

2011 Market Rules and Policies

The objectives of the Tigard Area Farmers' Market are: a) To provide the community access to a wide variety of fresh, in-season farm products. b) To provide local farmers, nurseries, and artisans an opportunity to sell their products directly to consumers. c) To provide an informal, community gathering place for the citizens of the Tigard area that reflects the values and talents of our community.

1. Market hours. The 2011 Market will be open to the public from 9:00am until 2:00pm, from Sunday, May 8, through Sunday, October 30, unless otherwise determined by the Board of Directors. No Vendor will be allowed to sell products before the Market opens each Sunday at 9:00am. Set-up times are from 7:00am to 8:45am.

2. Market location. The Market will be held in the parking lot of Young's Funeral Home, 11831 SW Pacific Highway, Tigard.

3. Product Guidelines. Products allowed to be sold at the Market are fruits, vegetables, herbs, flowers, bedding plants, shrubs, trees and other agricultural and horticultural products, as well as select food items and handcrafts. All products shall be of good quality and must comply with any applicable regulations pertaining to their production and sale. (See Licensing and Special Requirements for Specific Products.)

Produce. The Tigard Area Farmers' Market is for farm fresh products and is not an outlet for wholesale produce. Variances to this rule must have prior approval.

Bedding, landscape plants & flowers. Plants and flowers must be propagated by the Vendor from seed, cuttings, bulbs or plant divisions and sold in standard, non-decorative nursery containers. The Market is not an outlet for wholesale plant sales. Variances to this rule must have prior approval.

Food items and prepared foods. Food must be produced by the Vendor from raw ingredients. Vendors must have **all** required licenses prior to selling at the Market and provide copies of licensing to the Market.

Dairy products, meat, fish and eggs. These products are allowed. For specific guidelines, see the Oregon Dept. of Agriculture's Farmers' Market Guidelines.

Art/Handcrafts. The Market Manager and/or Board will jury select art and handcrafts before being offered for sale. These products must be hand assembled by the Vendor.

4. Space Registration. A Preseason Vendor Orientation will be held on Sunday, March 6, 1:00pm, at **The Gathering Room (12950 SW Pacific Highway, Suite 125, Tigard, Oregon 97223)**, for all returning Vendors and those invited to attend in 2011.

- ◆ There are two categories of Vendors. Reserve Vendors are those assigned a space for a full season, and who pay for a space in advance. Weekly Vendors pay fees weekly and are assigned spaces on an as-available basis.
- ◆ Vendors who wish to reserve a space must complete and return the Application/Agreement by Friday, April 29th. Spaces will be assigned on this date. If all Vendor Applications cannot be accommodated, names will be put on a waiting list and Vendors will be notified as space becomes available.
- ◆ Full season, Reserve Vendors will be given preference for requested spaces. Historic seniority (number of years regularly selling at the Market) will also be considered.
- ◆ Weekly Vendors will be selected by the Market Manager to fill any space not reserved on a Market day. Weekly Vendors must complete a Vendor Application and Agreement prior to selling, provide the Market with a \$30 space deposit, and abide by the Rules and Policies.
- ◆ Non-attendance. Vendors who will not be attending the Market on any Sunday must notify the Market Manager on or before noon of the Thursday preceding the Market day. Failure to notify the Market Manager of non-attendance one or more times during the season will permit the Market to reassign the space. **Vendors who miss a market and have not contacted the manager will forfeit their \$30 deposit.**
- ◆ The Market provides electronic debit, credit, and Oregon Trail EBT card transactions for customers. Vendors attending market agree to accept \$1 and \$5 tokens in exchange for products. The Market will fully reimburse Vendors for these tokens. There is no expense to the Vendors for this service. Market management bears the costs of this service to vendors. ~Restrictions apply to what products can be sold in exchange for EBT (food stamp) tokens. See Market manager for details. If tokens are accepted for products other than those approved by the USDA, the tokens will not be reimbursed. The deadline for turning in tokens to the Market is November 15, 2011.
- ◆ Return application to:
Tigard Area Farmers' Market
PO Box 230421
Tigard, OR 97281-0421

5. Space fees. Fees are based on a weekly rate of \$30 per single space measuring a minimum of 10' wide by 10' deep. Vendors needing more space should contact the Market Manager for the cost of added space(s).

A \$30 deposit is required of all Vendors except full-season Reserve Vendors. This deposit will be held to cover any market day for which the Vendor doesn't attend and has not communicated his or her absence. If this deposit is used to pay for non-attendance, another deposit of \$30 is required to attend in future weeks. Deposits may be made at the time of application (\$30) or on a Vendor's first market day (\$60--\$30 deposit plus \$30 fee for that day).

Deposits not used to pay for non-attendance during the season may be applied to the last day a vendor attends the market, or will be refunded after the close of the market, October 30th.

Full season reserve spaces (25 weeks from May 8 through October 30) may be paid for in either one or two installments. If paid in one installment by May 1, a discount of 10% is allowed. Half-season reservations are not discounted. Full season Vendors are not required to provide a space deposit.

<u>Fees calculations</u>	
Full season cost	\$750.00
less 10% (pd. by May 1)	<u>-\$ 75.00</u>
Full season with discount	\$675.00
 Weekly rate (minimum 10x10 space)	 \$30.00

Electrical connections at the Market site are limited. Vendors requiring electricity need to contact the Market Manager to make arrangements for connection. There may be an extra charge for electrical connection.

6. Vendor obligations.

Vendor must provide a completed, signed Vendor Application and Agreement, as well as copies of all permits, licenses and registrations applicable to the sale of his or her products. Examples include but are not limited to: ODA scale licensing, organic certification, nursery licenses for plants, and kitchen licensing for processed foods. Vendors are responsible for complying with state and local health and licensing requirements governing production and sale of their products. Failure at any time to conform to such regulations and requirements can be grounds for removal from the Market and forfeiture of space fees.

- ◆ Each Vendor must post a sign identifying him/herself or the name of the business represented. The Market expects that all products not grown or produced by the Vendor's farm or business display a sign of origin (name and location), at least 4" x 6" in size. This policy includes fruits, vegetables, plants, flowers, food items, and crafts produced by persons other than the selling Vendor. **Resale is not permissible without disclosure to Market Manager.**
- ◆ Vendors must provide proof of insurance. Return a certificate of insurance of general liability, automobile and/or homeowners policy with vendor application. Prepared food vendors are required to provide a certificate of product liability listing the Tigard Area Farmers' Market as additionally insured. Copies of insurance certificates and coverage must be on file with the market prior to attending the market.
- ◆ Vendors must take all reasonable care to avoid damage to Young's Funeral Home property, landscaping and building. Any damage shall be reported immediately to the Market Manager to determine the responsibility of a Vendor, Vendors, and/or the Market to replace or repair the damaged area.
- ◆ The restrooms, telephones, and water within Young's Funeral Home buildings are not available for Market or Vendor use. Portable restrooms with a sink/hand washing station will be provided at the Market site. A limited supply of water is available. Vendors should plan according to these restrictions.
- ◆ **The use of hand washing stations need apply when required by health department. Disposal of food born waste requirements must be adhered to.**
- ◆ Vendors will not have vehicles, tables, products, boxes, signs or any part of their booth outside their space limits. All edible products will be kept off the asphalt by means of tarps, tables or other barriers to contamination.
- ◆ Booths, canopies and/or tables must be provided by the Vendor, and must be erected with concerns for the safety of the public and other Market Vendors. All canopies must be weighted down sufficiently to keep the canopy on the ground in strong wind. Any vendor who does not comply with this requirement will be asked to take their canopy down and may lose their space in future markets.
- ◆ Vendors are responsible for keeping their spaces attractive during the Market and for cleaning up during and after the Market. Spaces are to be left broom-clean at the end of each Market day.
- ◆ Vendors will also be responsible for removing their own refuse and/or unsold products from the Market premises. This includes all trash generated by respective Vendor's business operations. Those who do not clean up at the end of the Market or who use the Market trash cans for Vendor garbage will be issued a written warning for the first offense, and a \$30 fine for the second offense. A third offense is grounds for removal from the Market and forfeiture of fees.
- ◆ Any Vendors bringing children to the Market will be responsible for the actions of those children. Children must be under the control of adults at all times and may not disrupt Market activities in any way.
- ◆ Dogs owned by Vendors are, regrettably, not allowed at the Market site.

- ◆ Vendors will conduct themselves courteously. It is the Market's intent to win friends and benefit all Vendors, consumers and the community.
- ◆ **Vendors must notify the Market Manager if they cannot attend. If an emergency arises on a Sunday morning, vendors must call the Market cell phone by 8am: 503-828-2412. If no call is received, vendors will forfeit their \$30 deposit.**

7. Vehicles and loading/unloading.

Vehicle unloading will not be permitted before 7:00 a.m. without proper notice.

Vendors products must be unloaded and vendors must have their vehicles out of the market by 8:45am. Any Vendor arriving after this time shall carry his/her products, table(s) and supplies to the assigned space.

~When unloading and loading, vehicles must be parked parallel to vendor spaces and as close as possible to allow through traffic.

~All vehicles associated with Vendor operations must be parked off of the Market site and customer parking areas in designated parking areas. No exceptions will be made to this rule without permission from Market Management.

~Vendors will not be allowed to breakdown booths and / or leave the Market before 2:00pm closing time unless granted special permission by the Manager. No vehicles will be allowed in the Market area before 2:15pm unless allowed by Market staff. Moving Vendor vehicles close to the market entrances before 2:00pm is not allowed. Vendors are expected to keep the success of all Vendors and the Market in mind in this regard.

8. Market Rule enforcement. The Market Manager and Assistant Manager, who have ultimate on-site authority, and who are responsible to the Board of Directors and to property owners, will enforce all rules of the Market. If a Vendor does not abide by any rule of the Market, the Market Manager or Assistant Manager may bar that Vendor from selling at the Market for the season.

9. Disputes. An appeals committee will resolve any continuing dispute between a Vendor and the Market Manager or Assistant Manager. The appeals committee shall consist of two members of the Board of Directors and a representative of the Market Vendors. Members of this committee will be appointed by the chairperson of the Board and will serve for one season. Both the Vendor and the Market Manager or Assistant Manager shall present disputes in writing to the chairperson of the Board. Agreement by two members of the appeals committee shall constitute a final decision, and both the Vendor and the Market Manager or Assistant Manager shall be notified of the decision immediately. All disputes and their resolution shall be made of record at the next regular meeting of the Board of Directors.

10. Product challenge. It is the intent of the Market to offer consumers fresh, high quality, farm direct products. Any Vendor, Market Manager, or member of the Board of Directors may challenge products offered for sale. Challenges could be made for a Vendor's products for poor quality or for misrepresentation of product. A challenge must be submitted in writing to the Market Manager before action will be taken. The challenge process is: 1. Challenging Vendor to submit written challenge to Market Manager. 2. Vendor challenged will receive written or verbal notification of the challenge by the end of the Market day. 3. The challenged Vendor will be required to resolve the challenge before the next Market day. 4. Challenge to be resolved to the satisfaction of the Market Manager and two Board members. A farm visit will be made if necessary. 5. The disciplinary process for Product Guideline violations will be: (a) First offense—one-week suspension. (b) Second offense— forfeiture of space(s) for the remainder of the season. 6. No refunds will be given.

11. Political and Religious activities. The Market is not a forum for political or religious activities. Permits will not be issued to persons or organizations wishing to campaign or proselytize.

12. Tigard Area Farmers' Market reserves the right to prohibit anyone from selling or any product from being sold. These Rules may also be modified or amended by the Tigard Area Farmers' Market at any time with notification of rule changes provided to Vendors. The Tigard Area Farmers' Market is not responsible for loss or damages incurred while selling. There will be no discrimination by Vendors or the Market based on race, color, creed, sex, religion, sexual orientation, or nationality.

13. Art, Handcraft and Ornamental Products Guidelines While the Tigard Area Farmers' Market is primarily intended to provide the community with farm fresh produce, the Market will include a limited number of local Artisans and Vendors of handcrafted items. When limited craft spaces are full, names of qualified juried craft Vendors will be placed on a waiting list.

The Market will require that items for sale are unique, of a high quality and locally produced. Additional guidelines are:

- ◆ Products shall be hand assembled by the Vendor.
- ◆ Purchased bases (ex. wreath frames, containers for arrangements) must not be a major component of the finished product, either visually or in value.

- ◆ **A jury of Market staff or the Market Manager will review products. Only products reviewed and approved will be allowed to be sold. More info about product review will be emailed.**

Supplemental Information

Minimum Requirements for Food Safety and Sampling

Vendors who wish to distribute samples of their products must give strict attention to sanitation and proper food handling procedures. The Oregon Department of Agriculture has developed additional guidelines, revised in 2003, for food safety and sampling at farmers markets. Ask the Market Manager for a copy of the booklet. In addition to the ODA guidelines, Vendors of unpackaged food for consumption should also follow the following guidelines, subject to change at any time, on the Market premises.

- ☒ The Vendor should keep himself or herself and the selling area clean and neat in appearance. **~Keep Vendor food away from food for sale.**
- ☒ Hands must be washed with soap and clean water before handling food and after using the toilet.
- ☒ No smoking is allowed within the Market.
- ☒ All surfaces, equipment and utensils which come into contact with food must be nontoxic, easily cleaned and in good repair, and must be cleaned and sanitized prior to use.
- ☒ Any fruits or vegetables must be washed before preparing and distributing.
- ☒ All Vendors distributing samples or serving food must have a hand-washing station in place that includes adequate water for the market day, a container that allows an open flow of water while washing, soap, single-use paper towels, and a bucket to catch gray water. See ODA guidelines for a diagram or ask questions.
- ☒ **This is important:** Samples should be offered in a way to avoid contamination from one customer to another, such as in small cups or candy holders, or using toothpicks.
- ☒ Vendors will provide a trashcan for any refuse from the distribution of samples and remove the debris at the end of the market day.

Licenses and Special Requirements for Specific Products

The following information is provided to aid Vendors in complying with regulations concerning their products. It is not a comprehensive list of requirements, and Vendors should contact the appropriate state agency for more detailed information. Whenever a specific agency is not mentioned below, as in the case of most produce and food items, the contact is:

Oregon Department of Agriculture
Food Safety Division
635 Capitol St. NE
Salem, OR 97310-0110
(503) 986-4720

Processed foods must have been prepared in a licensed facility (Certified Kitchen), and a copy of the Vendor's license from the Vendor's county health department and/or the Oregon Department of Agriculture must be provided for the Market. All such products must be packaged, canned or bottled according to state and/or county regulations. Guidelines for labeling of prepackaged food items are available from the Oregon Department of Agriculture, Food Safety Division.

Prepared food consumed at the Market must be sold with a temporary for-profit license obtained from the Washington County Environmental Health Department. Food handler's licenses are also required and available from the same agency. (503) 648-8722. These can be acquired on line with a cost.

Dairy products, meat, fish and eggs, as well as any prepared foods containing these foods, are considered "potentially hazardous foods." The temperature of these products must be kept at 45 degrees Fahrenheit or below, or 140 degrees Fahrenheit or above at all times. Eggs must be fresh, sized, clean, whole, without cracks, and odor-free. They must be sold in new containers showing the grade, size, date and name and address of the Vendor. Regulations and licensing requirements for each type of product vary and Vendors should obtain complete information from the Oregon Department of Agriculture. Vendors of these products should work with the Market Manager to assure that all requirements are being met.

Vendors who sell nursery products and bedding plants are required by the state to obtain a nursery license if annual sales exceed \$250.00. For more information, contact the Oregon Department of Agriculture, Plant Division, (503) 986-4644.

Scales used must be licensed annually by the Oregon Department of Agriculture. The fee is \$20/year, and the Department licensing year runs from July 1 to June 30. For more information, contact the Oregon Department of Agriculture, Measurement Standards, (503) 986-4670.