



Franklin Farmers' Market Policies & Procedures

Located in Downtown Franklin, Virginia

Welcome to the Franklin Farmers' Market
Co-sponsored by the City of Franklin
and the
Downtown Franklin Association

CONTACT

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Market Objectives:

- To provide a venue for area growers/producers to provide a variety of healthy, regionally produced products directly to the public.
- To stimulate the local farm economy while preserving agricultural land.
- To create an attractive and educational atmosphere promoting agritourism and trade with local merchants.

Market Dates and Sites:

The Franklin Farmers' Market prime season will begin on Saturdays, rain or shine, from the fourth Saturday in May through the last Saturday in October from 9:00 am – 1:00 pm. Off-season will begin on Saturdays, rain or shine, from the second Saturday in November through the last Saturday in February from 9:00 am – 1:00 pm.

The Franklin Farmers' Market will also be open for vendor sales (at vendors' discretion) Monday through Friday from 9:00 am – 1:00 pm as a non-promoted/publicized market day during the same season.

The Market location includes paved sites under a pavilion, as well as unpaved sites surrounding the pavilion. The Market is located at 210 S. Main Street in downtown Franklin next to the Franklin Depot Visitor Center. Season pass holders will be assigned preferred site locations first. Monthly pass holders will get second placing, and daily vendors will be assigned last. All spaces are first come first served, at the discretion of the Market Manager.

All vendors must furnish their own umbrellas or shade tents (10'x10'), tables, chairs, etc. for sites located outside of the pavilion. Vendors with assigned sites under the pavilion must provide their own seating. Other items, such as ice and scales, and anything else required to sell their product must also be provided by each vendor (Scales are subject to inspection for accuracy). Appropriate language and dress is required to promote the family atmosphere of the Market.

Market Opening, Closing and Attendance:

The site will be available for set-up starting at 8:30 am every Saturday. Vendors **or substitute vendors** must be in attendance **every Saturday** ready to sell by 9:00 am. **and available for business until Market closes. Leaving early is prohibited without approval by the Market Manager.** In case of an emergency, please see the Market Manager. If the vendor does not fulfill his/her contractual obligation to exhibit at every market, the Market Manager reserves the right to re-assign the vendor's space or replace the vendor. At the end of the selling day vendors must leave their spaces clean.

Space Assignments:

Each vendor space under the pavilion is approximately 8' X 12' (with room for one standard vehicle, i.e. pick-up truck). Spaces outside of the pavilion will be approximately 10' X 20' (May include one standard vehicle). Vendors with vehicle requirements larger than a standard pick-up truck must notify the Market Manager for approval and space assignment. The remainder of space assignments will be on a first come first served basis. **Vendors participating on a week- to- week or daily basis will be provided with space after the full-season vendors are placed.**

Contact the Market Manager if you need to be absent, if you are running late or if you need assistance.

No subleasing of spaces will be allowed.

Displays:

The Market Manager must approve all tents, canopies, pop-ups, umbrellas, signs and display items. In case of severe weather, adequate anchors/weights must be in place and vendors must respond to directions from the Market Manager.

Vendors must keep their display of goods strictly within the confines of spaces assigned by the Market Manager. At no time shall the safety or convenience of customers or vendors be compromised by any vendor's display.

Vendors will clearly display prices of all items and post their farm name and location. It is recommended that vendors have copies of current licenses, certifications and inspections on hand during Market hours.

Eligibility:

Participation is open to local and regional growers/producers within a 75-mile radius of Franklin. Vendors coming from farther than 75 miles must be approved by the market manager. Vendors must participate in the production of the products they sell. No reselling of items bought from a retailer. Vendors may not purchase products from any retail market for resale. The Market will inspect items prior to, or on, the day of sale to confirm their eligibility. Items for sale should fall into one of the following four categories. Wholesale produce not currently in season in our growing area may be sold, however, a receipt from the wholesale provider must be presented to the market manager prior to selling.

Grown or Landed Locally:

1. Edible – any food item grown or raised (from weaning) locally by the vendor or fish or seafood caught or landed locally, including live animals commonly used as food. (examples – eggs, meat, fowl, nuts, herbs, all fresh fruits and vegetables)
2. Non-edible – all decorative or immature plant material (examples- potted herbs and flowers, potted fruit-bearing plants and shrubs, cut flowers).

Processed or Value-added:

(The Market assumes that the items offered for sale will be distinctly different from their raw ingredients. Items may expressly **NOT** be purchased and repackaged to be sold at the market.)

1. Edible – foods processed by the vendor (examples- dried fruits or vegetables, baked goods, pasta, granola, jam/jelly, cider, vinegar, relishes, milk and milk products, cheese, honey (must be from local hives). All processed foods must be certified by the Virginia Department of Agriculture and Consumer Services. **Any vendor selling processed pickles, salsa, canned fruits and vegetables, baked goods or any other prepared food item will have their kitchen inspected and approved by the Virginia Department of Agriculture and Consumer Services and include a copy of their certification with their application.**
2. Non-edible nature related products (example - wreaths, dried flowers, soap, scents, baskets, wool and other fiber products)

Application Requirements:

All vendors must obtain a Farmers' Market Business License (\$10) and complete an application at the Commissioner of Revenue office, located in Franklin City Hall, and sign a Market and Hold Harmless Agreement before being allowed to sell any product. Many items are subject to USDA, Virginia Department of Agriculture and Consumer Services and/or Health Department regulations. It is the sole responsibility of the producer/vendor to abide by these regulations. Vendors must contact these agencies for inspection and approval. Vendors are liable for their own products.

A copy of all required licenses should be filed with the vendor's application. Copies of land lease and/or partnership agreements must be included with application.

Neither the Market Management/DFA nor the City of Franklin will not be held liable for the products offered by vendors. Product liability insurance is the sole responsibility of the vendor.

The Market Manager will be on site during most operating hours and will have final say in all matters.

The Market reserves the right to, with reasonable notification, visit and inspect the vendor's farm, growing area, or processing facility. Visits are made to gather information for promoting the vendor and his/her products. Farms and kitchens may also be inspected to verify compliance with the producer and food safety inspections rules. Failure to permit an on-site visit may result in a suspension from the Market for a period not to exceed 30 days and will forfeit their site location. Vendors returning after a 30 day suspension will be subject to space availability at the time of their return.

Food Stamps and WIC Program Farmers' Market Coupons:

Vendors who are authorized to accept and redeem food stamps and Farmers' Market Coupons are encouraged to do so. (Market Manager cannot redeem any stamps or coupons.) Vendors are also encouraged to offer voluntary 10% discounts to senior citizens (age 55 and over).

Liability Insurance:

Vendors who have their own liability insurance must include a copy with their application.

****The Market Manager, DFA, and City of Franklin, or their agents, are not liable for any loss or theft at the Farmer's Market****

Accident/Injury:

Any accident or injury must be immediately reported to the Market Manager. 911 and/or Franklin Police must be notified if applicable. Anyone participating in the Market, whether vendor, customer or otherwise, attends at his or her own risk. Vendors will operate at their own risk and assume liability from the customers.

Sales Tax:

It is the sole responsibility of the individual vendor to collect and file all appropriate sales taxes.

Market and “Hold Harmless” Agreement:

This agreement means that the vendor verifies that all information is accurate and will hold the Market Manager, Volunteers, and Advisory Board harmless concerning product liability or other factors that relate specifically to the vendor’s business practice.

The Following are Prohibited During Market Hours

- Selling during a lightening storm
- Electrical generators
- Music (except personal players with headphones or earbuds)
- Damage to the pavement
- All vendor-owned domestic pets including cats and dogs
- Selling of any items bought from a retailer
- Processed foods not in compliance with health department and Virginia Department of Agriculture regulations
- The slaughtering of any animals on site
- Cooking within the Market area without prior approval by the Market Manager
- Distribution of religious or political campaign material
- Hawking will not be allowed
- No smoking in the Market Area
- No alcoholic beverages sold or consumed in Market area

Vendor Responsibilities:

Cleanup: Vendors are responsible for disposal of all trash and debris generated by their respective businesses.

Regulations: Vendors are responsible for all appropriate labeling, licenses, product inspections, weights, measures and pesticide rules. Accuracy of scales/weights is the responsibility of the vendor; however, the Market Manager reserves the right to check accuracy any time. At all times, items sold in the Market must meet requirements of all applicable health and sanitation codes, as well as local, state, and federal agricultural requirements. It is the sole responsibility of the vendor to ensure compliance. The vendor must cooperate with state inspections at the Market.

Suggestions/Comments: Vendors with suggestions or comments are encouraged to submit written, signed statements to the Market Manager.

Attendance: It is vital for all vendors to be present at the market place during advertised operational hours. Season vendors must commit to the entire prime season (May-Oct) and participate on a regular basis. Monthly vendors must commit to all Saturdays in the particular month identified on their applications. Produce availability may limit the beginning

and ending dates; therefore, a schedule will be developed prior to the start of the market season to document the vendor commitments. Guest vendors will be invited to participate in individual markets based on the discretion of the Market Manager. Off-Season (Nov-Feb) will be assigned by the Market manager on a first come first served basis based on application requests.

COMPLIANCE

The Market Manager will enforce all policies and procedures in the Market. The Advisory Board will review any violations of these policies and procedures. Any vendor found not in compliance will be given a written notice and may be subject to exclusion from participation in the Market for a period not to exceed 30 days and will forfeit their site location. Vendors returning after a 30 day suspension will be subject to space availability at the time of their return.

RESOURCES

Sales Tax: Vendors will find useful information at www.policylibrary.tax.virginia.gov

Liability Insurance: Check with your insurance company to be certain that your liability insurance covers “off-farm sales”. A good source of information on this subject is The Legal Guide for Direct Farm Marketing by Neil Hamilton, Pg. 144-147.

FOOD SAFETY

Be proactive rather than reactive

**Food Safety and Inspection
(757)363-3909
(VA Dept. of Agriculture and Consumer Services)**

With one phone call to this number, you can ask questions about all food products sold at retail, including but not limited to, processed, canned fruits and vegetables; pickled products; vinegar products; meat and poultry; fish and seafood; and baked goods.

For Specific Information, call:	
Dairy & Foods	(804) 786-8899
Meat & Poultry	(804) 786-4569
Organically grown foods/Certification (USDA has cost share available)	Catherine Cash (804) 382-0909 www.ams.usda.gov/nop
Weights & Measures	(757) 562-6637
VA Tech Food Process Institute	(540) 231-8697
VDACS – Monthly Produce Prices	www.vdacs.virginia.gov/marketnews

Protect – Sanitize – Label

Each vendor must abide by all local, state, and federal regulations, which govern the production, harvest, preparation, preservation, labeling or safety of products offered for sale at the Market. Vendors are liable for their own products.

- Refer to VDACS *Food Safety Guide* booklet for individual product details.
- A copy of all applicable permits, including those from the health department, VDACS, or appropriate inspector of the county where the products originate must be included with this application and available at the Market.
- Scales and thermometers (in each unit) must be used and kept accurate.
- Ice (drainable) or other means must be used to maintain required temperatures.
- Produce must be displayed at least two (2) feet off the ground.
- All products must be protected from dust, flies, rain, and animals.