

2012 GUIDELINES FOR HOWARD COUNTY FARMERS' MARKETS

- 1) **Eligibility Requirements:** The use of the market is restricted to actual producers or growers of fruits, vegetables, plants, herbs, flowers, baked goods, jellies, jams, honey, and/or other approved products that are offered for sale at the market
 - a.) All products sold at the market must be grown or produced by the entity to whom the space has been assigned. Produce grown or produced at a location not listed on the application or in an attachment is not eligible to be sold. Only the producer, members of the family, or employees may sell at the market.
 - b.) The resale of purchased items is strictly prohibited.
 - c.) Items not specifically authorized for sale under rule 1, may only be sold with explicit authorization in writing from the market master.
 - d.) Farm market vendor can be from the State of Maryland, Virginia, and Pennsylvania with preference going to Howard County farmers.
- 2) **Inspections:** All vendors at the market will, by applying, agree to allow inspections of their farms and production facilities as a means of assuring compliance with the “producer only” rule.
- 3) **Niche Products:** Watermen, aquaculture producers, certified organic growers, and other specialty producers are encouraged to sell their catch/product at the market.
- 4) **Marketing Season:** Vendors will be expected to lease space on an annual basis with a limited number of short season spaces will be made available. All rules applying to full season vendors apply to short season vendors.
- 5) **Assessment of Fees:** All payments of market fees will be made by check prior to opening day of the market. Any vendors not current on payments will not be allowed to sell on the market, unless prior arrangements were made. Any fees in arrears from previous marketing periods must be settled prior to opening day. Fees not paid in full by the second market day will result in the forfeiture of vendor privileges. Fees will be set at the beginning of each season for full and short season vendors.
- 6) **Assignment of Spaces:** Vendors who pay seasonal rent prior to market opening day will qualify for assigned spaces whenever possible. Rules governing assigned space policy are as follows:

- a. It is in everyone's interest to have a neatly laid out and compact market operation.
 - b. Day-to-day layout of the market will be at the discretion of the Market Master, the Farmers' Market Board and Representative of Howard County Economic Development Authority.
 - c. Seasonally paid vendors are granted reserved spaces whenever possible. **In the event one is not coming to market on a given day, the Market Master should be notified the evening before the market session so the space can be allocated to other vendors for the market day if needed.**
 - d. Vendors wishing to use their reserved spaces at a market must arrive no later than 30 minutes before market opening. After that time, the Market Master may, at the Market Masters discretion, assign that space for the day, to someone else.
 - e. Seniority will apply in the assignment of spaces at the market master's discretion.
 - f. Market Masters will be keeping weekly attendance. **All vendors must attend 80% of the market season.**
- 7) **Debarment of Product:** Landlord/host management may, at its discretion, bar certain non-fresh produce items from sale at the market. See the stipulation section for specific market policies in regard to such items. For example cider, Acidified foods, eggs, meats, etc.
 - 8) **Regulations:** It is the vendors' responsibility to secure all required state or county permits.
 - 9) **Scales:** All scales used at the market must be registered with and inspected by the Maryland Department of Agriculture's Weights and Measures Section prior to their use at the market.
 - 10) **Nursery Stock:** Nursery stock offered for sale must be from operations in compliance with the Maryland Department of Agriculture's nursery inspection and certification program.
 - 11) **Eggs:** Anyone wishing to sell eggs at the market must be in compliance with the Maryland Egg Law's Egg Inspection Program and supply the packer registration number on the application form for the market.
 - 12) **Off-Grade Product/Dumping:** Management of the market reserves the right to order any spoiled or off-condition product from sale. Dumping of product will

not be tolerated on the market and may result in the revocation of vendor privileges. (See Section 28)

- 13) **Market Appearance/Display:** Vendors are required to maintain their stands in a neat and orderly fashion and to be responsible for removing all debris from their stall area at the end of each market day. Display units must meet required sanitary standards and be sturdy. Appearance of the market must be maintained at the highest level.
- 14) **Use of Canopies/Umbrellas:** Vendors are advised to use canopies/umbrellas to maintain the appearance of the market and quality of product. Canopies, umbrellas, and stall covers must be neat, clean, and in good repair.
- 15) **Signs:** Vendors are required to have a sign at their stand identifying their farm or firm and listing the town of the operation. The sign must be legible with lettering approximately three inches high. Farm identification on vehicles is acceptable.
- 16) **Prices:** All prices must be posted in writing at the market and be visible to customers at all times.
- 17) **“Organic”:** Use of the word “organic” in any form by vendors on signs, cards, price listings, etc., is restricted to the following vendors:
 - a. Those who are certified under provisions of the Maryland Department of Agriculture’s Organic Certification Program or any other accredited organic certification program operating in the State.
 - b. Growers from states other than Maryland who are certified by a recognized certification program accepted by USDA. In such cases, growers will be required to show written proof of such certification for the current season.
 - c. Vendors covered under the small farm exemption provided in the proposed National Organic Standards who have registered with MDA.
- 18) **Surveys:** Business and consumer surveys will be conducted from time to time. Vendors agree to cooperate in such surveys.
- 19) **Alcohol:**
 - a. Consumption of alcoholic beverages is not permitted.
 - b. Display of advertising for alcoholic beverage products via articles of clothing, mugs, used containers, etc. is strongly discouraged.

- 20) **Safety:** All vendors are required to operate their stands in a safe manner so that customers do not trip or fall over produce, tables, boxes, etc., or slip on liquid spills etc. Vendors are required to make immediate safety changes when directed to do so by the Market Master or a representative of the market's landlord/host management.

Mandatory setbacks from the center of the market may be established at the market master's discretion to maintain public safety and orderly market function.

- 21) **Insurance:** The overall market must be covered by a general liability insurance policy (see stipulations and specifics sheet for this information).

Neither the Howard County Economic Development Authority nor the Howard Government provides any insurance to cover any activities of a vendor or his or her employees or agent at the Farmers' Market. Each vendor is required to have a proof of insurance coverage with limits no lower than \$50,000.00. The vendor agrees to be responsible for all damages to life and property due to his or her activities or those of his or her employees or agents at the Farmers' Market.

- 22.) **CSA'S:** No CSA' drop-offs will be allowed from **any vendor during market hours.**

- 23) **WIC Coupon Program:** Markets participating in the WIC Coupon Program have the following requirements:

- a. **The WIC sign must be displayed at the vendor's stand.**
- b. The vendor must be properly signed into the program for the market involved prior to accepting coupons.
- c. The vendor agrees to turn the WIC Coupons into the designated agent for the market. "Saving" or "bundling" coupons is not permitted.

- 24) **Notification of Market Master:** To facilitate orderly daily layout of the market(s), vendors are requested to notify the market master in advance when they plan to begin participation in a given market. They are also asked to notify the market master when they plan to discontinue participation for the season.

- 25) **Market Hours:** The market will adopt stated and posted operating hours at the beginning of each season (see Market Stipulations). Any departure from these listed hours must be approved in advance by the Market Master and/or the Market Board. Producer's may arrive 2 hours prior to market and not less than 30 minutes prior to market.

- 26) **Market Master and Market Board:**

- a. Each market will have a designated “Market Master” whose duty is to oversee orderly operation at the market and see that market rules are being observed. The Market Master has the authority to direct vendors to comply with provisions of the market rules. Appeals of decisions of the Market Master are to be directed to the market advisor and/or Market Board (see Market Bylaws).
 - b. The “Market Board” is the policy governing body of the market. The Board shall be composed of all vendors registered with the market during a season and a representative of the market’s landlord. The Board is responsible for all market operations and long-term planning. The Board is authorized to take action when one half or more of the market vendors are in attendance at a Board meeting. Decisions are to be made by simple majority.
- 27) **Leased Ground:** Producers are permitted to lease ground for the production of items to be sold at market. All leased ground must be disclosed on the seasonal application prior to opening of the market. Information to be provided in this disclosure shall include the following: descriptive address of the leased ground, name and address of the lessor, description of the size of the leased ground and the crops to be produced on it. The lease must be in writing and made available to the Howard County Farmers’ Market Board.
- 28) **Farm Visits:** It is a policy of the market to conduct visitations to the production locations of vendors. Each participant in the market may be asked to take part in one or more visitations of fellow vendors. By applying for admission to the market, all vendors agree to allow such visits throughout the market season.
- 29) **Complaints:** All complaints must be in writing and signed by the complainant. The complaint is to be given to the Market Master who will then bring it to the attention of the Howard County Farmers’ Market board. A signed, written complaint will force an investigation by the farmers’ market board. The Howard County Farmers’ market board is required to review the case and take action within 20 working days of receiving the complaint. Complaint responses must be made in writing. Vendors who are subject to a complaint have a right to know the name of the accuser and this will be provided in writing.

If the alleged violation is of the “producer only” rule, an inspection visit to the production location of the subject of the complaint by a committee of three or more persons designated by the market board will be required. A written report of the investigation, signed by all members of the inspection committee will be promptly given to the market board for action. Such investigations and inspections will take place as soon as possible following the complaint. The inspection committee is required to notify the subject of the complaint and to make arrangements with that party for the inspection. Any vendor refusing to allow an inspection shall forfeit the right to participate in the market for the

remainder of the season. If a vendor is found in violation of the “producer only” rule, that vendor will be immediately and permanently expelled from the market. No market dues will be refunded.

For violations occurring within a marketing year, other than violations of the “producer only” rule, the following fines and penalties shall be assessed:

First offense: Verbal warning from Market Master and notify Market Board

Second offense: Written warning from Howard County Farmers’ Market Board

Third offense: Expulsion from the market.

- 30) **Crop Loss/Disaster:** In the event of a vendor suffering a total crop loss due to weather, fire, insects, plant disease or vandalism and/or severe health problems and thus being prevented from taking part in the market, no fill-in supply arrangements will be permitted. The vendor will not be penalized by loss of seniority and will be permitted to return to the market the next season. If the crop loss occurs prior to the vendor’s normal participation time, any dues paid for the season will be returned to the grower. If a grower suffers total crop loss during his or her active participation at market, seasonal dues will not be refunded.

At the discretion of the Howard County Farmers’ Market Board a replacement vendor may be allowed to participate in the market as a fill-in candidate only. The displaced vendor will have the option to maintain seniority for up to two seasons.

- 31) **Waiting List:** The market will have a waiting list policy as follows: All new applicants to the market will be placed on a market’s waiting list if they are not admitted immediately to the market. This list will be kept in writing with copies available from the Howard County Farmers’ Market Board. Each person on the list will be noted by name, address, telephone number and brief description of their product line. The date they were placed on the list will be included. Prior to each new market season every person on the waiting list will be contacted about remaining on the list.
- 32) **Filling Market Slots:** First priority for filling new or replacement slots at the market will go to those persons on the waiting list with preference given to Howard County farms. Replacement market slots will be filled by product line. Participating vendors in the market will vote on each proposal to fill slots made available by changes in the market.
- 33) **Compliance:** Vendors agree to comply with all applicable federal, state, and local governmental laws and regulations.
- 34.) **Season:** The market shall operate on a calendar year.

35) **Stipulations:**

THESE WILL BE SUPPLIED PRIOR TO MARKET OPENING
VENDORS ACCEPTED BY A MARKET will be given a set of Market Rules
and Stipulations per market.