

HOMER FARMERS MARKET POLICY HANDBOOK



P.O. Box 2274
Homer, Alaska 99603

For Information and Applications, visit us at:
www.homerfarmersmarket.org

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Robbi Mixon, Market Director
Maggie Wyatt, Market Manager
(907) 299-7540
Email: manager@homerfarmersmarket.org

Market Advisory Board

Scott Miller, President
Marsha Rougely, Vice President
Anna Meredith, Secretary
Jon Kee, Treasurer

Marianne Alpin	Susan Houlihan
Paul Castellani	Lori Jenkins
Karson "Dan" Dorvall	Darius Kleine
Tessa Drais	Megan Palma



Policies

1. Alaska Grown/Made in Alaska

Quality Alaskan grown foods are the main emphasis of the Homer Farmers Market (HFM). The Market will also be an outlet for other Alaskan harvested/ processed foods and nursery products. As available, Market space may be allocated to Alaskan made non-food crafts, with a priority for handcrafted items made with locally grown, harvested or wildcrafted materials. See **Market Craft Standards**, part A of section 11 for details.

2. Vendor Applications/Fees

All vendors must be members of the HFM. Vendors may not sell unless applications are approved and membership fees are paid. Each vendor is responsible for paying the Market space fee to the designated Market Manager before each Market day. Fees are as follows:

Yearly membership fee:

\$25.00

Full Market space per season (includes Saturdays & Wednesdays):

Full season payment of \$345.00 due at time of accepted application.

Market space per day (on a space available basis):

Saturdays – \$30.00 per space, includes following Wednesday Market.

Wednesday Market Only – \$15 per space, per day.

Fees include 7.5% sales tax and are non-refundable and non-transferable. The signature page at the back of this policy book is required with all applications. There will be a \$25 late fee if full season vendors have not paid by the first scheduled Market.

3. Who May Sell

Resale, solicitations and sales outside of booth space are prohibited at the Market. All items sold at the Market must be directly grown, harvested, wildcrafted, processed or crafted by the vendor, with the following exceptions: a vendor may designate a member of his or her household or a paid employee to represent them at the Market; a vendor may sell for one other vendor who is not present, but all vendors must be members. When selling for another member, it must be clear which vendor made which products; this can be achieved verbally or with signage/labeling. Subletting is not permitted. A Market space may be shared if approved by the Advisory Board or Market Manager. *(Homer Farmers Market Advisory Board reserves the right to grant variances to these policies to improve the quality of the Market.)*

4. Non-Profit Policy

Non-profits must complete a vendor application and pay the yearly membership fee. Non-profits may disseminate information of non-political and non-religious nature, conduct demonstrations and services (such as pressure gauge testing), and sell raffle tickets. Non-profits must comply with all rules of the market, including no solicitations and no petitions. Non-profits are not eligible to accept QUEST or Market Coins. Non-profits may also sell products if the products:

- Meet all market policy craft acceptable standards.
- Are approved by the Market Manager prior to selling.
- Do not compete directly with full season vendors.

If your products directly compete with other vendors, or you will be vending for more than three Saturdays, you are encouraged to reserve a space available booth at the current day rate.

Non-profits wishing to use the Activities Tent must contact the Market Manager by e-mail each week by Thursday at 5:00 p.m. to reserve a space.

5. Market Location/Hours

The HFM is an open-air market located at 1211 Ocean Drive. Saturday Markets start Memorial Day weekend and continue through the fall. The Annual Harvest Party will be the last Saturday in September. Wednesday Markets start after the first Saturday Market of the season and end the Wednesday prior to the last Saturday Market of the season (subject to change).

Saturdays – 10:00 a.m. to 3:00 p.m.

Wednesdays – 2:00 p.m. to 5:00 p.m.

Vendors may not begin selling before the Market opens. The Market Manager will announce the opening of the Market.

6. Space Selection

The market has a limited number of spaces. Given the Homer Farmers Market's mission-based focus on promoting local agriculture, producers have first priority when selecting full-season and space available vendors. Vendors wanting a full season booth must apply by the annual meeting, every year, for Board review. Full season status is not automatically granted year to year. The Board maintains the right to choose whichever mix of vendors they see fit, for any reason. The Board takes into account a balance of all types of vendors, with preference first given to produce growers, then to those who can commit to the full season, and to those who use local products in their crafts or food items. All full season booths must be paid in full by March 1st, prior to the start of the season.

7. Vendor Expectations

Failure to abide by policies may result in loss of vendor status.

- Attend weekly Markets.
- Inform Market Manager by Thursday 5:00 p.m. if unable to attend the Saturday Market. We understand that emergencies come up – communication about being absent is crucial to proper functioning of the Farmers Market.
- Vendor space will be reassigned after 9:30 a.m. Saturday morning if the Market Manager is not notified of late arrival. Late arrivals on Wednesday may result in an altered space assignment as well.
- Available vendor spaces will be assigned by the Market Manager.
- Vendors interested in a Saturday Market space must request space with the Market Manager by 5:00 p.m. on Thursday. E-mail is best, but you may phone in your request as well. You will be notified by Friday afternoon about your request.
- Vendors may not broadcast music or other audio recordings in their booths. Vendors selling these types of products may play recordings on devices with headphones only.
- Vendors must stay in their assigned booths while selling their wares. They may not shout loudly at customers or speak negatively about another vendor in order to attract sales. No walking around or handing out samples outside of your booth is permitted. Please respect your neighbors and use appropriate voice levels.
- Harassment of any kind is not tolerated by the market. Please see section 31 for more information.

8. Liability Insurance

Vendors are encouraged but not required to carry private/personal liability insurance. The Homer Farmers Market carries liability and Directors/Officers and Omissions insurance, which covers the Board of Directors, Market Employees/volunteers, and the Market organization.

- This insurance DOES NOT cover individual vendors!

- Should an incident occur at the market, each vendor needs to be aware that unless they have liability insurance which they have purchased on their own, the Farmers Markets' policy does not cover them.

9. Vendor Set-Up/Clean-Up

Set-Up – Setup may begin at 8:30 a.m. for Saturday Market and is to be completed before the Market opens. Each vendor is responsible for his or her own method of display. No vehicles may be driven in the Market area between 10:00 a.m. and 3:00 p.m.

- Maximum booth size is 10 feet wide.
- Shelters, if used, should be sturdy, weighted against wind and aesthetically pleasing.
- Booths have a height restriction of 10 feet tall.
- Tailgate sales are permitted in available spaces.
- All food items must be displayed at least six inches above ground.
- The Market Manager may request that questionable shelters be removed.

Clean-Up – Vendors must have Market Manager approval to break their spaces down before the close of the Market. Clean up should be completed one hour after Market closes. All vendors are responsible for cleaning their space, including trash and plant debris, and must take their debris with them. If this is not done to the satisfaction of the Market Manager, after an initial warning, the vendor will be fined \$25.00 per violation. Failure to clean up may result in exclusion from the Market.

All sun/rain shelters must be removed two (2) weeks after vendor's last Market or face a fine of \$50 and/or exclusion of future Markets.

10. Kids Vending Policy

Kids under the age of 18 are welcome to vend 10:00 a.m. to 3:00 p.m., free of charge, just outside the Kids Zone on the first and third Saturday markets of the month, through the first week in September (subject to change).

The purpose of Kids Vending Day is to engage youth in agricultural and entrepreneurial activities and education, while developing social and math skills. Those wishing to vend during Kids Vending Days must:

- Check in at the Information Booth after 10:30 a.m. each vending day. (The Market Manager is not available until after 10:30 a.m.)
- Complete a Kids Membership Form outlining what they intend to sell and who it's produced.
- Must always have adult supervision if under the age of 16.
- All produce/eggs/crafts sold must be produced/cared for/harvested by kid(s) selling it, with minimal adult assistance.
- All market policy must be followed, including craft standards and Cottage Foods guidelines for labeling.
- Space is first come, first serve, and limited to one 8 ft. table or smaller per vendor.
- No space will be given under the Kids Tent or picnic table, regardless of weather. This space is always reserved for the weekly Kids Educational and Gardening activities.
- Kids must bring all of their own supplies, including tents.
- Kids (and parents) will not solicit for sales or impede on others sales.

Adults who produce the majority of products/crafts sold by children should apply for regular booth space. Kids Vending Day is for kids.

11. Pricing/Sales

All items must be clearly labeled with prices. This may be done by individually tagging items or containers of an item, or by listing all items and prices on a sign.

Scales used at the Market must be legal for trade.

12. Organic Labeling

To be fair to all vendors, the Market Board of Directors is asking that no one use "organic" in their name, labeling or marketing. It is illegal for those who make over \$5000 a year to use the word without being certified organic (a very costly process), so it leaves them at a disadvantage and misleads consumers. The Info Booth at the front will have information for consumers to explain all this. Feel free to explain details such as "Alaska Naturally Grown Certified: or "no pesticides" or "all natural" or "grown with ..." or whatever. That's the benefit of a farmers market – customers can get to know their farmer and their food!

13. Quality/Inspections

The HFM strives to provide a market place where wholesome, high quality products are sold by the grower/producer. Vendors are expected to bring only high quality products to Market. In order to insure the integrity of the Market, vendors must give permission for the Market Manager or other Market representatives to visit a vendor's land or place of business for reasonable inspection of production or processing facilities.

The State of Alaska Environmental Health Officer (DEC) inspects the Market each season. Every vendor selling or offering prepared food for consumption by the general public must have proper DEC permitting and proof of liability insurance displayed at that booth.

The Market Advisory Board also reserves the right to prohibit products with objectionable images, messages, or product implications being sold at the Market.

14. Craft Vendor Standards

HFM is chartered to promote local agriculture and, as such, is not primarily a crafter's market. Market space may be allocated to locally produced crafts on a space available basis, not to exceed 30% during the main harvest season. HFM recognizes the importance of value-added craft products to the local market economy and will attempt to accommodate crafters when possible, while working to maintain an overall focus on agriculture products.

- A. **Homer Farmers Market Craft Standards** – In allocating space at the Market, priority is given to crafts that best meet the following standards. "Ideal" crafts are given top priority followed by "acceptable" and last, "discouraged".
- **IDEAL** – Handcrafted at least partially from locally obtained recycled or renewable materials. Utilizes local wildcrafted or farm products. *High quality, creative, unique at the Market.*
 - **ACCEPTABLE** – Handcrafted from imported, purchased or non-renewable materials when comparable locally obtained recycled or renewable materials are not available. Locally produced items such as photographs or music CD's. *High quality, creative.*
 - **DISCOURAGED** – Made from imported, purchased or non-renewable materials when comparable locally obtained recycled or renewable materials are available. *Poor quality, similar to other crafts at the Market.*
 - **UNACCEPTABLE** – Assembled from kits or pre-made components.

- B. Craft applications for full season consideration must be received by the annual meeting held in January. The Market Advisory Board will meet to evaluate craft vendor applications. Vendors will be asked to show samples of their crafts. Craft vendors will be notified by March 31st of the Board's decision. At that time, if accepted as a full season crafter, the annual membership fee and the full-season Market space fee will be due. Vendors who have not been accepted for the full season may be allotted Market spaces on a weekly space available basis -- if their products meet Market Craft Standards. These weekly space available vendors will pay the Market Manager the weekly fee for each Market attended.

15. Food Vendor Standards

Priority is given to applicants whose business is locally owned and who uses products from participating farms, processes the product themselves, and who highlight regional ingredients. All applications must list all product to be vended. Adding product to application after the start of the Market must be approved by Market management. Food vendors will need to review policy numbers 10 and 12 through 18 in this Handbook before applying. Use of generators is prohibited. Vendors that use any type of heating element are also required to keep a fire extinguisher at their booth.

- IDEAL – Homemade, handcrafted or wildcrafted ingredients from locally obtained food sources such as Farmers Market produce or Alaskan meat or seafood. Quality value added product using ingredients from Farmer's Market vendors.
- ACCEPTABLE – Homemade products crafted by vendor with minimal store bought ingredients.
- UNACCEPTABLE – Sale of store bought products such as candy, soda or bag chips.

16. Food Vendors Also Selling Crafts

Food vendors may also sell non-food crafts. Crafts may not exceed 30% of booth space and must be approved by the Market Manager or the Board prior to setup. If crafts exceed 30% of booth space, a vendor will be considered a crafter.

17. Prepared Food Policy (These rules apply to ALL prepared food items in sections 15 through 17.)

Starting in 2017, Styrofoam serving containers are not permitted at the Market. Labeling on all food products including jams, jellies, pickles, kimchis, baked goods and the like, must include:

- Name of product (i.e., Apple and Kale Salad).
- List of all ingredients.
- Name, address and phone number of where food was prepared, and/or business license number.
- Net weight, volume or numerical count.
- Production date (if shelf stable, month/year is acceptable).
- Storage instructions, if not shelf stable.
- Price.

Baked goods items may have this information on an information sheet located near the product; all other products must be individually labeled.

All items that are not exempt by Cottage Food laws and require a DEC kitchen must have all DEC permits, business license and carry liability insurance.

Prior to selling any of these items, please clear it with the Market Manager.

For more information on food safety and state regulations, please visit:

<http://dec.alaska.gov/eh/fss/index.htm>.

18. Baked Goods/Grain Products

A DEC approved kitchen is not required for the preparation of baked goods including pastries, cookies, muffins, breads, pies and granolas. This does not include items that require refrigeration like cream pies, cheese cake, or items with all meats including fish and poultry. All vendors must be familiar with and follow all aspects of DEC regulations. These regulations (Statute 18 AAC 31.012) can be found at: <http://dec.alaska.gov/commish/regulations/pdfs/18%20AAC%2031.pdf>.

Some highlights:

- The individual who makes the food must be the one who sells it directly to consumers.
- DEC requires that vendors put either on a visible placard or on the label of items the statement “THESE PRODUCTS ARE NOT SUBJECT TO STATE INSPECTION” as well as the vendor’s physical address and telephone number or vendor’s business license number (the Market will provide such a placard).
- In regards to foods like pickles or sauerkraut, refer to DEC regulations for the requirements for testing before selling at the Market.

Specific to the Homer Farmers Market:

- Vendors must prepare baked goods locally from raw ingredients. No commercial mixes or pre-made ingredients are allowed. When available, fruits or vegetables used in baked goods should come from local growers.
- Vendors of baked goods are required to sell items individually wrapped or kept covered and not handled with bare hands. For example: tongs, napkins, or wax paper may be used.
- Vendor must supply a list of the ingredients in the items (either on the labels or on a visible placard).
- Anyone selling food is required to provide a trash can and remove their own trash.
- Reminder: whatever the vendor has signed up to sell (whether produce or crafts), no more than 30% of their booth can be used to sell items under the other categories (such as baked goods).

19. Mushrooms and Sprouts

Wild harvested mushrooms are potentially hazardous. Vendors wishing to sell wild harvested mushrooms must contact the DEC directly regarding state regulations. Vendors are solely responsible for being educated about wild mushroom species identification, and insuring the safety of the mushrooms being sold. Vendors that sell, or serve wild harvested mushrooms are required by the DEC and the Board to have a conspicuously placed sign that states the common name and scientific name of the species being sold, and the statement “wild mushrooms, not an inspected product”. If a vendor is determined by the Board to be selling misidentified wild mushrooms or is determined by the Board to be insufficiently educated on proper identification of mushroom species, the board may request that the vendor discontinues sales of wild harvested mushrooms immediately. The Board can choose any mushroom identification expert they see fit to consult with to determine this.

Sprouts are considered a potentially hazardous food by the DEC and must be produced in a DEC approved facility in order to be sold at the Market, and must provide their DEC certification and proof of liability insurances to the Market Manager/Director.

Please refer to AK DEC regulation 18.31.060 Subsection D for more information.

20. Processed or Dried Foods

Preserves, jams and jellies, honey, fruit syrups, dried herbs and teas, and herbal vinegars are exempted from DEC regulation, and may be sold without certification. Processed foods not exempted above are subject to DEC regulation. Vendors are responsible for working directly with the DEC to insure

compliance with Alaska Statute 18 AAC 310 and other applicable regulations, and must provide a copy of their DEC certification and proof of liability insurance to the Market Manager.

Fruits, vegetables, and herbs used in processed foods should be primarily grown or wildcrafted by the vendor, or purchased from a local grower.

21. Fish/Seafood

The sale of fish and seafood is regulated by the Alaska Dept. of Fish & Game and the DEC. Vendors must comply with all applicable regulations and must provide the Market with copies of their licenses, insurance, permits, and certificates.

Seafood sold at the Market must be caught or raised (shellfish) by the vendor or brokered by a vendor whose product is locally sourced.

Priority is given to vendors whose product enhances the diversity of the Market.

The total number of seafood vendors at the Market will be limited, due to Market demand, and at the discretion of the Market Manager and/or the Board of Directors.

22. Sign/Permits

All vendors must clearly display a sign stating their family or business name. All signs must be displayed in a safe manner. Vendors selling regulated products (DEC, USDA, ADF&G, etc.) must clearly display applicable permits or certificates on site.

23. Business Requirements/Sales Taxes

Each vendor is responsible for all aspects of sales and cash flow. Vendors must obtain a permit to collect Borough and City sales taxes, if applicable. Applications are available at Homer City Hall.

24. Parking

Vendor and customer parking spaces have been designated.

25. Restrooms

There is a portable toilet on the Market grounds for use by customers and vendors. Vendors are asked to help to keep it clean and to report any problems to the Market Manager. Vendors are reminded to use the hand washing station located next to the portable toilet.

26. Children at the Market

All children need to be supervised by a parent or guardian as the Market is not responsible for childcare. Children under 16 selling at the HFM should be supervised by a parent or guardian. Children should understand and practice good hygiene procedures. Children who are disorderly will be asked not to return as vendor or visitors. Any children, family, or family friends attending the market with a vendor are subject to market policy and this vendor agreement.

27. Pets and Animals

No pets will be allowed in the Market or in the vendor area as per Alaska Statute 18 AAC 310. The only exceptions to this policy are trained seeing-eye dogs or dogs for the hearing impaired. This includes during set-up or clean-up times. Vendors who bring pets to the Market must keep them in an enclosed vehicle, except when walking them outside of the Market area. It is up to all vendors to enforce this with fellow vendors and customers. No live animals may be sold or displayed at the Market, except seafood sold per DEC regulations.

28. Smoking, Drugs and Alcohol

Smoking is not allowed on the Market grounds. The use or distribution of alcohol, drugs or any illegal substance is prohibited on Market grounds.

29. Coupon Redemption Program – WIC/SFMNP

Applicable vendors are encouraged to participate in the Women, Infant, and Children’s (WIC) Nutrition Program and the Senior Farmers Market Nutrition Program (SFMNP). To participate, vendors must contact the Homer WIC office for registration and training on WIC rules and regulations. Only fresh, unprocessed produce may be exchanged for WIC coupons and no money may be given as change.

30. Token Programs

The HFM has two different programs using tokens. The first is for recipients of the QUEST food stamp program. Recipients can swipe their QUEST card at the Market’s info booth at the Market entrance where they will receive wooden tokens to spend on food items in the Market. These tokens come with values of \$1 and \$5 and can only be spend on QUEST Food Stamp program eligible foods, including: bread products, produce, meat, fish, poultry, eggs, dairy products, seeds and plant starts which produce food to eat. No change can be given to customers using these tokens. **Only vendors participating in the QUEST token program can accept these tokens.** The program agreement/contract can be found online at www.homerfarmersmarket.org or at the information booth during Market hours.

The second token program involves the HFM coin. This golden coin, minted at the Alaska Mint with the Market logo on it was created as a souvenir and to promote buying locally. Customers can buy them with cash or swipe their debit card at the info booth to purchase these coins. The coin has a \$20 value and can be used to purchase any item, the same as if it were a \$20 bill. Change can be given. **Vendors wishing to accept these coins need to sign the same contract as those accepting QUEST tokens to show that they understand the difference between the two programs.**

Tokens and coins can then be turned in to the information booth on Market days. At the following Saturday Market, the Market Manager will distribute reimbursement checks to vendors. If a vendor is not going to be present to get their check, they need to arrange other options with the Market Manger.

31. Market Board of Directors

HFM is a non-profit organization managed by an advisory board of up to 12 persons. Market Advisory Board members are elected for three-year terms. Any member who has held membership for one year is eligible for election to the Board, and is encouraged to run. Elections are held at the annual HFM general meeting by a vote of all members present. The Market Advisory Board will manage all business, advertisement, and other organizational infrastructure. The Market Manager acts according to the instructions of the Board.

32. Discrimination and Harassment

Members/Vendors of the HFM participating in Market functions, whether dealing with customers of the Market or with other Market vendors, shall not discriminate against any individual with regards to selling of products, discipline, or other matters because of age, sex, race, creed, national origin, sexual orientation, or the presence of any physical or mental disability. Members/vendors shall behave toward all customers, potential customers or other vendors in a way that is free of harassment and discrimination. Sexual harassment of any kind is strictly prohibited. Complaints should be taken to the Market Advisory Board and will be regarded with confidentiality.

33. Violation of Market Policies

The HFM provides all vendors with copies of the Market Policy Handbook and requires vendors to read and sign the agreement to follow said policies every season. All vendors are responsible for knowing and following market policy. The Market Director/Manager is authorized by the Board to give notice to vendors of any violation of Market policies as follows:

- 1) Notice of a first violation shall be informal and oral and will be recorded in writing on the Manger's Daily Log. The violation shall be specifically identified and the warning shall be accompanied by a copy of the Market Policy Handbook.
- 2) Notice of a second violation shall be formal and in writing. A copy of the warning notice, initialed by the vendor and the Market Manager, shall be kept on file. Refusal to sign the warning notice will be in direct violation of your signed vendor agreement and will automatically be subject to sanctions listed in 3) below.
- 3) Upon a third violation of Market policies or for more serious offences such as threatening behavior, the vendor shall be required to leave the Market for the remainder of the vending day. Further sanctions will be at the discretion of the HFM Board of Directors and may include:
 - Revocation of HFM membership.
 - Payment of a fine as a condition to continued vending at the Market.
 - A combination of one or more of these sanctions.

Only the Board of Directors may impose a sanction other than requiring a vendor to leave the Market for the balance of the selling day (which may be done by the Market Manager). The Board may invite the vendor to appear before them prior to imposing any sanction, but are not required to do so.

34. Appeals of Notice of Violation/Sanctions

- 1) Any member may appeal any notice of violation. Notice of the appeal must be in writing, delivered to and received by the Market Manager or the President of the Board of Directors no later than 10 days after the date of the notice of violation or imposition of sanction.
- 2) No later than 30 days after receiving an appeal, the Board of Directors shall hold a hearing to consider the appeal and give the member an opportunity to speak on their behalf. The member shall be given no less than 10 days' notice of the date, time and place of the hearing.
- 3) At an appeal hearing, the member has the burden of showing that the notice of violation is improper, or that the sanction is inappropriate, or both. The Board shall control the proceedings. At its discretion, and with no obligation to do so, the Board may appoint an impartial third party to hear the appeal. All decisions shall be final and in writing.

35. Politicking, Proselytizing and Solicitations

Solicitations and sales by vendors outside of booth space, by shouting/loud voices, or by aggressive means, is prohibited at the market.

Vendors, non-vendors, visitors, performers, non-profits, etc. are strictly prohibited from unauthorized solicitation of any kind and for any reason, including unauthorized vending, politicking, and proselytizing, on market grounds, including the parking lot.

Mission Statement

The Homer Farmers Market welcomes all growers of farm, garden, and greenhouse produce to participate in a weekly market. The Homer Farmers Market was established in 2000 to aid in the development of a sustainable local agricultural community for the benefit of the greater community of the Kachemak Bay area by:

- *Being an outlet for producers of small quantities of products.*
- *Providing the consumer with an opportunity to purchase excellent garden/farm fresh products.*
- *Expanding economic activity.*
- *Fostering consumer-producer education and relations.*

I have read and agree to abide by the policies contained within the Homer Farmers Market Policy Handbook

Signature

Date

Printed Name

Business Name

Detach this page and include with your application.