

13th Annual WESTMINSTER FARMERS' MARKET

Vendor Rules and Regulations for 2021

Goal of the Westminster Farmers' Market

The goal of this Farmers' Market is to support producers within our locale. We encourage locally grown and/or produced products. Seedlings and potted plants are acceptable, as are crafts that serve a functional purpose.

Market Hours of Operation and Setup

The hours of operation will be from 3:00 to 6:00PM on Fridays and will run from the first Friday in May to the last Friday of October, with the potential for winter markets. Vendors will be assigned spaces, and are encouraged to arrive ½ hour before opening time to set up. No selling, selection, or bagging (in other words, nothing leaves your stand) before 3:00pm, except by general consent among all vendors that they are ready. Please enforce this yourself by explaining to your customers that it's unfair for you to sell to them before other vendors are set up.

Jurying

- The Jury Committee shall consist of a five-member team including the Westminster Agricultural Commission Chair, the Market Manager, and three non-vendor Westminster residents, and will meet during the month of April to select the vendors for the upcoming market season. Returning vendors in good standing with the required 20 points (see attached policy) have first refusal for available slots.
- **The Jury Committee will approve all vendors FOR THE ENTIRE SEASON (annual members, per diem vendors and opportunity booth participants) before opening day of the market (first Friday in May). Any vendor that has not submitted an application and received approval from the Jury Committee will not be allowed to set up. There will be no new vendors juried mid-season. All appropriate paperwork from all vendors must be in by April 15th. Vendors who normally set up later in the season may set up when it's appropriate for sale of their product.** All applicants will be juried.
- The Jury Committee reserves the right to limit the number of vendors to support the overall strength of the market and reserves the right to adjust/limit an application to avoid duplication of product beyond the market's capacity to support it.
- The Jury Committee or a representative of the committee has the right to inspect the premises where a product is being produced or processed.

Annual Vendors

Vendor's annual membership in the Farmers' Market is contingent upon acceptance by the Jury Committee and payment of an annual fee of **\$200/10'x10'booth space (\$150 for each additional booth per vendor and an extra booth for a day is \$15)**. In order to hold a place at the market, a vendor must commit to attending all markets and must aim to be on time. If the vendor is missing a market or running late then they must contact the On-site Market Manager (OMM). The year will run from May 1 until April 30 and the Holiday market is included in the registration (vendors must notify the OMM if they wish to participate). Registrations must be in the hands of the Jury Committee by April 15th. The fee must be paid at the time of the application. **There is a \$45 discount (\$155/booth for the season)** for the vendors who attend the Vendor Registration meeting held the first Wednesday evening in April. Registration fee is non-refundable once a vendor confirms attendance at the market and the market begins for the season.

Per-diem Vendors

Per-diem vendors must go through the jury process for approval (see above). Per-diems must also register in April even if they won't be setting up until later in the season. The per diem fee is \$15.00 and must be paid before vendors are allowed to set up. Registrations for per diem vendors must also be in the hands of the Jury Committee by April 15th. Once a per diem vendor has paid for 13 markets, they will be converted to an annual member with an annual member's rights and responsibilities.

Opportunity Booth for In-town food producers

Created to support the development of a strong agricultural base in Westminster, MA. Its use is restricted to Westminster residents who are involved in micro or extremely seasonal food production interested in developing a market presence. Participants are restricted to a 5' table, must be prepared to share a standard 10' booth space and

plan to work towards transitioning into a standard booth membership in 3 years. Price for the booth (5') is \$60 for the season (\$50 if attending the registration night) and does not include the holiday market. A per diem price of \$5/day may be negotiated. If interested, please attach a letter of intent to your application and the Jury Committee will be in touch to discuss the specifics of your situation.

Reselling

- Reselling **WITH LIMITATIONS** will be permitted in order to offer the widest variety of Locally Grown Food.
- Reselling is defined as offering for sale any plant or animal products that were not produced by the vendor on the vendor's property—either owned or rented (rental agreement must be provided if requested by the Jury committee).
- Produce vendors must produce 75% of what they sell before adding resold produce to the displays.
- **All resellers shall have a visually upright, 8.5"x11" Resale Sign that is updated weekly and that lists every product that is being resold and the name of farm and town of the product origin. The OMM reserves the rights to have vendors remove products offered at resale if they are not listed on the sign.**
- When/if a resold product (example: corn) becomes available from a vendor that produced it on his/her land, and in quantities he/she believes can meet market demand, then **that producer must notify the OMM in writing, phone or email the week before they are planning to bring the product to market –easily done by notifying the OMM at the preceding week's market.** Once notified of the product's arrival at the market, the OMM will then notify all vendors that that product may not be *resold*. Failure to notify the OMM means that the local production protection is not in effect and that the product may be resold by other vendors – provided all other market rules are followed. Vendors using the market for CSA share pickup that includes such products must mention this on their application and that product can only be available in shares prepared for pickup.
- Locally grown for resale is defined as grown or produced within a 1.5 hour one-way drive from the Westminster Farmers' Market and includes the Pioneer Valley.
- The vendor must list all possible resale products on their original registration form for examination by the Jury Committee.

Permits and Restrictions

- All necessary licenses, permits and insurance are the vendor's responsibility to obtain. Anyone selling baked or processed goods must have a Residential Kitchen license or a Commercial Kitchen license issued by their town's Board of Health, as defined in the state sanitary code, Chapter X, and must have a copy of any appropriate licenses and permits in their possession during the market. A photocopy must also be part of the registration form on file with the OMM
- The Westminster Board of Health **must also approve all licenses and permits** issued by other town Boards of Health. Please be sure to make arrangements to have your paperwork checked out by them before you set up at the market.
- You may not advertise yourself as "Organic" unless you are certified. The word "Organic" is now defined and enforced by the USDA and has a very special meaning. You are free to use "non-sprayed", "sustainable", "all natural" or any other term that is not so regulated.
- The use of household scales will not be permitted. Any scale used must have a seal by an official City or State Sealer of Weights and Measures. The OMM will ensure vendor's scales have been sealed.
- Any vendor providing samples at the market must have those samples approved by the Westminster Board of Health in advance of distributing samples. It is highly recommended that interested vendors contact the Westminster Board of Health to get specific information on safe sampling.
- Prices for all items must be posted clearly.
- Collusion among vendors to exert pressure to fix, raise or lower prices is prohibited.
- No vendor, while at the market, shall promote any diet or lifestyle that is contrary to the goals of the market.
- Any written material must be approved by the Jury Committee but may be provisionally approved by the OMM.

Market Appearance for booth and personnel – visually creating a professional market

- Each booth canopy must be clean, without rips and tears, and secured to the ground via pins or weights. Safety for the customers is paramount and wind is always a challenge on the hill.
- **All foods must be on tables or at least 6" above the ground. Per order of the Board of Health – NO DOGS ARE ALLOWED UNDER THE CANOPIES OR TOUCHING ANY PRODUCT IN ANY BOOTH**

- All signage must be highly visible, clean and secure. If selling anything not grown by the vendor then the signage must list item and origin in clear, easy to read lettering – no quick scribbles.
- All clothing of any personnel in a booth must be neat and tidy, professional without rips, tears or holes. It's ok to have a costume if appropriate but it still must meet the above restrictions. The Market focuses on selling local foods and foods need to be handled with respect that the customer can see at all levels.

Additional Info

- Any violations, as determined by the OMM, shall subject the violator to permanent removal from the Westminster Farmers' Market.
- There are no sales to customers before the market opens at 3pm but vendors may purchase QUIETLY from each other if a vendor has needs that cannot wait to be met until the end of the market.
- The Westminster Agricultural Commission reserves the right to modify these rules at any time as deemed necessary.
- The Westminster Agricultural Commission is the final arbiter for all Westminster Farmers' Market issues, conflicts or concerns. Meetings are held on the 1st and 3rd Wednesday of the month. Please notify the commission at least 7 days ahead of the meeting you wish to attend in order to comply with the Massachusetts Open Meeting Laws.

Point System for Westminster Farmers' Market Vendors (policy 1)

Each vendor needs 20 points to apply for the following season with preferred selection from the Jury Committee. Less than 20 points means that that application will be considered as a "new" application and won't have either a hold on a market space or a non-compete on products. More than 20 points allows a choice in the vendor's booth position as long as the integrity of the market is maintained. The vendor with the highest number of points at the end of the season will net a \$50 reduction in the following year's application fee. If there is a tie between two or more vendors than the \$50 will be split between the winners.

Starting points: 20

Every vendor starts their season at the market with 20 points

Losing points:

5 points for every unexcused absence.

An excused absence is a medical emergency, death in the family or prearranged known date(s). From now on – all vendor applications will have a line to list all markets that they know in advance they will not be able to make. Most markets consider one unexcused absence grounds for removal from the market. We're trying to be more flexible but only within limits.

2 points for every market there is not appropriate signage about origins for resold produce

We'll be providing the form and markers – you'll be providing the information...

Drop below 10 points and the application approval is withdrawn and the vendor is asked to leave the market. Registration fee is non-refundable once the market begins for the season.

Gaining points:

2 points for every market that a vendor helps to set up and break down the tables, chairs and PA system.

5 points for helping out with the social media outreach. Market manager must confirm.

Highest number of points gets a reduction in the following year's application fee.