



PERRY COUNTY FARMERS MARKET

RULES 2022

MARKET INFORMATION

- Market Manager: perrycountyfarmersmarket@gmail.com
- Market Season: June-October 2022; Saturdays only in September & October
- Market Manager Contact Information: kirsten@appalachianky.org or 606-275-1425

Location	Day	Vendor Setup Time	Market Time
Triangle Park	Thursday	3:30 p.m.	4pm – 7pm
	Saturday	7:30 a.m.	8am – 12pm

NOTE: If Market days, times, or locations change the Market Manager will contact each Vendor. Vendors needing to deviate from the regular schedule should contact the Market Manager via phone, Messenger, or e-mail prior to the start of the market day.

MARKET MEMBERSHIP

1. Vendors apply for Market membership through the vendor application and complete a product/farm plan for the season.
2. Annual Market membership is a non-refundable \$20 for the entire year. This fee is due at the time of the vendor application and product/ farm plan. Alternatively, there is a fee of \$5 per market to set up for a single market. Once a Vendor has attended four markets and paid \$20, the Vendor will be considered a full member for the year and will not be required to pay the single market set-up fee.
3. Benefits of Market membership include, but are not limited to:
 - Advertising and promotion of Vendor, Vendor farm, and Vendor products through the Market.
 - Access to customers with non-cash methods for purchase such as Senior Farmers Market Nutrition Program vouchers, WIC Farmers Market Program vouchers, SNAP, the Kentucky Double Dollars Program, credit/debit cards, and Carrot Cash.
 - Access to additional sales opportunities such as pop-up markets and other special events.
 - Opportunities to expand customer base for sales outside of the Market.
 - Opportunities for networking with other vendors and agricultural professionals.

PERMITS

2. Vendors are responsible for completing all required applications and trainings to sell their products or resale items:

- Kentucky Produce Best Practices Training
- Kentucky Department of Agriculture's Kentucky Proud Program Membership
- WIC/Senior Voucher Trainings

Vendors must complete the required WIC/Senior Voucher trainings to accept WIC or Senior Vouchers, and the Double Dollars matched to those vouchers, as per the Department of Agriculture.

Additionally, there may be required applications and trainings for specific products, and it is the responsibility of the Vendor to have the appropriate certifications, trainings, and documentation.

- If selling baked goods, dried fruits and vegetables, fruits jams/jellies or other items permitted under HB 468, a vendor must have a home-based processor permit.
- If selling canned items, including pepper jelly, a vendor must have a home-based microprocessor permit.

3. The Market Manager can request proof of all permits and certifications for any product at any time. The Market Manager reserves the right to prohibit the sale of any product.
4. Announced or unannounced farm inspections may be conducted by the Department of Agriculture and/or the Perry County Farmers' Market management. Inspections may be deemed necessary at the discretion of the Market Manager. The Market Manager, accompanied by a representative from Northfork Local Food Inc., will schedule one farm visit with each Vendor for marketing purposes.
5. Scales used at the Market must be certified by the state.

SALEABLE ITEMS

1. Items sold at the Market are to be produced or grown by the Vendor in Perry or surrounding counties. Product origin must be indicated on the Vendor's application.
2. Resale items (items produced by someone other than the listed Vendor) are allowed **ONLY** by permission of the Market Manager.
 - a. Re-sale items must be approved at least 5 days before the Market.
 - o Vendor must submit a Resale Request Form outlining those items which he/she would like to resale. The Market Manager will decide if those items are allowed.
 - b. Re-sale items must be **clearly labeled** using the labels provided by the market with the location at which they were grown on the label.
 - c. Items will not be allowed for re-sale if the same item is available at the Market from another Vendor who produced it him/herself.
 - d. Penalties for disregarding the Market's resale rules include not being allowed to sell the item at the current or future markets up to and including revocation of Market membership. The procedures for disregarding the Market's resale rules are outlined below.
 - e. The Market Manager and Northfork Local Food Inc. representatives reserve the right to adjust the resale policy during the Market season. They must notify Vendors one week before a new policy goes into effect.

3. No live animal sales are allowed.
4. Market Manager shall have the right to prohibit the sale of any item(s) onsite.

LABELING

1. Vendors must display their farm or business name.
2. Vendors must CLEARLY display on the label provided by the Market:
 - a. Price – which will be set in accordance with Market policy to ensure equity among Vendors (no undercutting) and fair prices for customers (no colluding to inflate prices).
 - b. Whether the item was grown/produced by the Vendor or is a re-sale item.
 - c. If the item is a re-sale item, the location of where it was grown.
3. All items **MUST** be labeled prior to the Vendor beginning sales for the day.
4. Vendors must display permits and documentation as needed for vendor space and individual value-added products (WIC, SNAP, KY Proud, etc.).

TABLE ASSIGNMENTS

1. Each Vendor will have one table/sales location provided. Vendors may use additional tables beyond what may be available in the sales location if the tables do not interfere with another vendor space.
2. Vendors will be assigned a table/sales location by the Market Manager.
3. Vendors who sell at special event markets will be assigned a table/sales location based on available space and needs of the event.
4. The Market Manager has final say on all table/sales locations.

VENDOR CODE OF CONDUCT

1. It is the responsibility of each Vendor to conduct him/herself in a manner which is respectful of other Vendors, customers, Northfork staff and volunteers, and other Market visitors.
2. Vendors should refrain from verbal and physical altercations as well as gossiping, rumor spreading, stealing from other people or the Market, or engaging in dishonest communication.
3. Products offered to the public should be of the highest quality and be honestly represented.
4. Subpar or “seconds” can be offered for sale **IF** they are labeled and priced as such. Under no circumstances should subpar produce be hidden under higher quality produce and sold in totality as high-quality produce.
5. Complaints are filed with the Market Manager. The Market Manager will work with the Vendor to remedy the behavior at question and may issue a verbal warning for behavior if deemed necessary. If a customer lodges a complaint, the Market Manager will mediate a resolution between the

Vendor and customer. Should additional complaints be lodged against the same Vendor, the Market Manager has the authority to put the Vendor on probation and require inspections of all products until the issue appears resolved or to have the Vendor leave the Market for the day. If asked to leave for the day, the Vendor will leave without incident. Should the issue(s) continue, the Market Manager may suspend the Vendor from a set number of Markets or revoke the Vendor's Market membership. It will be at the Market Manager's discretion in consultation and with the backing of the Northfork Executive Committee. If the Vendor wishes to appeal, a formal written request must be submitted to the Northfork Local Food Inc. Board through the Vice Chair of the Board.

OTHER

1. Vendors agree to not hold the Market (including board members, employees, and volunteers) responsible, or liable, for any damage or loss incurred while at the Market. This includes personal injury, theft, and property damage.
2. Collecting and reporting applicable sales tax is the responsibility of the Vendor.
6. Complaints are filed with the Market Manager. Vendors agree that if excessive complaints are received and it results in the Market Manager asking a Vendor to leave the grounds immediately, the Vendor will comply without incident. If the Vendor wishes to appeal, a formal written request must be submitted to the Northfork Local Food Inc. Board through the Vice Chair of the Board.
3. With Vendor permission, photos and videos of Vendors and products may be taken for marketing purposes.
4. Vendors will report accurate statistics of Market sales and redemption rates to the Market Manager at the end of each Market. Data is requested by Northfork Local Food Inc. to demonstrate the Market's economic impact and to ensure Market sustainability.
5. After the Market closes, Vendors may sell their items as an individual vendor, but not as part of the Market. Benefits of the Market such as Double Dollars, advertising, acceptance of credit and debit cards, etc. will not be available. (This benefit may require the explicit permission of the City of Hazard and/or the Perry County Fiscal Court. Please talk with the Market Manager before attempting to sell as an individual vendor outside of official Market hours.)
6. All Markets are non-smoking, non-vaping, and tobacco free. This includes, but is not limited to cigarettes, cigars, pipes, e-cigarettes, and chewing tobacco.
7. Vendors will adhere to the COVID-19 protocols put into place by the Market as well as other directives for front facing businesses ordered by state, local, and federal officials. The Market Manager reserves the right to ask a Vendor who is not in compliance with those protocols and directives to immediately leave the Market and to not return until the Vendor can comply with such protocols and directives. Vendors should remain flexible throughout the season and understand that COVID-19 protocols and directives will change during the course of the season as the pandemic situation changes.

RESALE ENFORCEMENT PROCEDURES

Should a credible concern arise about a Vendor selling items claimed as his/her own or should the Market Manager have reasonable doubts about the origin of the Vendor's item, the following procedure will be followed:

1. The Market Manager will discuss the complaint with the Vendor.
2. If the Vendor declares the item as re-sale, the Vendor must immediately remove the item from his/her table since prior permission for the item was not obtained. To sell the item at future markets, the Vendor must obtain permission from the Market Manager to sell the item and mark it as such with a re-sale sign.
3. The Market Manager will schedule a farm visit with the Vendor. Farm visits will be conducted by the Market Manager and at least one other representative of Northfork Local Food. During the farm visit, the Market Manager and Northfork representative will make note of the varieties and quantities of produce being raised. Should the farm visit observations suggest the item sold at the Farmer Market is the Vendor's own item, s/he will be allowed to continue to sell the item. Should the farm visit observations suggest the item sold at the Farmers Market is not the Vendor's own item, the Vendor must obtain permission from the Market Manager to sell the item at future markets and mark it as such with a re-sale sign. These observations will be shared with the Vendor so that there is a clear understanding of what is acceptable to sell at the Farmers Market and under what terms. The observations and a summary of the conversation with the Vendor will be recorded in the Farm Visit Log Book with a note to the Market Log Book about the result of the farm visit.
4. Should the Vendor attempt to sell re-sale items again without permission and without labeling the items as such, the Vendor's Market membership will be revoked. Dues are non-refundable. The membership revocation will be recorded in the Market Log Book.
5. Should the Vendor's circumstances change (e.g. a late summer planting of greens), the Vendor should discuss this with the Market Manager. It will be at the Market Manager's discretion in consultation and with the backing of the Northfork Executive Committee to either make another farm visit and/or allow the sale of the item without a farm visit. The Market Manager's decision will be recorded in the Market Log Book.

Should a Vendor obtain permission to sell a re-sale item, but not display appropriate signage with the item, the following procedure should be followed:

1. The Market Manager will discuss the re-sale rule violation with the Vendor, issuing a verbal warning that the item must be labeled and explaining what will happen if re-sale items are unlabeled at a future market. The item must be immediately labeled or removed from the Vendor's table/vending area. The warning will be recorded in the Market Log Book.
2. If a second instance of an unlabeled re-sale item occurs, the Market Manager will issue a second verbal warning and the Vendor will be required to immediately remove the item from his/her table/vending area. The Market Manager will reiterate that the next time this occurs, the Vendor's Market membership will be revoked. The warning will be recorded in the Market Log Book.
3. If a third instance of an unlabeled re-sale item occurs, the Market Manager will revoke the Vendor's Market membership. Dues are non-refundable. The membership revocation will be recorded in the Market Log Book.

Market Membership Revocation:

1. Should the rule violations of a Vendor rise to the level of membership revocation, the revocation will generally occur at the end of a Market. The Market Manager may involve other Northfork staff, board members, or volunteers to witness the revocation, but it will be done in a manner that is discreet with regards to other Vendors.
2. The revocation will last for the remainder of the season.
3. Should the Vendor wish to return to the Market the following season, a written request will be submitted to the Market Manager. The request will be considered on a case-by-case basis by the Market Manager in consultation and with the backing of the Northfork Executive Committee.
4. If reinstated to the Market, there will be a zero-tolerance policy with regards to resale and other rules violations. One instance of a rule violation will result in membership revocation.

Notes:

Market Log Book – Records the happenings of each Market.

Farm Visit Log Book – Records the details of farm visits such as types and quantities of produce being grown, unique aspects of the farm to highlight, and other pertinent information.