

SOUTHWEST FARMERS' MARKET CONSORTIUM

RULES & REGULATIONS OF THE MARKETS - 2017


- I.** Southwest Arkansas Farmers' Market Consortium (SAFMC) consists of Howard County Farmers Market (in Nashville), Hope Farmers' Market (in Hope) and Old Washington Farmers' Market (in Old Washington State Park). The three Markets will be open to vendors who grow produce or produce farm products within 75 miles of the City of Washington, Arkansas and agree to comply with the rules and regulations of the Markets. Each of the Markets is governed by its own Overseers' Committee/Advisory Board and own set of ByLaws.

II. QUALIFICATIONS

- A.** Each grower shall complete a SWAFMC Vendor Registration Form, provided by either one of the three Markets, annually. Confirmation that produce is grown by the vendor *may* be required prior to approval.
- B.** Vendor Registration Forms must be submitted and approved based on these rules and regulations of the Consortium, prior to bringing produce to any of the three market locations. An exception may be made one (1) time, at the discretion of a Market Manager, to allow a grower bringing produce prior to being approved; however, said grower must complete a registration form and pay required fees.
- C.** In order to protect each of the Markets and all vendors, it may be necessary to confirm that produce sold at the Markets is grown by the vendor and not purchased elsewhere for resale. Therefore, each vendor agrees to random visits that *may* be made to the farm to confirm products are produced by the vendor. Inspections will be made by a Market Manager or a representative appointed by one of the Overseers Committees/Advisory Board of the individual Markets.
- D.** Only authorized growers will be allowed to accept WIC FMNP Vouchers for certain fresh produce grown in Arkansas and adjacent counties. Vendors must be approved to accept vouchers at the market location where they accept the vouchers. Any vendor violating this rule will lose the privilege to accept vouchers and may be banned from the Markets.
- E.** Any grower authorized to accept WIC FMNP Vouchers who redeems vouchers for an unauthorized person will lose their privilege to accept the vouchers and may be banned from the Markets. Rules as outlined by the Arkansas Department of Health regarding FMWIC Vouchers must be honored at all times.

III. GENERAL REGULATIONS

- A.** ABSOLUTELY NO BROKERS ("PEDDLERS") WILL BE PERMITTED TO SELL AT THE MARKETS.
- B.** IF WE DON'T GROW IT, WE DON'T SELL IT. All produce sold at the Markets must be grown by an approved grower. However, an approved grower may be represented at the Markets by a family member or an authorized representative as described below.

- 
- C. Family members will be defined as mother, father, son, daughter, brothers and sisters, grandparents, grandchildren, nieces or nephews. Family members do not have to be “authorized” on the Vendor Registration Form. *The family member is only authorized to sell produce of the registered grower from the location defined in the application* and not from their own farm or any other farm or grower except as defined in the application.
- D. A grower may choose to have an **authorized representative/employee** sell for him at the Markets. Anyone other than the grower or family member as described in III.C above must be authorized on the Vendor Registration Form. This authorization may be made at the time of the initial registration or at a later date. *The authorized representative/employee is only authorized to sell produce of the registered grower from the location defined in the application* and not from their own farm or any other farm or grower.
- E. The market year will begin January 1st and end December 31st.
- F. Vendors who register during the annual grower meeting and training may participate at all three market locations for the entire season for a single fee of \$75.00, which includes a \$15 registration fee. If the grower is not approved, the entire rent/registration fee will be returned to the grower. At other times, seasonal registration is \$50 for each individual market. The Consortium may elect to accept annual rents at later dates if agreed to by the markets.
- G. Beekeepers who are members of Southwest Arkansas Beekeepers who wish to sell *only honey and other bee products from their hives* may register to sell at the Association’s stall. Southwest Arkansas Beekeepers Association pays a seasonal fee of \$75 and may use their stall for fund-raising activities and to promote beekeeping and education about bees and as a site for their member beekeepers to sell honey and other bee products. The Association provides a list of their eligible members to SWAFMC. Hives must be within 75 miles of Old Washington Farmers’ Market and member beekeepers may only sell bee products (no produce or cottage foods) at Southwest Arkansas Beekeepers Booth.
- H. All daily rents will be at the rate of \$5.00 per day plus a \$15 registration fee. The \$15 registration will include vouchers for 3 days' rental which may be used at any of the three Markets on any days as listed below. The days do not have to be consecutive.
- I. The Markets will be open as produce is available, May through September, as indicated below. Individual Markets may open earlier than May or later than September based on availability of produce.
1. **Hope Farmers' Market** - Tuesdays from 7 am to 11 am or until produce is sold out.
 2. **Howard County Farmers' Market** - Fridays from 7 am to 11 am or until produce is sold out.
 3. **Old Washington Farmers' Market** - Saturdays from 8 am to 1 pm or until produce is sold out.

Growers agree to remain at market until the advertised closing time unless they sell out of produce before that time.

- J.** Growers will be assigned space at each market by the Market Day Manager. If possible a set space may be assigned for each grower, but spaces may be reassigned if necessary based on market conditions.
- K.** *Scales used at the Markets are discouraged* and if used will be for estimating purposes only. Produce may not be sold by weight (e.g. by the pound). Any vendor choosing to use a scale at the Markets, whether on their table or in their vehicle **must post a notice that the produce is not for sale by weight and the scale is for estimating purposes only.**
- L.** The Arkansas Department of Health prohibits the sale of certain home canned products without proper certification and vendors selling at the Markets must have the required certification. However, sale of homemade preserves jams and jellies, bakery products, and candies that are prepared in the grower's home and not potentially hazardous do not require certification and may be sold at the Markets. Growers shall verify with the Market Manager that home-processed items they plan to bring to market do not require certification.
- M.** The following will not be allowed on the premises of the Market except as noted:
1. Smoking not be allowed where produce is sold
 2. Disorderly conduct
 3. Alcoholic beverages
 4. Illegal drugs or other controlled substances
 5. Profanity
 6. Riding bicycles or motorcycles except on driveways
 7. Loud music or other sound generation
 8. Animals (with the exception of assist animals) will not be allowed where produce is sold. This is in compliance with Health Department rules.
- N.** **Prices for all produce/items sold will be posted by the vendor.**
- O.** Price fixing in the Markets will not be allowed. Vendors are allowed to set any prices they wish for the sale of their products. No vendor is to bully, criticize or in any way intimidate any other vendor for their prices. Violation of this rule may result in immediate suspension of a vendor from the Markets.

IV. MARKETING/IMAGE

- A.** Any approved grower may take out ads utilizing the logos of the individual Markets and of the consortium to advertise their product. The only stipulation is that the logo will be smaller so it is clear that the market is not advertising or endorsing any single grower.
- B.** Growers will be responsible, and expected to satisfy any customer complaints regarding their products by either replacement or refund.
- C.** **All produce is to be clean** and displayed in an attractive, inviting manner.

- D. Each grower will be responsible for maintaining a clean booth and will leave their site clean on departure each day.
- E. No produce or trash shall be left on the premises.

V. MANAGEMENT

- A. The Overseers Committees of each market will be provide final general oversight of their individual Markets and appoint their Market Manager(s) annually.
- B. The Market Managers will be responsible for resolving disputes and providing interpretations of the Markets' rules as well as day-to-day operations of the Markets. Disputes may be appealed to the Overseers Committee/Advisory Board of the respective Markets which will be the final authority.
- C. The Market Managers may appoint Day Managers to assist in day-to-day management of the Markets. The Market Managers shall train and provide general oversight of the Day Managers.
- D. Signed copies of the Vendor Registration Form and the signature page of the Rules and Regulations (to serve as an agreement to the rules of the Markets) will be maintained by the Market Manager(s) and the Overseers Committee(s)/Advisory Boards. A copy of the rules and regulations will be provided to the grower at the time of registration.

VI. VIOLATION OF REGULATIONS

- A. **Unless stated otherwise**, the first violation of these regulations will result in a verbal warning from a Market Manager.
- B. The second violation will result in a letter of reprimand from a Market Manager.
- C. The third violation may result in suspension from selling at any of the three Markets.

Growers have the right to appeal to the Overseers' Committee(s)/Advisory Board.

VII. THE CONSORTIUM RESERVES THE RIGHT TO AMMEND THE ABOVE RULES AND REGULATIONS AT ANY TIME.

**I HAVE READ AND RECEIVED A COPY OF THESE RULES AND REGULATIONS OF THE
SOUTHWEST ARKANSAS FARMERS' MARKET CONSORTIUM AND AGREE TO ABIDE BY
THE SAME.**

Signature of Grower

Date: _____