



Market Guidelines

The Davidson Farmer's Market (DFM) guidelines are intended to be fair and to uphold the purpose of the market as a **producer-only, local** market. The DFM Board and Market Manager oversee the operation of the market. DFM may modify or add to these rules at any time to better serve the market's interests.

PURPOSE: The Davidson Farmer's Market was established in 2007 to provide locally-grown food products, to sustain farmers in the Davidson area, and strengthen a sense of community. As a "producer only" farmers Market, it supports local farms as a viable part of the community by providing a place for local farmers to sell their produce directly to consumers.

TIME AND PLACE: The Davidson Farmers Market operates a weekly market from April through October from 8 a.m. - 12 p.m. and a bi-monthly market November through March from 9 a.m. – 12 p.m. The management reserves the right to change or cancel the Market due to hazardous weather or other unforeseen circumstances, following organizational procedure.

APPLICATION PROCESS:

New vendors - the Market accepts applications for new vendors for spaces created by turnover or by the desire to offer more variety/new products.

Vendors are selected by application only and after approval of the DFM Vendor Committee and the DFM Board. *Applications are accepted once a year, beginning January 1 and running through January 31.* Meat producers must read and sign the Meat policy addendum and include it with their application.

Returning Vendors - Market management must know how many committed vendors they will have for the upcoming season to determine space available for new applicants. Returning vendors can renew their commitment by filling out an application and turning it in to the market manager no later than December 1st. Outstanding fees from the prior season must be paid before submitting a new application.

Vendors are required to have general liability insurance (minimum \$1,000,000) which lists the Davidson Farmer's Market as an additional insured or Certificate Holder.

Vendors must submit their NC DOR Sales Tax certificate of registration or exemption letter. NC requires this to be on display in your booth.

Vendors selling qualifying foods are required to accept SNAP tokens.

The privilege of being selected to be a vendor or continuing to be a vendor is at the sole discretion of the DFM Board and can be changed at any time for any reason.

Definition of Vendor Categories (see DFM application for fees):

- 1) Year Round: 12 months beginning in April on opening day, through March.
- 2) Prime Season: April through December Markets.

- 3) Winter Market: Bi-monthly Winter Markets (Jan.–March). DFM approved vendors only.
- 4) Partial Season Vendor: 10 Markets or fewer.
- 5) Day Vendors: Limit to six visits.

No applications are kept on file and no waiting list is maintained.

DFM Management will evaluate applications and make announcements of acceptance/denial via email on March 1st, for the upcoming season.

Site visits prior to acceptance are required. Submission of kitchen inspections, meat handler's licenses, copy of liability insurance, etc., are required with the application.

VENDOR MEETINGS AND COMMUNICATION

Registration and booth fees and attendance at the Spring Vendor Meeting in March are mandatory for year round and prime season vendors. Vendor communication from DFM is through email. Vendors without email must keep apprised of vendor announcements by phoning the Market manager or asking at the Market on Saturdays. Special meetings may be called as determined by the DFM.

ELIGIBLE VENDORS ARE:

- Farmers (growers) of produce.
- Farmers (producers) of meats, cheese, other dairy products and eggs (see attached addendum for Meat Producers).
- Bakers - makers of locally baked goods.
- Makers of specialty local, consumable products such as canned goods or prepared foods (see inspected kitchen and rules for prepared foods); preference for locally sourced ingredients.
- Makers of soaps and body care products.
- Gatherers of wild herbs, fruits and mushrooms, from your owned or leased land. Fishers of fresh caught fish or shellfish caught in NC/SC waters, or, by approval, approved sellers of fish or shellfish caught by another fisher from NC/SC waters.

NON-ELIGIBLE VENDORS ARE:

- Makers or sellers of crafts (farmers and other food vendors may bring up to 25% handmade crafts by prior approval).
- Commercial bakers.
- Resellers of meat or produce.

All sellers must reside and produce items they sell within 100 miles of the Market. The exception is seafood. Sellers must be the original producer or a family member or employee of the producer. No buying and reselling of product is allowed. **If a producer's growing, sourcing or selling methods change from what is stated in the application, the producer must notify the Market manager promptly. Vendors must notify the Market manager about any new products they would like to sell that are not listed on their application and get *approval* before bringing those products to Market.**

WHAT CAN BE SOLD AT MARKET

- Vegetables grown by the seller from seed, sets or seedlings.
- Fresh cut or dried flowers and herbs grown by the seller from seeds or seedlings or perennials on the seller's property.
- Fruits, nuts or berries grown by the seller from trees, bushes or vines on the seller's farm.
- Plants grown by the seller from seed, seedling, transplant or cutting.
- Bulbs propagated by the seller.
- Eggs produced by the seller's poultry.
- Meat from animals that have been raised on the vendor's property or leased land. **Meat producers must read and sign the meat policy addendum and submit it with their application.**

- Cheese (farmstead), butter or other dairy product made on the seller's property, with milk from the owner's animals, which must be raised on the owner's property or leased land.
- Honey produced from the seller's hives.
- Cultivated mushrooms. Wild crafted mushrooms may be sold by permission of management and may require certification from NCDA extension or another authority.
- Fresh (made within 48 hours) baked goods made by the seller in a certified kitchen.
- Candies or confections made by the seller.
- Preserves, pickles, relishes, sauces, vinegars, jams or jellies made by the seller with locally grown ingredients from inspected kitchens and proper licenses.
- Fresh prepared foods (e.g. salsas, pesto) must be made largely from local ingredients from inspected kitchens.
- Handmade crafts made by farmers and other vendors of the DFM. Must be by approval and constitute no more than 25% of the seller's product.
- Non-food items may be sold by a nonprofit "community partner" with prior approval of the DFM and no more than two times per season.

WHAT CANNOT BE SOLD AT MARKET

- "Low-acid" canned foods such as green beans, corn peas, carrots, canned tomatoes, etc.
- Internal use medicines (e.g., herbal tinctures).
- Water plants.
- Live animals (neither sold nor given away).
- Unpasteurized juices.
- Vendors may not bring products to Market that have been pre-ordered by customers if such products do not comply with Market rules.

CRAFTS/BAKED GOODS PROPORTION

- DFM does not allow any craft-only vendors. DFM Farmers and Bakers may have up to 25% of their offerings from crafts, with a total of no more than 25% of the Market being non-farm goods (including baked goods, soaps, other). All crafts are reviewed on a case-by-case basis, must be made by the vendor or a member of the vendor's family. All must be of excellent workmanship in quality and design, and strictly handmade (no molds, duplicating machines, kits or items which do not reflect originality of design).
- DFM intends to maintain a ratio of 75% farmers to 25% bakers/crafts/other. Each vendor must maintain 75% of their offerings in their core category. For example, farmers and gardeners may sell up to 25% baked goods by permission and still be considered growers as long as they do not sell more than 25% of their wares outside the core category. Vendors must notify DFM management if they wish to do this, and may be denied if duplication of similar product is deemed likely.

REQUIREMENTS AND GUIDELINES FOR FARM AND VALUE ADDED PRODUCTS

The following rules are to inform the DFM vendors about local and state laws which will help prevent food borne illnesses; protecting the Market, farmers and consumers. Each vendor is responsible for ensuring that they abide by these standards and all state and federal laws governing food preparation and food safety. Vendors must provide copies of required licenses, permits or certifications. Vendors must inform the market of any change in licensing status immediately.

Produce - all produce must be of top quality as determined by DFM.

Organic - all vendors advertising and selling organic products must submit a copy of their current Organic Certification and renew each year. Only USDA certified organic growers may display signs using the word organic.

Meat - all vendors selling meat and poultry must have a current meat handler's license from the North Carolina Department of Agriculture. Meat sellers must meet all USDA and NCDA meat handling requirements and licensure. Product labels must include product name, statement of ingredients, inspection legend applied by the processor, net weight, farm name and address and a safe handling statement applied by the processor. Meat handlers may not open packages, re-label products or apply net weights.

No water or ice that comes in contact with meat may be deposited or allowed to drain onto the Market premises.

No cooked or preserved meats may be sold for immediate consumption if prepared on-site.

Fish - all fish must meet state and local health regulations. See "shellfish" resource below.

Cheese and Dairy - all dairy vendors must meet state and local health regulations, including the food seller's kitchen inspection by the NCDA health inspectors. Regulations vary based upon a number of factors. For specifics, contact Jim Melvin at 919-733-7366. Cheese must be made on the seller's premises and must be made with milk from animals raised by the seller. Cheese must be kept properly chilled on the market premises and must be pre-packaged for sale and properly labeled.

Bakers - complete NCDA&CS home kitchen inspection program. At Market, present items pre-wrapped, packaged and labeled according to the guidelines in 21 CRF Part 110. If you decide to sell by-the-slice NCDA would consider it a retail food service and therefore regulated by the health department. Baked goods may be either 1) individually packed in a NCDA approved or Health Department approved facility; or 2) sold from a clean, covered bulk container only accessible by the vendor. To remove food from the covered, bulk container you may use: clean tongs or other utensils, single-use gloves or single-use wax paper sheets. Baked goods should then be placed in a clean, unused bag or container and handed to the customer, or single items may be directly handed to the customer in a single use wax paper sheet. Consumers are not allowed to self serve from covered bulk containers.

Jams, jellies, pickles, relishes and preserves - complete NCDA&CS home kitchen inspection program. NCDA rules allow jams, jellies and preserves to be produced in a home kitchen. High acid or acidified foods (pickles, chow chow, relishes, tomato products, etc.) may be sold if the seller has passed the FDA certification course. A copy of the certification must be on file with the market manager. No "low-acid" canned foods such as green beans, corn, peas, carrots, or tomatoes, etc., may be sold.

Prepared Foods - all prepared food items (including meat, fish and cheese) must meet state and local health regulations, including the inspection of the prepared food seller's **commercial kitchen** by NCDA health inspectors and labeling in compliance with the regulations. Vendors must have a current copy of their inspection form on file with the Market manager. Fresh prepared foods (i.e. salsas, pestos) must be primarily composed of ingredients grown by the seller. They must be packaged in individual containers and kept appropriately chilled at Market. Container labeling must make it clear these fresh foods should be promptly refrigerated and have a limited shelf life. Labeling must list ingredients, farm name and phone number and net weight. Refrigerated products must be produced in a non-home based inspected commercial facility. Frozen prepared foods must be prepared in an inspected commercial kitchen and the majority of the ingredients in these products must be grown by the seller.

Juice - lemonade and tea may be served (no herbs or fruit added). Non-pasteurized cider or raw juices may not be served or sold.

Labeling Guidelines - individually packed, prepared foods set out for self-service require a label on the package. 1) a label must be affixed to the package bearing the common or usual name of the product, including the weight in ounces or pounds or fluid ounces, a list of ingredients in descending order of predominance, name and complete address of the person responsible for the product. 2) Baked goods sold in bulk and handed out directly to customers should have ingredient placards posted for customers to see. It is important for the ingredient list to be complete to inform consumers who have allergies.

Samples - vendors may offer customers samples of their products, but safe food practices must be followed. Wash hands thoroughly before cutting samples or wear single-use gloves. Wash produce, and then cut samples with a clean knife. Produce samples must be put on a container set in ice or on a cold pack and should be covered. Hot samples must be kept hot. If these are heated at the market, any pans or other appliances should be kept behind the vendor and out of the reach of customers. Please provide toothpicks, use tongs or sample cups to serve individual samples. Samples should not be touched by bare hands.

Hand Washing - all people working at a vendor stall should wash hands before the market begins and after every visit to the restroom to prevent the spread of bacteria.

Safe Temperatures - cold items should be kept below 40 degrees and hot items should be kept at 140 degrees or higher.

MARKET DAY RULES

- Vendors are expected to be set up to sell before the opening bell.
- Each Market day, volunteers set-up the Market (tents, tables and other Market day supplies).
- Vendors are required to return their tents and tables to the shed when the Market closes.
- Do not drive to your site after 15 minutes before the Market opening.
- Do not drive your vehicle in the Market space until after the Market closes.
- Vendors are encouraged to park their vehicles away from the market to leave spaces for customers.
- Vendors are expected to stay until the Market closes at noon.
- If you are unable to come to Market or need to leave early, communicate with the Market Manager as far in advance as possible. Excessive (3 or more) absences without notifying the market manager can lead to disciplinary actions up to losing your vendor privileges at the DFM.
- No selling until the Market bell rings (8 a.m. April-October and 9 a.m. November-March) and no selling **after** the Market closing bell rings at 12 p.m.
- Remain kind and courteous with your fellow vendors.
- Vendors may not smoke at their booths during set-up, the Market, or take down.
- Vendors are expected to remain free of alcohol and illegal drugs during set-up, the Market and takedown.
- Vendors may not bring animals to the Market.
- The DFM has an open-door policy. See the Market Manager anytime with concerns, questions, ideas and comments.

SIGNS

Vendors must display attractive easy to read signs with the farm name and location. Vendors must display prices for all items. Vendors are encouraged to have business cards with their contact information at their booth.

VENDOR TERMINATION

Any vendor who fails to comply with the rules may lose their Market rights with no refund of fees. Market management reserves the right to prohibit anyone from selling at the Market.

Resources:

- **Abby Wyatt**, Davidson Farmer's Market Manager, 980-253-1864, manager@davidsonfarmersmarket.org
- **Susan Cole**, Mecklenburg Co. Health Dept., 704.621.0847, susan.cole@mecklenburgcountync.gov
- **Kristin Davis**, NC Cooperative Extension Agent, Mecklenburg Co., 704.336.4006, Kristin_Davis@ncsu.edu
- **Dairy** – contact Jim Melvin, Assistant Director of Regulatory Programs for cheese sales, 919-733-7366
- **Shellfish** – contact Shawn Nelson, Shellfish Sanitation Branch, 252-726-6827 extension 8157
- **Meat and poultry** – contact the NCDA at (919) 707-3180; or go to the meat, poultry and eggs resource website at <http://www.ncagr.gov/meatpoultry/index.htm>
- **Prepared foods/kitchen inspections** – contact the Daniel Gaines, NCDA Food Department Food, Administrator at (919) 733-7366
- **USDA Food Safety and Inspection Service** - Todd M. Furey, DM (919) 208-2945, Todd.Furey2@fsis.usda.gov
- **Who will regulate my food business** - https://fbns.ncsu.edu/extension_program/faqs.html

+  *The Davidson Farmer's Market* 

PO Box 2534* Davidson, NC * 980-253-1864

www.davidsonfarmersmarket.org * info@davidsonfarmersmarket.org



DO NOT WRITE IN THIS SPACE:	Application Submitted:	Approval/Rejection Date:
Site Visit Date:	Approval Letter Sent:	Fees Received:

**2019 VENDOR APPLICATION
Davidson Farmers Market**

Thank you for your interest in becoming a vendor at/or returning to the Davidson Farmer’s Market.

Applications may be submitted by email to manager@davidsonfarmersmarket.org (preferred) or by mail to: DFM ~ P.O. Box 2534, Davidson, NC 28036. If you have questions please call 980-253-1864. Review the Market Guidelines thoroughly before applying to be sure you meet the requirements for the DFM. The guidelines are posted at www.davidsonfarmersmarket.org under “Vendors”/“Become a Vendor.”

The Davidson Farmer’s Market is a PRODUCER ONLY, LOCAL FOOD Market. Definition of PRODUCER-ONLY: *You, the Producer named in the application, must raise, grow, gather, bake or make everything you sell, on your owned or leased land. No buying and reselling is allowed. The term Producer includes you, your family members and employees who are directly involved in production.*

Returning Vendors: Applications due by December 1, 2018

New Vendors: Applications due by January 31, 2019

Acceptance of New Vendors*: March 1st *pending site visit from Market Manager and/or Board Member

Mandatory Vendor Meeting: mid-March 2019, prior to start of the new season - date TBD

**** New vendors: Do not send payment or proof of insurance until accepted**

Please Identify if you are a new or returning vendor:

- Returning Vendor
- New Vendor

Vendor Classification: (Please put an X by the box that best describes your business)

Farmer	
Prepared Food/Baked Goods	
Other	

Business OR Farm Name: _____

Applicant’s Name: _____ **Date:** _____

Business or Farm Mailing Address: _____
Street/PO Box City and State Zip

Business or Farm Physical Address: _____
Street/PO Box City and State Zip

Business or Farm Phone #: _____ **Home #** _____

Cell Phone #: _____

E-Mail Address: _____

Website Address: _____

Social Media Sites: _____

Emergency Contact: _____
Name Home # Cell #

Emergency Contact: _____
Name Home # Cell #

2019 Booth Fees and Registration Fee

Checks payable to DFM.

Mail to: DFM~P.O.Box 2534, Davidson, NC 28036 or deliver to the Market

Registration Fee of \$50.00 is required for all vendors.

Submit the registration fee and the full year booth fees by March 30, 2019.

Booth Fees – Indicate # of 10’X10’ spaces here (includes tent and table) _____.

_____ Year-Round Vendor - \$453.60 each space (April through March).

_____ Prime Season Vendor - \$391.20 each space (weekly Markets April through October, plus five Markets in Nov. and Dec.).

_____ Partial Season Vendor \$132.00 (10 weeks or fewer).

LIST DATES YOU EXPECT TO COME _____

_____ Winter Season Vendor Only \$66.00 (bi-weekly Jan. – March, six Markets).

_____ Day Vendor \$25.00 per day, payable on each Market day (up to six Markets).

Total amount due by (or at the March Vendor Meeting): Registration Fee \$50.00 + Annual Booth Fees \$_____ = Total 2019 Fees \$_____

Fully describe type of business. Please list ALL items that you produce or that you plan to sell. Use additional pages if necessary. (Manager may request pictures.)

Licenses, Permits, Certifications and Inspection Requirements

Vendors are required to comply with all Federal, State, and local laws governing food safety and labeling and will provide the Market Manager with valid and current documentation of required licenses, permits and/or certifications. PLEASE SUBMIT COPIES OF LICENSES AND CERTIFICATIONS.

Indicate which of the following apply to your production and vending, and attach copies to application:

_____ NCDAs Home Kitchen Inspection	_____ USDA Organic Certification
_____ NCDAs Meat Handler’s License	_____ FDas Short Course Certification (for acidified foods)
_____ NCDAs Commercial Kitchen county board of health inspection certificate	
_____ DFM Meat Guidelines – signed and attached to this application	
_____ Cheese production inspection	
_____ Cheese-makers course	
_____ Other courses, certificates, etc. Please list: _____	

_____ General Liability Insurance, \$1,000,000 minimum – please attach a copy (required for all vendors) and be sure the Davidson Farmers Market is listed as the “Certificate Holder” or “Additional Insured.” All returning vendors must submit a current copy that shows coverage for 2019-2020.

Liability Insurance and Hold Harmless Provision – Davidson Farmers Market holds general liability insurance covering the Davidson Farmer’s Market. A Hold Harmless clause is included here as part of the Vendor Agreement.

Each vendor participating in the Davidson Farmer’s Market shall be responsible for any loss, personal injury, deaths and/or other damage that may occur as a result of the vendor’s negligence or that of its servants, agents and employees, and hereby agrees to exonerate, save harmless, protect and indemnify Davidson Farmer’s Market, its successors and assigns, from and against any and all losses, damages, claims, suits or actions, judgments and costs, and attorneys fees which may arise or grow out of any injury or death of persons or damage to property in any manner connected with the vendor’s products, operations or vending at the Market.

SNAP/EBT – All vendors selling products eligible for SNAP/EBT must participate in the Davidson Farmer’s Market SNAP/EBT Program, and must accept EBT tokens for appropriate products. Tokens will be reimbursed by Market management.

The Supplemental Nutrition Assistance Program (SNAP), formerly and still popularly known as the Food Stamp program, provides financial assistance for purchasing food to low- and no-income people living in the U.S. It is a federal aid program, administered by the U.S. Department of Agriculture, though benefits are distributed by individual U.S. states. They can be used to purchase any edible foods, regardless of nutritional value. Hot foods (such as food truck items) are ineligible.

Electronic Benefit Transfer (EBT) is an electronic system that allows state welfare departments to issue benefits via a magnetically encoded payment card.

I have read and agree to the Hold Harmless provision and EBT/SNAP information above. I submit that the information provided for my application is accurate and complete. I have read the DFM Guidelines (found on the website, www.davidsonfarmersmarket.org) and I will abide by its provisions. I agree to have my farm/production site inspected by a designee of the Davidson Farmer’s Market Board.

NC Department of Revenue Sales Tax Certificate of Registration or exemption letter

North Carolina requires the DFM to have your sales tax paperwork on file and that you display it at your booth.

IMPORTANT REMINDERS AS YOU ARE SUBMITTING YOUR APPLICATION

Please attach the following documents to your application:

- **Meat Guidelines signed, if a meat vendor.**
- **Insurance documentation showing coverage in 2019-2020**
- **NC Department of Revenue Sales Tax Certificate of Registration or exemption letter.**
- **All Applicable licenses and inspection certificates.**

Space is limited.

New Applicants: Do not send any payments until your application is approved.

Upon acceptance, a copy of insurance is required along with payment.

By signing below you agree to all market guidelines above and agree that all information listed on the application is accurate.

PRINT NAME: _____

SIGNED: _____ DATE: _____