

# Coxsackie Farmers Market

## RULES AND REGULATIONS

2020

### PART I: ADMISSION CRITERIA & ELIGIBLE PRODUCTS

Admission to the Coxsackie Farmers' Market is contingent upon completion and submission of market application, forms required on checklist and payment of market fees in full. Please understand that if fees are not paid you will not be allowed to setup in the Market.

Products and practices not specifically listed in these regulations must be pre-approved by the Farmers' Market Board (FMB). The FMB will review products and practices which substantially depart from those currently permitted, before approval is granted.

**NOTE: Failure to read and comprehend these rules does not constitute the justification to disregard or not follow them.**

The use of the market is restricted to those who are regional bona-fide growers, producers of homemade products or other vendors approved by the Farmers Market Board (FMB). Vendors may, on a limited basis, supplement their product line with additional New York State only products, as long as that product is otherwise missing from the market and the market manager and FMB have given permission in advance for the supplement. This permission is valid for one season only and must be re-applied for each new season. Purchased product may not constitute more than 25% of total display. Approval for outside product may be withdrawn by the FMB with one week prior notice.

Market representatives may inspect or spot-visit any farm or establishment used by you (including, but not limited to, mill storage and processing facilities and smokehouses during normal work hours, 8AM to 5PM) as often as needed to verify compliance with market regulations.

Produce offered for sale must be grown, harvested, and cared for post-harvest, so as to assure customers receive fresh, high-quality product. Over-ripe produce, which is useful for processing (e.g. sauce tomatoes), must be labeled as such. The Site Manager may direct that inferior quality or unacceptable goods be removed from the vendor's offerings for sale.

**In addition to fruits and vegetables, the following edible items may be sold. Unless otherwise specified, items must be produced by you, on your farm, or in your own regional facilities:**

**Meat Products:** 100% from animals raised from weaning by you. Animals may be butchered and smoked off-farm, provided meat is from your animals.

**Cider and Fruit Juices:** May be sold only by producers of those fruits. May be pressed off farm; if pressed off-farm, must be labeled\* with name and address of mill. At least 60% of fruit in your juices shall come from your orchard. Up to 40% may come from within our region.

*\*For your own protection and to build your customer base, it is recommended you also label with your business name to identify point of purchase for consumers.*

**Honey and Bee Products:** Including other bee products extracted and packaged by you, from your hives, within the local region. Bee pollen and added fruit in honey spread products must be harvested in our region.

**Jams and Preserves:** Prepared by you from fresh produce. Fruits and vegetables grown in the region must come from regional farmers. Fruits not grown in this region may be purchased fresh for processing. Non-regional products may consume up to 15% of your display. All current canning and kitchen licenses must be provided to be kept in file.

**Milk, Cheese and Other Dairy Products:** Specific rules may be made available.

**Eggs and Egg Products:** From your own fowl.

**Maple Syrup and Maple Products:** From your own and rented sugarbush, processed by you. Fresh regional fruit may be added to maple syrup and products for flavoring.

**Baked Goods:** Fresh baked, prepared from scratch (no commercially prepared dough mixes, crusts, shells or fillings). Fruits and vegetables used in baked goods must come from regional farmers when available. No commercially canned or frozen fruits or vegetables may be used. Bakers are encouraged to change their product lines with the season, as fresh product becomes available. Produce not grown in this region may be purchased fresh or dried for use in baked products. In addition to farmers, home bakers and small family owned commercial bakeries in the local region may apply.

**All products sold at market must be labeled in accordance with Federal and NYS Law.**

**Organic and Other Labeling:** All growers/producers claiming organic status or advertising produce or other products as organic must be certified by their state chapter of NOFA (Northeast Organic Farming Association), OCIA (Organic Crop Improvement Association), Demeter Society or other certification program. Verbal or written declaration of organic status not certified or verified as per above will result in suspension or termination from the Farmers' Market. Written or verbal declarations regarding pesticide use which cannot be certified as "unsprayed", "low sprayed", or "pesticide free" is prohibited. Consumer queries regarding farming practices must be answered factually. All licensing must be kept up to date.

**Non-Edible Items - The following non-edible items may be sold. Items must be grown or foraged and produced by you on your farm or in your own local facilities:**

**Field-Grown/Greenhouse Plants and Flowers:** Greenhouses must be owned by you, unless otherwise approved.

Bedded and potted plants and flowers must be started by you from seed, cell pack, bulbs, cuttings, plugs or received dormant. All plant material must be planted or repotted by you. Repotted plants must be well rooted to the next size container. Large foliage plants from air layered cuttings, rooted in your greenhouse, may be displayed in limited quantities and varieties. Plants sold must be well established, with good root systems and disease free.

You must register with the NYS Department of Taxation and display Tax ID number at market as well as a nursery license.

**Wreaths, Vines, Gourds, Roping, Beeswax Candles & Products, Arrangements and Displays of Fresh or Dried Flowers and Greens:** from materials gathered by you within 20 miles of your home/farm.

**Arts and Crafts Items are specifically prohibited from sale at the Market (what constitutes art/craft items is a decision of the FMB).**

For the purpose of these regulations, farmers are defined as persons engaged in agrarian business by using land, those that manage farms by growing crops and tending animals. Included are fruit, vegetable, and grain growers, beekeepers, producers of eggs, poultry and meat and acceptable by-products of all domestically raised animals, dairy producers, growers of field grown or greenhouse plants, flowers, bushes and trees and mushrooms.

In areas of dispute and/or confusion as pertains to these rules and regulations, the decision of the FMB, with input from the Market Manager, is final.

## **RULES AND REGULATIONS - PART II: DAILY MARKET OPERATIONS**

**2020**

**MANAGEMENT:** The Market Manager is responsible for the orderly and efficient conduct of the market and for implementing and enforcing the Rules and Regulations put forth by the Farmers' Market Board (FMB). The market manager is responsible for enforcing all Farmers' Market and public safety rules and regulations, including space assignments, crop issues, collection of Market fees, etc. Market participants and their employees are required to follow the Market Manager's directions at Market.

**PROMOTIONAL ACTIVITIES:** Product sampling and other promotional activities are encouraged at the Market to better showcase your product and educate the public. Such activities, however, are allowable only in your display area, prepared and presented to the public in a safe, sanitary and appealing way. Any such activities will be curtailed by the Market Manager if they are construed to be inappropriate to the good of the overall Market. Activities other than simple product sampling must be pre-approved by the Market Manager. Hawking (defined as calling attention to your stand or products in a loud or offensive manner) is prohibited.

### **GENERAL OPERATIONS:**

*Consistent attendance is a key factor in the success of the overall Market as customers are drawn to the Market by the quality and variety of its product offerings.*

1. The market will be located at 1 Betke Blvd (Coxsackie Boat Launch). The market will operate every Wednesday, 4-7pm and will run from the May 13 – September 30, 2019.
2. Vendors are to arrive no later than one half hour prior to opening for setup and must stay through the end of the market day to provide a full market to shoppers arriving throughout market hours.
3. Vendors may leave early only under extenuating circumstances and with the permission of the market manager.
4. Latecomers may be denied admission or admitted and located at the Market Manager's discretion.
5. Vendors must notify the market manager no later than 6 hours before market time if they will be absent for that market day. More than two (2) Market absences and/or tardiness is subject to review by the FMB and may result in expulsion from the Market, with no refund of fees.

6. Before selling (4:00p.m.) Vendors are to post prices for all items and an attractive, good quality sign with name and location of farm or business in a clearly visible location. All necessary permits and program identifiers, such as Farmers' Market Nutrition Program, are to be visible. Every effort is to be made to make and keep booths as attractive as possible during the Market day.

7. Any awnings, tents or umbrellas must be secured so they will not blow away. We are located on the water and it is very windy. The Market Manager may require removal of awnings or such coverings if they appear to be unsafe.

8. Tables, chairs and other fixtures are to be kept in good repair. Keep sales area clean of debris and keep produce off the ground. If there is an accident or injury, notify the Market Manager immediately.

9. Handling of prepared food products or products that are cut, individually weighed, and/or portioned at the Market are to be dealt with in a sanitary manner, and with gloves. If you are selling readily consumable items, you must provide a waste receptacle for used wrappers, cups, etc.

10. Scales are to be calibrated; weights in question are subject to review by Market Management. Weights are to be readily visible to customers.

11. No vendor will be allowed to sell at the Market unless they are paid-up in full for the season. Exceptions may be made by special arrangement with, and at the discretion of, the FMB. Checks returned because of Insufficient Funds are subject to a \$30 surcharge. No refunds of Market dues are allowable, unless agreed upon by the FMB.

12. As of 3/1/2020, single use plastic bags are banned in New York State. Plastic bags will not be allowed for use at the Cossackie Farmers Market. Paper is an acceptable alternative but we do encourage you to recommend customers bring their own re-usable bags. We also strongly encourage the use of compostable disposable products like straws, cups, plates and other utensils. Please be aware of the products you buy and their effect to our environment.

**BEHAVIOR:**

*We are each operating a business and it is expected by the public that we behave in a business-like and professional manner:*

13. You are individually responsible for conforming to all applicable city, state and federal laws. Market Management may remove items or suspend operations of individuals in violation of Market regulations or city, state, federal laws.

- 14.** Be honest and courteous at all times. Show respect for other vendors, customers and local businesses and business people.
- 15.** Verbal threats or physical assaults are considered to be in violation of these rules, and may result in suspension or termination from the Market.
- 16.** Smoking while at the market is strictly prohibited by all, as is law under the Clean Air Act.
- 17.** Vendors are not allowed to bring pets or livestock without advanced notification and approval of the Market Manager
- 18.** Vendors are not allowed to have music/entertainment at their site without permission of the Market Manager.
- 19.** The Market Manager and the FMB reserves the right to prohibit any activity or practice employed by vendor or their employee(s) which they deem detrimental to the Market.

## **COMPLIANCE**

- 20.** All complaints must be addressed in writing to the Market Manager.
- 21.** Complaints against another vendor, must be accompanied by a \$50 “good faith” check. The market manager will then conduct an investigation and/or farm inspection against the accused vendor. If the complaint is found to be valid, the \$50 “good faith” check will be returned. If the complaint is found to be unfounded, the check will be forfeited and deposited in the market’s general funds with a letter of explanation sent to the complainant.
- 22.** All other complaints will be reviewed by the market manager in an attempt to resolve the issue. If the manager is unable to resolve the complaint, then a written follow up may be made to the FMB. The governing body will address the complaint at the next regularly scheduled meeting. If the complaint is of an immediate nature, the market manager may ask for a special convening of the FMB to address the complaint. The decisions of the governing body are final.
- 23.** The submission of an application for admission to the market serves as the vendor’s agreement to abide by the rules of the market, as established by the market’s governing body and enforced by the market manager. Violations of the rules of the market may be grounds for warnings, dismissal from the market, or both.
  - The first violation of the rules will result in a verbal warning by the market manager. Documentation of the warning will be kept on file by the market manager.
  - The second violation of the rules will result in a written warning, given by the market manager. A copy of the letter will be kept on file by the market manager, along with any documentation of the violation.
  - The third violation of the rules will result in a one week suspension of selling privileges.
  - The fourth violation of the rules will result in a two week suspension of selling privileges.
  - The fifth violation of the rules will result in dismissal from the market.

24. At the discretion of the market manager, when a violation occurs that jeopardizes the health of a customer, another vendor, market management or the overall health of the market, the manager may convene the FMB to request a suspension of the compliance procedure and call for immediate dismissal from the market. The dismissal will require documented proof of an egregious violation. The vendor will be given an opportunity to review the documentation, prepare a defense and appear before the governing body.

25. If after receiving a warning or suspension, a vendor is in disagreement with the market manager over the infraction, the vendor may make written application to the FMB to be heard on the issue. Both the vendor and the market manager will appear before the governing body and present their sides of the issue. The decision of the governing body is final.

26. Market practices that undermine the Market's goals and prohibit fair competition between farmers and vendors in the Market such as "dumping" and purchasing produce for resale are not permitted.

**IT IS NOTED THAT THE FARMERS' MARKET BOARD AND THE MARKET  
MANAGER, MEMBERS AND OTHER APPOINTED PERSONS AND/OR MARKET  
SPONSORS ARE SPECIFICALLY NOT RESPONSIBLE FOR DAMAGE AND/OR LOSS  
TO A VENDOR'S PERSON, PROPERTY, GOODS, OR MONEY.**