

**2018 RULES AND REGULATIONS**

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**SOMERSWORTH FARMERS MARKET**

**2018 RULES & REGULATIONS**

# **I. ORGANIZATION**

The Somersworth Farmers Market is organized as a Strafford County Public Health Network initiative, in association with Goodwin Community Health. The Somersworth Farmers Market is conducted within the meaning of NH RSA 21:34-*an event or series of events at which two or more vendors of agricultural commodities gather for purposes of offering for sale such commodities to the public.*

## **A. Goals of the Farmers Market**

1. Combat obesity in Strafford County by encouraging healthy eating
2. Make healthy, affordable and locally grown food and produce available to the public
3. Bring local farmers, their products and local residents together
4. Promote Goodwin Community Health as an active, engaged member of the local community

## **B. Organizational Structure**

***Farmers Market Manager:*** Responsible for managing and overseeing the strategic and day-to-day operations of the Farmers Market including parking, collecting fees, scheduling, quality determination, and public relations. The Farmers Market Manager is also responsible to settle disputes arising from problems or disagreements.

***Public Health Director****:* Responsible for overseeing the Farmers Market, appointing a Farmers Market Manager and settling unresolved disputes that may arise.

***Farmers Market Advisory Committee*:** Committee committed to help guide the Market Manager and Farmers Market, comprised of appropriate representatives of Goodwin and the community. After initial year of vending, each returning vendor is eligible to serve on the Advisory Committee as approved by the Market Manager and Public Health Director.

## **C. Dates & Location**

**Dates:** Every Monday from June 4th- September 24th

*June: 4, 11, 18, 25*

*July: 2, 9, 16, 23, 30*

*August: 6, 13, 20, 27*

*September: 10, 17, 24*

**Location:** Goodwin Community Health parking lot (311 Route 108, Somersworth, NH 03878)

## **D. Contact Information**

**Corinna Moskal, *Farmers Market Manager***

cmoskal@goodwinch.org

603-994-6257 (o)

603-748-1217 (c)

*Goodwin Community Health*

*311 Route 108*

*Somersworth, NH 03878*

**Website**: <http://www.scphn.org/somersworth-farmers-market/>

**Facebook**: <https://www.facebook.com/SomersworthFarmersMarket/?fref=ts>

# **II. VENDOR CRITERIA**

## **Definition of a Vendor**

1. *“Vendors”* shall be defined as farmers or other persons authorized by the Farmers Market Manager to sell products at the Somersworth Farmers Market.
2. ***Seasonal Vendors*** shall be defined as farmers or other persons authorized by the Farmers Market Manager to sell products at the Farmers Market for *an* ***entire season****.*
3. ***Day vendors*** shall be defined as farmers or other persons authorized by the Farmers Market Manager to sell products at the Farmers Market for *an* ***individual day(s).***

## **B. Vendor Principles**

1. All vendors and demonstrators shall abide by the Farmers Market Rules and Regulations, and abide by the decisions of the Market Manager.
2. Vendors must adhere to any state or local regulations including any pertinent New Hampshire laws or Department of Agriculture regulations for selling agricultural commodities at a farmers market as well as any local vending permits and are fully responsible for their own compliance.
3. Vendors shall only sell items permitted for sale by the Somersworth Farmers Market (see pages 4-6) and strictly follow the Product Guidelines and rules associated with selling each product.
4. Farm vendors are to grow or forage on their farm or leased land, 100 percent of what they sell at the Farmers Market, unless other approved by the Market Manager.
5. Vendors and their employees will be expected to be truthful when questioned by customers and know the age and condition of their produce/products.
6. Violent, disorderly, inappropriate, or threatening behavior at the market or at any market meeting is strictly prohibited. Violations will result in dismissal from the Farmers Market.
7. All food vendors are required to accept SNAP tokens and incentives, when applicable.
8. Vendors are required to notify the Farmers Market Manager if they suspect that produce or products are being offered for sale by another vendor that do not meet the Farmers Market guidelines.
9. Vendors are expected to closely supervise their children if present for their safety. Goodwin accepts no responsibility for the care of vendor’s children and others at the Farmers Market.
10. Vendors shall not smoke at any time while on the Goodwin Community Health campus.
11. Vendors and demonstrators will not be permitted to employ expelled vendors of the Farmers Market at any sponsored market or function. Violation of this rule will result in the immediate suspension of the violating vendor.
12. Any agreement in which another person or farm is involved in the production or forage of crops will be considered subcontracting, and will only be permitted at the discretion of the Market Manager.

## **C. Vendor Status**

1. All vendors wishing to participate in the Somersworth Farmers Market shall submit a Farmers Market Application to the Market Manager by May 1st, 2018

*Note: Farmers Market Applications will be accepted after March 31st, provided space allows*

1. Participation in the Farmers Market is a privilege and vendors will not be approved if an applicant does not qualify or if the Market Manager or Public Health Director decides that the welfare, balance and interests of the markets are not being met.
2. Only authorized vendors, their employees and authorized demonstrators shall be allowed to participate in any Somersworth Farmers Market and shall be approved by the Market Manager
3. Vendor status may be revocable at any time by the Market Manager.
4. Participation in the Farmers Market is non-transferable between vendors.

# **III. APPLICATION PROCESS**

## **A. Applications**

1. All vendors wishing to participate in the Farmers Market shall submit a Farmers Market Application (see attached) by **May 1st, 2018**

\*Applications can also be found on**:** [www.schphn.org](http://www.schphn.org) or [www.goodwinch.org](http://www.goodwinch.org)

1. Applications may be emailed to Corinna Moskal at cmoskal@goodwinch.org or mailed to

Goodwin Community Health, 311 Route 108, Somersworth, NH 03878

1. Notice of acceptance/non-acceptance for perspective Seasonal and Day Vendors shall be made to an applicant in a timely manner, normally within thirty (30) days of application

*Note: Season & Day Vendor Applications will be accepted after March 31st if space allows*

## **B. Fees**

1. **Seasonal Vendors** must submit a fee of ***$100*** with their application due **May 1st**
2. **Day Vendors** must submit a fee of ***$15*/day** due by date of the market(s)

*Note: Fees are non-refundable unless application is not approved*

## **C. General Liability Certificate of Insurance (COI)**

1. All Seasonal and Day Vendors must submit a Certificate of Insurance. The COI should list Goodwin Community Health as additionally insured and the General Liability limits need required are 1 million /2 million.
2. ***COIs for Seasonal Vendors*** are due before June 4th (first market)
3. ***COIs for Day Vendors*** are due before the first market they are attending

*For questions and assistance regarding the COI, please contact Sherry Trask, Director of Human Resources at Goodwin Community Health at 603-516-2750 or* *strask@goodwinch.org*

# **IV. ITEMS PERMITTED FOR SALE & GUIDELINES**

Vendors must follow all guidelines and recommendations listed below for each individual product.

*For more information on product rules and regulations contact the NH Department of Agriculture, Markets and Foods at 603-271-3551 or visit* [*http://agriculture.nh.gov/laws-rules/index.htm*](http://agriculture.nh.gov/laws-rules/index.htm)

## **A. Fruits and Vegetables**

1. Vendors that are selling produce by weight are required to Use a scale licensed by NH
2. Vendors must follow the NH Department of Agriculture Markets and Food, Division of Weights and Measures guidelines. To review guidelines visit NHDAMF’s website [www.agriculture.nh.gov](file:///C%3A%5CUsers%5Cmsilvey.GOODWIN%5CAppData%5CLocal%5CMicrosoft%5CWindows%5CTemporary%20Internet%20Files%5CContent.Outlook%5CXWTKQKCS%5Cwww.agriculture.nh.gov) or contact the Division at (603)-271-3709

## **B. Eggs**

1. Eggs held for retail sale must be stored in refrigeration and held at 45° F or below
2. Egg shells must be intact, clean and properly labeled
3. Cartons must be marked with the word “fresh”, and be labeled with their grade (US Grade AA, A, or B), their size (Jumbo, Extra Large, etc.) or be labeled “unsized”

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## **C. Meats**

1. Vendors may sell individual cuts of meats at the Farmers Market, but they must be processed at an “approved source”, meaning either a USDA or state-inspected facility.
2. Meat held for retail sale must be held at 41°F or below (NHDHHS’s Bureau of Food Protection)
3. Vendors intending to sell meats are encouraged to contact the Department of Food Protection at 603-271-4589 or foodprotection@dhhs.state.nh.us with any questions regarding the production and distribution of meats.

## **D. Seafood**

1. Any vendor selling live, fresh or frozen lobster or crab must possess a Retail Lobster and Crab license from the New Hampshire Fish and Game Department.

Retail Lobster and Crab licenses can be purchased only through the N.H. Fish and Game Department at (603)-271-3421

1. The retail lobster license is not required for properly licensed fishermen or women, who may, by virtue of their lobster license, transport and sell lobsters lawfully taken by them.

See: <http://www.wildlife.state.nh.us/Licensing/license_forms/APPMarineRetailTradeLob>

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## **E. Dairy Products**

1. Dairy products held for retail sale must be kept at temperatures in compliance with state or local ordinances.
2. Vendors may sell raw milk
3. A milk producer-distributor who daily produces for sale less than 20 gallons of raw milk or processes less than 20 gallons of raw milk into cheese aged at least 60 days, yogurt, cream, butter, or kefir shall not require a milk producer-distributor license, provided these products are offered as direct sales from the producer-distributor's own farm, farm stand, or at a farmers' market to the food consumer within the state of New Hampshire only.

## **F. Prepared Foods**

1. Processed foods such as jams, jellies, baked goods, etc., must conform to the New Hampshire labeling laws and all other state health requirements.
2. All vendors are responsible for complying with New Hampshire room and meals tax regulations where applicable.
3. Food canned in a home kitchen cannot be sold at the Farmers Market except standardized and tested recipes of jams and jellies. See RSA 143-A: 12 at <http://www.gencourt.state.nh.us/rsa/html/x/143-A/143-A-12.htm>

*Note: Prepared food only vendors will be limited to no more than 25% of the vendors at the Somersworth Farmers Market*

## **G. Crafts**

* Vendors may sell their own locally made crafts, provided they are made by themselves and not by any other persons or entities and reflect fine craftsmanship.

*Note: Craft vendors shall be limited to no more than 25% of the vendors at the Farmers Market*

# **V. LABELING & QUALITY CONTROL GUIDELINES**

## **A. Labeling**

1. All labeling and pricing must be clearly visible to the buyer
2. Produce that is labeled “organic” must be from a crop that is “Certified Organic” by any USDA Accredited Certifying Agent. A copy of current farm certification must be given to the Somersworth Farmers Market Manager
3. The use of the term “Local” or “Native”, defined by RSA 426:5, may only be used in reference to New Hampshire grown or produced products. This includes products that are produced at a farm from a surrounding state. These products cannot be sold as “local” but may be advertised with a sign stating the name of the farm where the commodity was sourced.

## **B. Quality Control**

1. All products for sale must strictly follow the rules and guidelines associated with selling each product.
2. No lot or container of produce that appears rotten, spoiled, moldy, improperly sprayed, or otherwise unfit for human consumption may be brought to the Farmers Market and offered for sale, at the discretion of the Market Manager.
3. Produce that is less than top quality may be offered for sale, but must be so labeled and appropriately priced. Examples: “Apples: drops for sauce,” “Tomatoes: canning only,” or “Corn: over one day old.”
4. Any chemicals used in growing produce must be used according to label instructions.

# **VI. MARKET PROCEDURES**

## **A. Day of Market**

1. All vendors shall be set up at the market at 2:30pm (1/2 hour before official opening time) and all efforts should be made to stay until closing time
2. Tables and tents are a responsibility of the vender
3. Vendors who need electricity will be responsible for bringing their own generator.
4. All vendors are encouraged to wait until the Market opens at 3pm and they hear the Market Manager make an announcement to begin selling items
5. All vendors are required to clean up their space at the end of the day.

## **B. Day Vendors**

1. Must notify Market Manager ***at least 72 hours in advance*** of the market(s) you wish to participate in
2. Daily use payment must be collected by or before day of market(s)

## **C. Spacing**

1. Spacing at all markets shall be assigned on the basis of application and space available
2. Standard spacing varies but will be a minimum of 10x10 feet
3. Every effort will be given to place applicant in the same relative location in the market to which they were previously assigned
4. The Farmers Market Manager must authorize any use of space other than a vendors' allocated space
5. A waiting list will be maintained when there is not enough space to accommodate all the vending members who wish to attend, and shall be determined by (1) Returning vendors, (2) New seasonal vendors referred by returning vendors, (3) New seasonal vendors, and (4) Day/Guest vendors.

## **D. SNAP at the Market**

1. All food vendors are required to accept SNAP (Supplemental Nutrition Assistance Program) tokens and incentives at the Farmers Market
2. All SNAP/EBT transactions will be provided by the Somersworth Farmers Market
3. Farmers will be reimbursed for SNAP tokens and incentives on a monthly basis

## **E. Attendance**

1. Vendors must notify the Market Manager ***at least 24 hours ahead*** ***of time*** if they will be unable to attend a market
2. Vendor attendance is of highest importance, and “no shows” will not be tolerated and may not be allowed to participate in future markets, at the discretion of the Market Manager

## **F. Market Cancellation**

1. Market cancellation will take place only in or in anticipation of extreme weather conditions
2. The Farmers Market Manager will enforce market cancellation on site.
3. Markets may be rescheduled to open at a later time