

NH State Farmers' Market & Food Resources

New Hampshire Farmers' Market Association : www.nhfma.org

New Hampshire Department of Agriculture, Markets & Food (NHDAMF): <http://www.agriculture.nh.gov/>

NH Food Product Labeling Requirements
<http://www.dhhs.state.nh.us/DHHS/FOODSANITATION/LIBRARY/Fact+Sheet/food-labeling.htm>

NHDAMF Division of Weights and Measure
http://www.agriculture.nh.gov/divisions/weights_measures/index.htm

Compilation of RSAs pertaining to Farmers' Markets
<http://nhfma.org/RSA-Compilation-htm.htm>

Farmers' Market Nutrition Program, Department of Ag at 603-271-3788.

NHDHHS, Food Protection Section, (603) 271-4589:
www.dhhs.nh.gov/DHHS,FPS

Food Service License Info & Application (including Homestead I and II categories): <http://www.dhhs.state.nh.us/DHHS/FOODSANITATION/LIBRARY/Form/fs-license-app.htm>

Homestead Food License: NHDHHS (DPHS Food Protection), (603) 271-4589

Wilmot Farmers' Market

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Web: www.wilmotfarmersmarket.com

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Wilmot Farmers' Market

www.wilmotfarmersmarket.com

Vendor Handbook

2010 Season

IMPORTANT

READ this handbook thoroughly BEFORE signing and submitting your vendor application.

Your signature on the application signifies you have thoroughly reviewed and understand the guidelines and agree to follow them. Keep this book handy for reference throughout the season, most if not all questions that arise regarding the operations of the WFM are answered within.

- '10 Season runs July 3rd through September 25th
- 9 am to Noon Saturdays, Open RAIN OR SHINE
- Website: www.wilmotfarmersmarket.com
- Email: information@wilmotfarmersmarket.com
- Route 11 & Kearsarge Valley Road, next to the Town Offices
- Vendor Contact: Marguerite Conley (603) 523-7013 (New vendor information, absences)

AN IMPORTANT NOTE:

As we enter our 2010 season at the WFM, please keep these points in mind:

1. Always remember the purpose and mission of the Wilmot Farmers’ Market.
2. You **MUST** grow it, raise it, create it, or otherwise produce it to sell it here.
3. Continuity and reliability are critical to everyone’s success including the Market as a whole. FT vendors need to attend the Market as often as possible. Please *minimize absences* — missing vendors frustrate customers, undermine their own sales and success, and adversely affect the entire market.
4. No surprises. The Market’s approval is required if you are going to have a change in product, want to add a different type of product, or otherwise deviate from your normal operation.
5. Early tear down is strictly prohibited, even if you run out of product.
6. Review this Handbook thoroughly and keep it handy throughout the season. Anyone who works at your stand must follow the guidelines— it is your responsibility to make sure they are familiar with them.
7. When in doubt, contact the Board who is here to assist and work with you.
8. Most importantly: **WORK TOGETHER**

Here’s to a very successful year and Market!

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WFM By-laws available at www.wilmotfarmersmarket.com/by-laws.pdf

Visit the website 24/7 at www.wilmotfarmersmarket.com for more information, recipes, links, news, and more.

Extra handbooks and applications can be found at the website.

Wilmot Farmers’ Market
PRODUCT CHALLENGE FORM

In circumstances concerning a complaint against any vendor by another vendor regarding the origination/legitimacy of their produce, product, or goods, the complaining vendor shall complete this form and submit it, in a timely fashion, directly to the Managing Director. The identity of the complainant will not be revealed by WFM Management.

Name of Vendor with product/products you are challenging:
Specific product/products about which you are concerned:
Market date product was sold:
State the specifics of the complaint. Provide any evidence that supports your challenge:

Your Name:

Address:

Phone:

Signature:

Date Signed:

WHEN IT RAINS... IT (USUALLY) POURS!

The Wilmot Farmers' Market has an "open rain or shine" policy heavily publicized in all advertising and emphasized in our Market Guidelines. Vendors are required to participate regardless of weather conditions and **agree to do so upon signing the Vendor Application**. There is a very valid reason for this...

Customers expect to find a full market and their favorite vendor "every Saturday, RAIN or SHINE" — as advertised — and WILL come to the market in inclement weather — with intentions to buy. We often see good sales figures on wet days.



There is no practical way to notify customers a market is closed and they should NEVER be left to guess the status or if a favorite vendor is there or not. Plus, a day that starts out wet can easily turn dry as has *often* happened.

An open air market comes with challenges and if you want to vend at one, the best tactic is to be prepared. Purchase the best quality canopy you can afford which will pay off in the long run in durability and protection. Re-enforce it with a clear plastic cover over the top anchored with bungee cords to help keep inevitable drops through seams off your items.

Use the sides that came with your canopy or try inexpensive clear shower curtains on hooks which keep water out, leave light in and allow customers to view your display.

Dress appropriately — use inexpensive rain ponchos, keep feet warm and dry, and dress in layers which can be added or removed as the weather dictates. An extra sweater or jacket kept in a zip-top bag is invaluable.

Design an alternate display for wet weather. Keep products that are more susceptible to damage toward the center or back of your tables and keep tables closer to the center of your tent. Don't put out as much product out as usual; keep stock in plastic totes or zip-top bags under tables. Leave delicate products home or keep them in your vehicle until (or if) the rain stops.

Remember, you have made a commitment and signed a contract regarding full time attendance and adhering to our "open rain or shine" policy, so it is up to you to BE PREPARED and BE THERE!! It damages the market as a whole when vendors skip days and lowers moral when some vendors are there in bad weather and others are not.

If your product cannot stand up to wet weather, or you can't – or won't – work with an alternative display or attend in the rain, you do not qualify for acceptance as a full time vendor at the WFM and should not apply for full time vending!

MARKET & OPERATIONS OVERVIEW***Purpose & Mission***

The Wilmot Farmers' Market strives to maximize the consumption of local foods and products and strengthen consumer support of local agriculture, small family farms, and entrepreneurs. The WFM seeks to operate at the highest level of integrity in our dealings with customers, vendors, and supporters. WFM Board strives to obtain a mix of vendors attractive to customers in order to nurture market growth and develop repeat customers.

Our mission is:

- To provide a profitable outlet for local and small family farmers, entrepreneurs, and artisans
- Connect local consumers directly to local food producers and entrepreneurs
- Foster and strengthen community spirit and bonds
- Educate consumers on the benefits of buying local food and products
- Spotlight the importance of preserving family farms and area agricultural heritage

History

Started in 2001, the WFM is held on the Wilmot Town Green next to the town offices at the intersection of Route 11 & Kearsarge Valley Road.

The WFM is an independent entity registered with the State of New Hampshire as a non-profit organization.

Far more than "just" a farmers' market – the WFM has become a community hub filled with sights, sounds, and tastes to nourish, please, and entertain the entire family. Residents and visitors alike return week after week, season after season, to purchase the best of the best direct from farm and producer, plus greet old friends, make new ones, enjoy a hot breakfast or lunch, and listen to music on the bandstand featuring talented area musicians.

The Market operates Saturday mornings, from 9 am to 12 noon starting in

July and continuing through the end of September. There is plenty of free parking for customers and vendors, plus a porta-potty is available. The WFM is open every Saturday during the designated season - rain or shine!

Market Management

The Wilmot Farmers' Market operates under guidelines and regulations set forth by its Board of Directors which is responsible for market management. The Board also oversees vendor and product selection for the Market and has final authority in resolving issues in a civil and efficient manner.

As per state law regulating non-profit NH corporations, vendor members with voting privileges (FT) vote to decide the Board members. The Board is then endowed with the authority to make decisions and appropriate funds as required to continue the operation of the WFM. The Board can, but is not required, to ask the members to provide input in the form of a show of hands or general comments at meetings or other ways to obtain member opinion on issues and take those opinions under advisement when making decisions, but is not required to adhere to those opinions. Voting members have the authority to vote Board members out and new members in at the annual meeting.

Board members are WFM vendors, therefore it is expected unless it is a matter of health or safety, to hold any questions or issues you may have during a market that should be addressed by the Board until *after* the closing bell.

The Board has the authority to order and remove any person or vendor from the Market who is guilty of any violation of the WFM Market regulations, or who may be guilty of violation of any ordinances of the Town of Wilmot, or laws of the State of New Hampshire.

Rules/Regulations/Guidelines

While it might be possible to operate a Farmers' Market without any form of written rules or policies for vendors, it would not be long before a market would face difficult issues - such as someone wanting to sell inappropriate products, or setting up an hour early to get more sales. One reason The Wilmot Farmers' Market uses rules and guidelines is to prevent problems like these from arising.

Careful thought and consideration, extensive research, and experience in past seasons result in current WFM rules and guidelines which remain true to the our purpose and mission and critical to its continued success. The WFM rules

Form to the Board in a timely manner. The identity of the vendor questioning the product shall be kept confidential.

Resolution of matters of this nature is the responsibility of the Board who may notify the subject of the issue and confer with farmers, vendors, and others, if necessary, to determine what level of investigation is called for which may include a site visit to the farm or vendor's place of production and review of methods. If the Vendor refuses to allow such an inspection, the Vendor's selling privileges and Market membership will be immediately terminated. Inspections will be conducted by at least one Board member.

If the Board determines that a product does not violate the rules, no further action will be taken.

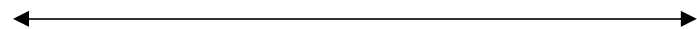
If the Board determines that a product does violate the rules, the vendor must immediately cease sales of the product, or products, in violation. Failure or refusal to do so will result in the loss of all selling privileges for the remainder of the season effective immediately. The vendor will not be eligible to re-apply to vend at the Market until the following season and then participation will be at the sole discretion of the Board. No refund of fees paid will occur.

16. Right to Appeal

Any Vendor who has vending and membership rights terminated as a result of an investigation of product legitimacy may appeal the determination.

- 1) Vendor shall have seven (7) days from the date of receipt of the written determination to file a written appeal and deliver it to the Board via the Market's PO Box. Vendor shall include evidence to support the appeal along with this request;
- 2) The WFM Board will review the appeal within seven (7) days of the Market's receipt of the Vendor's appeal request;
- 3) If the determination is reversed on appeal, the vendor's membership and vending privileges will be immediately restored;
- 4) The Board's decision upon review of the appeal shall be final and binding.

In no event shall any person be entitled to recover damages from the Market for being denied vending privileges based on a good faith enforcement of the Market's rules.



5) The Market is not intended for unloading of produce at below market prices and produce must be priced in line with other vendors (refer to NH Weekly Market Bulletin as a guide). All prices should be clearly marked or posted. Deliberate and significant undercutting of a competitor's pricing to gain market advantage is prohibited.

6) Vendors shall conduct themselves in a manner that is courteous to other vendors, Market personnel and the public. Behavior that is threatening, abusive, obscene or harassing shall constitute a violation of Market rules and result in immediate termination of membership and removal from the grounds. Committing a criminal act at the Market is grounds for immediate expulsion and vendor will be permanently barred from future participation in the Market.

7) Vendors whose products generate waste (example: food vendors and those providing samples) must provide a trash receptacle at their booth for use by anyone. All vendors are responsible for their own trash removal at the end of the day and shall clean up all litter, toothpicks, and/or debris before leaving the grounds.

8) There is a no-smoking policy for vendors and their parties within their displays and on Market grounds.

9) All vendors are strongly encouraged to carry their own liability and product liability insurance.

15. Grievances/Product Legitimacy Challenge Process

Vendor/Customer Conflicts: Any conflict, or potential conflict, which may arise between a vendor and a customer must be brought to the attention of the on-site contact person for resolution; should further action be needed, it shall be given to the Board of Directors for resolution.

General: Vendors are urged to inform the on-site contact if they witness a violation of Market rules and guidelines. Grievances regarding day-to-day operations of the Market should be directed to the Board in a timely manner not disruptive to the Market at the end of the market day unless the violation is a matter of health or safety. The Board shall investigate to determine if a violation has occurred and follow-up appropriately in accordance with market rules.

Product Violations: Complaints of a suspected violation of the producer-only rule regarding the origination or legitimacy of produce, product, or goods, require the complaining party submit a completed WFM Product Challenge

and regulations are designed to benefit the Market as a whole. *These Market rules provide a way to insure that all involved know their rights and obligations and can have predictable and dependable expectations about the operation of the market.* These rules, as part of a legal agreement between the vendor and the Market, also establish each party's rights and obligations.

Included in these rules are guidelines which determine who is eligible to be a vendor, what products can be sold, when and where the market will operate, vendor fees, and what the market experience will be like for shoppers.

It is imperative that vendors understand and agree to abide by the rules and regulations of the WFM. Open communication is encouraged and the Board should be consulted with on questions or concerns regarding the Guidelines.

WFM OPERATING RULES AND GUIDELINES

1. General Information

The WFM is committed to creating a diverse marketplace with the emphasis first and foremost on the highest quality, locally grown and produced **agricultural** products available. The WFM will not be bound to apply a particular set of criteria in every instance and must reserve unconditional discretion to accept or refuse anyone as a WFM Vendor. The Board considers many factors when evaluating Vendor applications and participation.

2. Application Information

Farmers, specialty food producers, bakers, artisans, and hot food vendors over age 18 from within the State of New Hampshire who produce the products they intend to sell at the Market are eligible to apply, however application does not guarantee acceptance. Acceptance of an applicant is based on multiple criteria and needs of the Market as determined by the Board at any given time, therefore not all applications may be accepted.

The WFM has a limited number of vendor spaces as set forth by the Town. Applications approved each season will depend on several factors including the number of previous season vendors in good standing seeking to return.

Previous season vendors in good standing automatically receive applications for the upcoming season. If their application and fee is not received by a set deadline, the spot and products they sell will be considered "open" and the

Board may consider filling this spot with a new or different vendor.

New vendors are selected after the deadline for application for returning vendors. New Vendor applications are at www.wilmotfarmersmarket.com to print, complete, and mail to the Market's PO Box.

All applicants **MUST** complete an "Application for Membership" before being considered for vending, and if accepted, *pay the required fee in full before selling*. Failure to do so will delay a vendor's ability to participate in the Market. **Vendor's signature on the Application constitutes a binding agreement to abide by the policies and rules of the WFM.** If you disagree with or do not intend to abide by the rules, do not submit an application!

Application by any vendor, new or previous season, does not guarantee acceptance for the upcoming season.

3. Saleable Product Information

The WFM is a "producers market" meaning all products sold must be grown, raised, or produced BY THE VENDOR within the state of New Hampshire. Absolutely no re-selling of any item purchased from another source shall be permitted with the exception of individually approved non-profit organization sales as authorized by the Board (for example Girl Scout cookies, Library tote bags, etc.) Craft/artisan vendors may not sell commercially finished items.

In order to assure compliance with vendor and product eligibility requirements, the Board reserves the right to conduct an inspection of any vendor's farm or place of production or business at any time to verify a product's origin or vendor's qualification to participate in the Market. No notification is necessary prior to this type of inspection.

Saleable items may include, but are not limited to: agricultural goods such as meats, wool, produce, fruits, berries, plants, cut flowers, syrup, honey, herbs; prepared and specialty foods such as jams, jellies, sauces, salsas, baked goods, "to-go" food such as hot dogs, etc.; hand-crafted items such as pottery, wood products, jewelry, paintings, sculpture, glass crafts, etc., and any other items deemed appropriate by the Board. No live animals may be sold or given away at the Wilmot Farmers' Market.

Vendors are required to submit a complete list of all products they wish to sell along with their application each season and must have approval from the

12. Weekly Sales Reporting

Compiling sales statistics is essential to the financial management and efficient operation of the market. (Individual vendor sales information is not provided to any government agency.) Vendors shall submit completed tally slips at the end of each market day that represent sales accurately in dollar amounts by product category for each market week attended. Any vendor who fails to return a slip for any week they attended will be asked to supply the Market with a completed slip, email, or verbal information as soon as possible. Only management views the slips – details of sales for individual vendors are confidential. Raw data is put into a spreadsheet by category groupings, not Vendor name, then slips are destroyed.

13. Set-up/Tear-down & Parking

Vendors may drive onto the town green after 8 a.m. and before 9 a.m. to unload. Vendor vehicles *must* be moved from the green prior to the 9 a.m. opening bell and vendors shall park in designated vendor parking areas only.

Vendors may drive back onto the town green after the noon closing bell to 1 p.m. for tear-down and loading. NOTE: Vehicles shall not be brought back onto the green or parked in ANY customer parking spots (along the road, town office parking lot, etc) prior to the closing bell.

14. General Guidelines/Vendor Responsibilities

- 1) Vendors are responsible for ensuring they and their representatives are familiar with all Market rules, regulations, guidelines and By-Laws and are expected to fully comply with all of them.
- 2) Each vendor is responsible for complying with the New Hampshire Department of Agriculture regulations pertaining to items sold at the market; vendors selling by weight are expected to use certified scales; this is the responsibility of the vendor. (Bureau of Weights and Measures, 603-271-3700)
- 3) The Market will be registered with the state of New Hampshire to allow growers to accept WIC coupons; certification in the WIC program is the responsibility of the vendor. (Bureau of WIC Services 603-271-4546)
- 4) Processed food such as jam, jelly, preserves or baked goods must conform to the NH Labeling Laws and Sanitary Code. (Bureau of Consumer Protection, Division of Public Health, (603-271-4589))

effort should be made to be at the market on all sale days and minimize vendor absences.

10. Guidelines Violation Policy

The first instance of non-compliance by a vendor of any Market rules, Guidelines or By-Laws shall result in a written warning issued by the Board. A second instance, whether for the same violation or another, shall result in termination of the vendor's Membership and selling privileges by the Board. Termination shall not relieve a Vendor of un-paid fees or other charges previously accrued. NO REFUND of any fees paid will be granted.

11. Displays

FT and PT Vendor spaces are 10 feet wide by 10 feet deep. Non-profit spaces vary with availability. Vendors shall keep their products and entire display within their allotted space. No boxes or displays shall extend into common and/or customer traffic areas nor impede customer traffic, encroach into foot traffic paths, or encroach upon, disrupt or interfere with any other vendor's space, display, or ability to conduct business. Stands and displays are to be kept hazard free and reasonably attractive at all times.

EZ up or similar straight-leg canopies are required for all FT vendors.

Canopies shall be securely and sufficiently anchored to the ground at every market regardless of weather conditions. Lines or supports should not extend into another vendor's space or customer traffic areas. The Market is not responsible for damages to vendor property or products due to the weather conditions.

Vendors shall display their business name as required by the State of New Hampshire.

Vendors must display their products for sale on tables with table cloths or other suitable display fixtures, up off the ground - exceptions may be granted by the Board for items such as plants and very large items.

The Market reserves the right to require any vendor to remove or change any display that appears hazardous, un-sanitary, or does not conform to the Market requirements for displays.

Board on all products offered for sale at the WFM. *Vendors wishing to add to their items for sale at any time shall submit a request to the Board.* Vendors shall not sell any item prior to approval. Non-profit organizations who participate in the WFM may not sell items already represented by any other FT/PT vendors and all items offered for sale by NPOs must be Board approved.

EXCEPTION: Any vendor admitted as an AGRICULTURAL vendor may sell PRODUCE at any time during the season without pre-approval. For example: a specialty meat vendor (agricultural vendor) may sell produce from his garden even though it was not specifically applied for. *Vendors classified as "Prepared food", "craft" and "non-profit" vendors shall NOT sell produce at any time.*

In no circumstances other than the exception specified above shall any vendor sell any item that has not been pre-approved nor shall they cross over into any category other than the original one they were accepted under unless approved in writing by the Board. (Example: painter admitted under "Crafts" category shall not sell pickles or cookies which would be in the "Prepared Food" category)

4. Product & Vendor Selection Criteria

The Board makes all reasonable efforts to maintain the following percentages of types of vendors at the WFM with AGRICULTURAL products taking priority:

70% **"Agricultural" vendors** who sell only products they grow/raise themselves, or those that sell items made from products or ingredients *they grow/raise themselves* (ex. Wool, herbal teas, etc). **AND "Prepared food"** who sell items they produce themselves such as baked goods, jams/jellies, and processed foods made from ingredients they do *not* grow/raise themselves.

20% **"Craft" vendors** who must offer for sale a product that is substantially made or crafted by hand. Selling of commercially finished products is forbidden. The criteria used to determine if a product is handcrafted include: a) the starting materials must be significantly altered or enhanced by the craftsper-son, and b) the handcrafted components must functionally and/or aesthetically dominate any non-handcrafted (commercial) components.

10% **"Non-profit Organizations"** which are Wilmot-based and have a mission related to farming, gardening, conservation, community, education, youth and/or nutrition, if and when space permits *at the sole discretion of the*

Board. (Due to IRS and other regulations regarding our own non-profit status, politically affiliated and/or lobbying groups are ineligible to participate)

In order to maintain variety in the Market, the Board may limit the amount and types of products allowed for sale therefore duplicate products may be denied entry and/or not all products on your application will be accepted. Usually specialty items, unique goods/foods, and crafts are limited to one vendor a season to eliminate duplication and assure variety in the Market.

When filling vendor spots, #1) priority will be given to agricultural/farming vendors over all other categories; then prepared food vendors over craft/non-profit vendors; #2) Applications from vendors willing to commit to being a full season vendor are given preference over those seeking to participate only part-time; #3) Applications from previous season vendors in good standing are given preference over new vendor applications; and #4) the WFM will also give preference to vendors of products that are unique or unusual and products not already represented in the Market.

Part-time vendors are accepted on a first-come, first-served basis for any open spaces available each week. Applications from vendors not admitted due to space or product limitations will be kept on an waiting list to fill in whenever possible.

All persons interested in vending SHALL BE JURIED IN AND MUST FIRST SUBMIT A COMPLETED APPLICATION TO THE WFM FOR CONSIDERATION ALONG WITH 3 PHOTOS SHOWING THEIR DISPLAY/STAND/PRODUCTS. No vendor shall set up to sell before being accepted into the WFM and remitting appropriate fees in full.

5. Vendor Spaces and Placement

The WFM has a limited number of vendor spaces determined by the Town of Wilmot; general market layout is determined by the topography of the town green among other factors.

Each regular FT or PT space is 10' x 10' (non-profit space varies as available) and vendors shall be limited to one space per season.

Vendors are placed on the vendor map according to seniority *among other criteria*; FT vendor placement is consistent throughout the season, but the Market does not guarantee returning vendors the same spot as in the previous season. Non-profit participants are placed where space permits.

6. Vendor Fees

Vendor fees collected are used for advertising, marketing efforts, administrative costs and entertainment during market hours.

Full Time vendor fee (or first week fee for a PT vendor) must be paid in full before membership takes effect. Full season membership requires an applicant agree to miss no more than 3 weeks out of the entire scheduled season.

7. Hours/Days of Operation

The market operates Saturdays, July through the end of September, actual dates are determined for each season by the Board of Directors. Hours of operation are 9:00 a.m. to Noon.

Vendors are required to be at the market on time, set up and ready to sell by the 9 am opening bell. ***The Market has a strict policy forbidding any sales before the 9 am opening bell (the exception being a hot-food vendor designated by the board may sell breakfast/coffee to other vendors only).***

Displays and canopies must remain set up until the Noon closing bell, even if you sell everything you bring. Early tear-down (anytime before the closing bell) is prohibited except in case of emergency as authorized by Management.

After the closing bell, vendors shall begin packing up to leave the market site, but may continue to sell as they load. Tear-down shall be done in a timely manner and the green shall be vacated by 1 pm.

8. Rain or Shine Policy

The WFM is open RAIN OR SHINE and vendors are to attend. Failure to attend due to inclement weather is a violation of WFM Guidelines.

9. Attendance Policy

Full time vendor membership allows for up to three (3) scheduled absences during the season. If you are unable to attend a market you must notify the Vendor Contact as far ahead as possible, but *no later than 11 p.m. Wednesday prior to your absence.* Failure to give timely notification is an unscheduled absence and a violation of Guidelines. Timely notice of absences helps in attempts to fill the space from the waiting list to try to retain a "full" look. For the benefit of yourself, the other vendors, and the market as a whole, every