

# 2017-2018 Franklin Farmers Market Rules and Regulations

## FARM REGULATIONS

- The Franklin Farmers' Market consists of three types of vendors: Farm, Prepared Food, and Artisan Vendors. All vendors are required to submit an application each year. The application will include both seasons (summer & winter). **The Franklin Farmers Market Board of Directors reserves the right to accept or deny application by any vendor.**
- A producer certificate must be completed by **ALL farm vendors** before selling at the Franklin Farmers Market. The certificate will be provided by the market and must be filled out and signed by your County Extension Agent. The Market Coordinator will retain the original. **A COPY OF THIS CERTIFICATE MUST BE DISPLAYED IN YOUR MARKET SPACE.**
- A Farm vendor is defined as the person who grows or makes the product and may include the producer's immediate family, partners, and employees. Products to be sold must be approved as listed on the application. Products allowed include: Fresh produce & fruits; herbs, flowers, bedding plants, shrubs and trees; eggs, cheese, dairy products; meats and poultry; baked goods, milled products; honey, maple syrup, jams and jellies; mushrooms; juice and cider; soap. Products must have been grown or produced by the vendor on the farm certificate.
- **Products not listed on the application must be approved by the market board before selling.**
- Farm vendors will be allowed to sell items that are normally part of their product lines. **Any vendor wishing to sell an item that is not in their normal product line or for which approval has not been given by the FFM Board, will need to seek approval by the FFM Board before selling.** For example, a vegetable vendor cannot start selling grass feed beef or a grass feed beef vendor cannot start selling breads without board approval.
- Farmers may sell value-added products. At least one ingredient or material in any value-added good must have been grown on the producer's farm.
- **It is mandatory that all farm vendors carry a 1-million-dollar liability umbrella insurance policy that names the Franklin Farmers Market as additionally insured and submit proof of coverage to the Market Manager before selling at market.**
- All farm products sold at the market must be locally grown - an area defined as the State of Tennessee between the time zone line in the east to the Tennessee River in the west.
- The Franklin Farmers Market has a **zero tolerance policy** concerning resale and that any vendor found selling anything that he/she did not grow or make will be banned from the market.
- No wholesale brokers will be allowed.
- The FFM Board of Directors has the right to physically inspect crops and production areas of Farm Vendors at any time **without advance notice.** Acceptance in the FFM is based on quality, freshness of the product(s) and relevance to the overall diversification of the Market.

## ARTISAN

- Local arts and crafts produced by the vendor are permitted for sale at the Market. New applicants please mail a few pictures with application. A jurying process is required for non-farm vendors. If considered, applicants will be notified of the jurying process details before May 1<sup>st</sup> for summer market and before October 1<sup>st</sup> for winter market. New non-farm vendor selection will be made on the basis of quality, originality, and market space availability. No franchises or independent distributors are allowed.
- Artisans are allowed to sell value-added products, not to exceed 10% of their total product line.

All non-farm vendors with sales above \$3000 are required to provide a copy of their business license obtained from their county/city of origin to the Market Coordinator before selling at market.



## PREPARED FOOD VENDORS

- All prep food vendors with sales above \$3000 are required to provide a copy of their business license obtained from the county/city of origin to the Market Coordinator before selling at market.
- It is mandatory that all prepared foods carry a 1-million-dollar liability umbrella insurance policy that names the Franklin Farmers Market as additionally insured and submit proof of coverage to the Market Coordinator before selling at market.

## FOOD TRUCKS

- All food truck vendors with sales above \$3000 are required to provide a copy of their business license obtained from the county/city of origin to the Market Coordinator before selling at market.
- It is mandatory that food trucks carry a 1-million-dollar liability umbrella insurance policy that names the Franklin Farmers Market as additionally insured and submit proof of coverage to the Market Coordinator before selling at market.
- It is also mandatory that all food trucks source one ingredient or more in at least one food product from a Franklin Farmers Market vendor.
- All food truck vendors must use a whisper generator for operation of their vehicle.

## GOVERNANCE

- **Please Note:** The Official FFM Vendor Location Boundaries: Farms and businesses in the Franklin Farmers Market must be located in Tennessee. Farmers may only sell products that they have produced on their own land or land that they lease and farm themselves.
- The ratio of farms to artisans/prepared food/food trucks cannot drop below 60:40 for the average of the market season.
- **All part time artisans and prepared food vendors are required to participate in 50% of the Saturdays for the market they are accepted into Summer, Winter or both. Failure to comply will result in expulsion from the market for two years, at which time the vendor may make application to regain acceptance.**
- It is the responsibility of each vendor to abide by all state and federal regulations which govern the sampling, production, labeling, or safety of the product the vendor offers for sale at the market. Failure to comply may result in forfeiture of the vendor's booth. If you have any questions on this matter, please speak with the FFM Market Coordinator or the Tennessee Department of Agriculture Consumer and Industry Services or the Williamson County Health Department.

### Farm products requiring licenses include:

1. Eggs: An egg permit is not required. Cartons must be new with the name and contact information of the grower. At the market, eggs must be stored properly. **\*\*Egg vendors may only sell eggs that are held at 41 degrees F. Eggs used in a booth display are not to be sold to customers and a sign must be placed at the display reading "For Display Only".**
  2. Meat: Must be processed in a USDA certified facility. All meat products offered for sale must have the USDA seal and be stored properly for the entirety of the market.
  3. Honey: Honey processors who produce less than 150 gallons of honey per year are not required to obtain a Regulatory Services Permit. The product must still be labeled with contact information, net weight in ounces and grams and ingredients.
  4. Dairy: All dairy products must come from a licensed dairy or be composed of pasteurized dairy products from a licensed dairy. In addition, such foods must be stored at or below 41 degrees Fahrenheit (or frozen in the case of ice cream) at point of sale. No raw milk may be sold for human consumption in Tennessee.
  5. Plants: Vendors selling rooted plant materials at farmers' markets in Tennessee must be certified by TDA before selling their nursery materials. Exceptions include tomato, squash, and eggplant starts. All bedding plants, strawberries, and herbs require a license. There are several types of nursery, greenhouse, or plant dealer applications. A description of the various applications can be obtained from TDA Consumer and Industry Services. Potential vendors must send a copy of their certificate to the FFM, and keep a copy at his/her booth during each market.
- Most permits and certificates can be found through the TN Dept. of Agriculture website, [www.state.tn.us/agriculture/regulatory/permits.html](http://www.state.tn.us/agriculture/regulatory/permits.html) or by calling Mike Brown at 615-837-5137.
  - Food and food products must be packaged with proper labeling.

- Food products must be held for sale at the proper temperature and environment as defined by the food or food product.
- All vendors selling products by weight must have certified scales in accordance with state law. Documentation of certified scales must be displayed in the booth. **Commercial Scale Testing** - For approving scales for use in commerce, contact: Robert G. Williams - 615-837-5109 or email: [robert.williams@TN.gov](mailto:robert.williams@TN.gov)
- **Proper labeling pertaining to organically grown produce and meats must be displayed. All products listed as Organic must be Certified Organic as defined by the USDA National Organic Program. If not certified organic, the use of terms such as “naturally raised” or” grown without pesticide” is allowed.**
- Meat and all baked good vendors must display a TDA regulatory services current permit and copy of the most recent inspection if applicable.
- Greenhouse certificates must be on file with market management and displayed at the market.
- Quality control is one of the most important factors in the FFM Market. Routine inspections may be conducted. If your product is found unfit to sell at the FFM Market, the Market Coordinator may ask you to discontinue sales of this item immediately. Vendors who repeatedly attempt to sell unfit items or produce may be asked to leave the Market.
- Vendors who are approved to sell food (ready to eat or consumed at market) must obtain a *Permanent Food Service Permit* from the Department of Health. All food must be prepared and served from a mobile food unit as defined by the Department of Health, Food Service Establishment Rule, Chapter 1200-23-1-02 (12).

## MARKET DAY RULES

- The Franklin Farmers Market will be open for retail sales from 8:00 am to 1:00 pm each Saturday during the summer market season, which begins the first Saturday in May and runs through the last Saturday in October. The market hours for the winter market will be determined by the Board of Directors prior to the winter market season.
- Market Vendors must be set up 15 minutes before opening time and **all vehicles MUST be parked away from the market area on the fringes of the parking lot.** Vendors will monitor and report to the Market Coordinator any violations of vendor parking. First offence results in a warning, second offence and beyond results in a point deducted from their vendor ranking. Each vendor is required to stop selling at the close of the market and have everything loaded for removal one hour after the close of the market. The FFM board has the authority to change the market hours at any time. The market will be held every Saturday rain or shine.
- **All part time vendors are required to pay booth fees before the start of market.**
- Due to the Market's liability insurance requirements, **Vendors will not begin selling until the market officially opens. Vendors are required to stay until the market closes even if all goods are sold.** Vendors may place a “Sold Out” sign at their booth and return for booth display pick up at the end of market. The Market Coordinator must approve exceptions to this policy in advance.
- The Market Coordinator/representative is responsible for officially opening and closing the market each day.
- **Usage of, or entrance into, the market storage shed by any vendor will not be permitted.**
- Vendors who choose to bring children to the Market are asked to ensure that the conduct of the minors is appropriate and not disruptive to customers or other vendors.
- Vendors are required to inform their workers at market of all FFM rules and regulations and make sure they abide by them.

## BOOTHS

**Spaces may be reserved for the entire summer season for vendors who opt for payment of full season. Refunds will not be given for weeks not attended. Specific pricing and booth location information will be provided to the vendors.**

- If vendors who purchase full season space plan to miss a particular market day or days, the vendor must notify the Market Coordinator in advance of the day or days. Vendors who continually miss the market without notifying the Market Coordinator will forfeit their rights to their booth space. No refunds of full season booth payments will be made after the start of the market season.
- Spaces for part time daily vendors will be assigned on a first come basis.
- **A penalty fee of \$40 will be assessed to day vendors who reserve a booth but do not come to the market to sell on the reserved date.** The penalty fee must be paid before the vendor will be allowed back to sell at the market.
- Part time vendors must RSVP to the Market Coordinator by Wednesday of the week they want to reserve a booth space to obtain a space assignment.

- Truck spaces are available for those with a truck or trailer display. The maximum vehicle size for the space is a one-ton truck or van **no longer than 28 feet**. Larger vehicles need to be discussed with the Market Coordinator.
- **If a trailer is used to display and sell goods, the towing vehicle must be disconnected and moved out of the area.**
- Vendors must supply their own tables, chairs, etc. Booth space is not transferable. Nothing, including signage, will be allowed to extend outside the designated booth space dimensions.
- **All displays, including umbrellas, tents, canopies and signage must be securely anchored with weights and must not extend beyond the limits of the assigned space.** Anchors cannot be placed into the parking lot surface.

## SANITATION

- Each vendor must leave the selling area clean and in orderly condition. All refuse and unsold goods must be removed from the market area by the vendor. Vendors will be assessed a fee (\$100.00 to \$5,000.00) for cleanup if the market has to further clean or professionally clean a selling space. All boxes and trash from each vendor must be taken to the dumpster at the side of the parking lot.
- Vendors will not use the market provided trash cans to dispose of trash or liquids.
- All vendors must adhere to sanitary procedures for selling produce and value-added items.
- All vendors must dress appropriately. Shoes and shirts are required.
- **Vendors who provide samples and/or products that will result in waste material, such as cups, lids, spoons, etc. must provide containers for waste disposal.**
- **All Food Trucks must provide their own separate trash receptacle.**

## PRICING

- Pricing of goods sold at the market is the sole responsibility of the individual vendor.
- Fraudulent, dishonest, or deceptive merchandising or collusion to set prices among vendors may be grounds for forfeiture of the right to do business of any kind in the market for a length of time to be determined by the FFM Board of Directors.

## PROHIBITED

- Smoking, alcoholic beverages and firearms are not allowed in the market.
- **Vendors may not bring domestic pets into the market.**
- The sale of live animals is not allowed in the market.
- Only “whisper-type” generators are allowed in the market. The Market Coordinator will determine whether any generator is too loud for use during market hours.
- Inappropriate conduct or language towards other vendors, customers, or management of the FFM, whether in person or by electronic media, will not be tolerated and may be grounds for immediate dismissal from the Market by the FFM Board and/or the Market Director.
- Soliciting of any kind is not allowed during market without prior approval of the Market Director. This includes advertising for other events or businesses by anyone not associated with the FFM and distribution of information or product to vendors and/or customers. Please alert the market staff to any problems with persons visiting the market to solicit so that we may assess and deal with the situation.
- **Food trucks longer than 28 feet are not permitted at market.**
- **The Franklin Farmers Market does not condone the use of threatened or endangered materials.**
- Audible music from vendor areas is prohibited at market.

## GLEANING

- **Food gleaning at the end of market is established whereby groups from The “Giving Garden” and Bridges of Williamson County accept and collect donations of food and distribute to people in the community who need it.**

## HEALTH AND SAFETY

### Emergency Medical Plan

- **1. Call 911 with the location of the victim - The Franklin Farmers Market at The Factory at Franklin, 230 Franklin Road, and Franklin Tennessee 37064 - outside open air pavilion in the parking lot of The Factory off Liberty Pike.**
- **2. Have the person sit or lie where they are and immediately send someone to the Market Information Booth to alert the market staff on duty and the Market Manager. Also notify Jim Norton (Norton Family Farm) or Charlie Hatcher (Hatcher Family Dairy) who are knowledgeable, trained, medical personnel.**
- **3. Market Coordinator will send market personnel to the victim who will provide cold water and towels to keep the person cool until emergency responders arrive.**
- **4. Market Coordinator will go to the Liberty Pike entrance to market to alert the policeman directing traffic and to show the medical team into market and also have a Market Information Booth worker go to the Franklin Road entrance in case emergency responders come in that entrance to direct their way.**
- **5. No one is to provide their name or contact information to the person in need (for liability purposes).**
- **6. Emergency medical responders will evaluate the victim's condition and determine if they need to be transported to the hospital. The afflicted person will have the right to accept or refuse transport and treatment. If they refuse transport and treatment, they will be asked to sign a denial of treatment by the medical personnel. No charges are incurred by the victim if they deny transport and treatment.**

### Threatening Weather Emergency Plan

**In the event of threatening weather such as straight line winds, severe thunderstorms, tornados and flooding, vendors will vacate their booth spaces and move immediately to Liberty Hall in The Factory at Franklin for sanctuary and protection from the elements. Please note: so as not to be alarmed - severe weather sirens are tested the first Saturday of each month at 1pm in Franklin.**

## MARKET MANAGEMENT

- The Market Coordinator's job is to coordinate all of the weekly activities and to implement the market's policies. The Market Director acts as a conduit for information between the vendors, governing board, customers, sponsors and community partners.

## CONFLICT/COMPLAINT RESOLUTION

- Any complaints filed with the FFM Board of Directors about producers not following these rules will be investigated.
- **If an infraction of these rules and regulations is noted, an oral warning will be given to the vendor in question. The second warning will be written and the infraction must be corrected by the next market attendance or the vendor will not be allowed to return to the market.**
- All complaints will be investigated thoroughly by the FFM Board. If a concern, dispute, or question is noted, the vendor must notify the Franklin Farmers Market in writing to, the Market Director, or one of the board members. The Board will review the situation and will make a decision. Professional conduct is required during the complaint process. Inappropriate conduct during the complaint process (i.e., yelling, swearing, throwing items, harassing or threatening management, etc.) will not be tolerated and could result in immediate dismissal from the Market.
- All decisions are at the sole discretion of the board and will be final.
- Any vendor or customer with complaints regarding policy or implementation of policy may request a meeting with the FFM Board and will be contacted in a timely manner to schedule a meeting.
- Any matter not specifically set out in the 2016-2017 Franklin Farmers Market Rules and Regulations will be taken before the FFM Board and a decision will be made and added to the rules and regulations. Any decision made by the FFM Board will be final.
- If you have any questions or concerns you would like the FFM Board of Directors to address, please submit these in writing to: The Franklin Farmers Market, P.O. Box 682931, Franklin, TN 37068-2931.

Franklin Farmers Market Rules and Regulations are subject to change at the discretion of the board at anytime.



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# The Franklin Farmers Market

Real Farmers. Real Food. Real Good.

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