customer can go spend their tokens like cash with the food vendors.

Vendors can only accept the SNAP tokens for non-prepared foods, i.e. eggs, fruits, vegetables, bread, honey, etc. (please see more information below). The tokens spent at a vendor’s table will then be turned into the Market Manager for reimbursement at the end of that Market Day.

The Market hopes to offer an incentive program for at least part of the season to encourage SNAP participants to attend the Market and help make their SNAP benefits go even further at the Market. The incentive program would award five additional dollars per Market Day when a customer spends at least \$5 of their SNAP benefits. This program would be supported by donations. All vendors selling eligible food items are expected to participate in the program by accepting the SNAP tokens and any incentive dollars.

### **Eligible Food Items**

Households CAN use SNAP benefits to buy foods for the household to eat, such as:

- breads and cereals
- fruits and vegetables
- meats, fish and poultry
- dairy products
- Seeds and plants which produce food for the household to eat

In some areas, restaurants can be authorized to accept SNAP benefits from qualified homeless, elderly, or disabled people in exchange for low-cost meals.

### **Non-Eligible Items**

Households CANNOT use SNAP benefits to buy:

- Beer, wine, liquor, cigarettes or tobacco
- Any nonfood items, such as:
  - \*\* pet foods;
  - \*\* soaps, paper products; and
  - \*\* household supplies
- Vitamins and medicines
- Food that will be eaten in the store
- Hot foods

### **Live Animals**

Live animals may not be purchased with SNAP benefits.

## **Other Activities At The Market**

### **Non-Profit Community Groups**

The Market offers one free space (10 x 10 foot) each Saturday for non-profit fundraising groups. The organization must operate in a non-profit manner (however, it is not necessary to be officially registered with the IRS as a non-profit organization). All materials presented by the group must be non-partisan and non-denominational. Fundraising by the group must be for the benefit of the community as a whole (as opposed to fundraising for yourself).

### **Kid's Activities**

The Market encourages groups to participate who offer kid's activities, such as face painting, coloring, balloon tying, etc.

### **Music**

To create a festive atmosphere at the Market as a community gathering place, we are encouraging musicians to play at the Market (for tips only). If you are interested in joining us, call 541-932-2725.

### **Other Services**

The Market is also looking to expand by offering other services, such as knife sharpening, firewood sales, leather repair, and promotional classes for cooking, crafts and gardening. Please contact us if you can offer these, or other, services.

# Market Management

## **Board Members/Meetings**

The Market will be overseen and governed by a Board of Directors. The Board Members will consist of a Chairman, a Secretary/Treasurer and at least 3 advisors.

There will be an Annual Board Meeting in early spring to discuss season plans, fees, events, policies, etc., and to reserve full season spaces for the upcoming season. The Board of Directors will also meet monthly (January through May). Meetings are open to all members. To receive agendas and meeting notices or to place a specific item on the agenda, contact the Board of Directors (Jim & Sandy Bay) at 541-932-2725 or by e-mail at [slfawcett@earthlink.net](mailto:slfawcett@earthlink.net).

## **Market Managers**

The Market Managers administer the rules of the John Day Farmers' Market and have ultimate on-site authority. The Market Managers are responsible to the Board of Directors for policy development and rule enforcement. The Market Managers have the authority to temporarily or permanently suspend any vendor for failure to abide by any rule or guideline of the Market.

### **Market Managers (On-site on a rotational basis)**

Hannah Ancel	541-575-1555
Jan Keil	541-223-2467
Jim Bay	541-932-2725
Sandy Bay	541-932-2725
Jennifer Garinger	541-575-1241
Debi Mecham	541-820-3690

## **Right of Refusal/General Rules**

The Market Managers reserve the right to prohibit anyone from selling any produce or product. If a Market Manager determines that a poor quality product is being sold, the vendor may be asked to withdraw that product from sale.

The Market is not responsible for loss or damage. There will be no discrimination according to race, color, creed, sex, religion, sexual orientation, age or nationality. Proselytizing, certain types of advocacy, military recruitment and political campaigning are not allowed. Petitions are not permitted at the Market.

## **Grievance Procedure**

Grievances regarding product disputes or Market operations should be in written form. They can be submitted to the Market Board of Directors at the information booth located at the Market. The Market Managers, Board members or representatives will investigate the grievance and issue a written determination of the grievance prior to the next Market Day.

### **Customer Complaints**

Customer complaints will be forwarded to the vendors and kept on file with the Market each season. Complaints may result in disciplinary action including removal from the Market.

## **Market Contact Information** **Board of Directors**

### **Board Chairman**

Jim & Sandy Bay  
541-932-2725 Home  
415-748-8697 Cell  
[slfawcett@earthlink.net](mailto:slfawcett@earthlink.net)

### **Secretary/Treasurer**

Debi Mecham  
541-820-3690  
[forestgate@ortelco.net](mailto:forestgate@ortelco.net)

### **Advisor**

Hannah Ancel  
541-575-1555  
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### **Advisor**

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541-575-1241  
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### **Advisor**

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