

**Macungie Farmers' Market
Rules and Regulations
2012**

I. PURPOSE

1. To provide consumers with fresh locally grown or produced products at a convenient location.
2. To provide local farmers and producers with improved marketing opportunities.

II. PARTICIPATION/ORGANIZATION

1. The Macungie Farmers' Market (MFM) is an unincorporated association.
2. **Vendors** must be full or part-time producers of accepted products that are permitted for sale at the market.
3. **Vendor categories** are:
 - Vegetables
 - Fruits
 - Baked goods
 - Cut flowers
 - Live plants
 - Meat/animal products
 - Other
4. **Application to become a vendor:**
 - A. Anyone wishing to sell in the MFM must, prior to participation in the market, file an application with the market committee (currently MFM) verifying that they are the actual grower or producer of the specific items which they intend to sell or receive approval from committee if they wish to carry an associate vendor. Vendors must apply to sell at the market under one of the seven categories, based on their primary products.
 - B. The MFM will strive for a balance of vendor categories. New vendors will be selected to fit the needs of the market by a vote of the current MFM members at the annual planning meeting.
 - C. Additional vendors will be added to the market at the beginning of each season, or as need arises, provided that the new vendor agrees to these rules and regulations and is approved by a majority vote of association members. Reasons for adding a new vendor may include: a shortage of a particular product, adding diversity to the mix of products at the market, or the overall growth of consumer demand.

5. **Voting:** Each MFM member, or their representative, is entitled to one vote on issues facing the market. Each member must be given the same notice and opportunity to vote on issues as they arise. Market related issues shall be decided on the basis of greater than 50% of votes cast. Types of issues requiring this vote include, but are not limited to, adding or rejecting vendors, changing hours, days or locations, setting fees, making major purchases and distribution of excess funds at the termination of the MFM.

6. **Market Manager:**

A. The market manager supervises the daily activities of the market and enforces the market rules, collects and maintains applications and copies of insurance coverage, serves as a contact for vendors and outside groups, collects fees, pays bills, keeps financial records and makes a financial report of the association's activities at the end of the year.

B. The market manager is entitled to one vote.

7. **Meetings:** Meetings of the association will be called for on an as-needed basis. Meeting minutes will be kept by a volunteer from the membership.

III. GENERAL RULES

1. **Permitted items for sale:**

A. **Items** allowed for sale shall include all types of locally grown or produced items including fruits, vegetables, plants, herbs, cut flowers, baked goods, preserves, honey, cider, juice, meat, animal products and crafts made from farm raised products. The resale of items purchased by the vendor shall not be permitted without prior approval of the committee and could result in expulsion from the market.

B. **Crafts:** Crafts generated from farm-raised products are acceptable. Examples would be wool products, dried-flowers and bees wax candles. Vendors must be the producers of these items.

C. **Cider/juice:** Cider and juices are only permitted if it is pressed/extracted by the vendor or is custom pressed/extracted using exclusively the vendor's fruit/vegetables. The sale of fruit to a pressing/extraction operation and the subsequent purchase of bottled product back from the pressing/extraction operation shall not be considered to have been produced exclusively from the vendor's fruit.

D. **Preserves:** Preserved items such as jams, jellies, sauces, canned goods, etc. must be custom made. Vendors are encouraged to use as much local product as possible.

E. **Baked Goods:** Baked good must be produced by the vendor. This rule does not apply to processed products. Vendors are encouraged to use as much local product as possible.

2. **Market Fees:**

Fees for the market will be set by the committee at the beginning of each market season. Fees must be paid by the vendor before their participation in the market. Two vendors sharing one vending space shall have one fee to pay. Fees will cover the joint costs of the grower's market for:

- Advertising and promotion
- Charges for a bank account and other products and services
- Webpage hosting

3. **Payment Schedule:** The vendor fee for the 2012 season of the MFM is \$100.00 with \$25 registration fee and is due with the vendor application. Checks should be made payable to "Macungie Borough Farmers Market".

4. **Regulatory Compliance:** Vendors are personally responsible to be in compliance with local, state and federal regulations that apply to their business. These include but are not limited to:

- Pesticide licensing and safe use
- Certification of scales by the department of weights and measures
- Organic certification for products claimed to be grown organically
- State sales tax collected as required
- Health and labeling regulations that apply to preserves, honey, cider, baked goods, canned goods, eggs, dairy products, meats, etc.

5. **Operation of market stands:** Vendors have the right to operate their stands as they choose after meeting the following minimum standards:

- Vendors must insure the safety of their display and canopy. Canopies must be weighted or tied down securely in windy conditions.
- Vendors are required to attend 75% of market days during their marketing season.
- By vote of the association, individual vendors may have a different but regular attendance requirement.
- Vendors will strive to sell only products of the highest quality and freshness in keeping with the market's desired image.
- Vendors will display a sign identifying the name and location of their farm.
- All vendors are responsible for cleaning up their market site at the end of the market day.
- Prices for all items on display should be clearly marked with individual price tags, signs or large legible sign boards.
- End of day discounting is not permitted.
- All pricing will reflect typical market value.
- All vendors are required to supply their own electric source and water supply.
- No more than 25% of products sold should be from an associate vendor.

6. **Market location:** The MFM is currently held in Macungie, Pennsylvania at the Macungie Memorial Park, 50 N. Poplar Street (Walnut Street side of park).
7. **Length of Season:** The season length for 2012 is June 7, 2012 to October 25, 2012.
8. **Market Times and Days:** The market operates on Thursdays from 4:00 pm to 7:00 pm or dusk whichever comes first. Vendors shall be prepared to operate at the opening time. All vendors are expected to schedule their arrival accordingly. No vehicles will be able to enter the area after 4:00 pm. Selling after closing time is discouraged. Vendors shall clear the market site by 7:30 pm.
9. **Vending Space Assignment:** Vending spaces will be chosen by lottery the first year. Individual vending space size maybe flexible and is based on the needs of the individual vendor and the market. Returning vendors have the opportunity to return to their previous location or to occupy any available spot that retains a good product mix. Vendors will use the same space throughout the season. New vendors will be assigned spaces that are available in such a way as to create a good product mix. In the event of a major redesign of the market space, a design map with good product mix will be created and vending spaces chosen by vendor seniority in the association.
10. **Sharing of Vending Space:** A maximum of two growers may apply to share one vending space. Both vendors are required to follow all the rules of the market.
11. **Educational and Community Activities:** Space will be made available free of charge for market, educational or community promotional activities as needed. This space must be booked with the market manager at least two weeks ahead of time and will be assigned at the discretion of the market manager. This space will be made available on a first-come, first –serve basis but must be booked and approved by the MFM in advance.
12. **Associate Vendors:** Any vendor selling with associate vendor products must provide the appropriate form with the name of the associate vendor and address. The vendor should post the associate name with the product being sold.

IV. VIOLATIONS AND MARKET CERTIFICATION

1. **Market Certification:** The MFM is a locally grown/produced farmer’s market. This is a guarantee to the consumer that this is a market comprised of local farmers and producers selling only what they grow on their farms or produce locally. This guarantee is comprised of the words and deeds of the vendors themselves. The association reserves the right to make an informal farm visit to verify the “producer-only’ status of market vendors.
2. **Submitting Complaint:** Any complaint against any vendor regarding the origin of their produce or products, violations of association rules or any other matter must be directed to the attention of the market manager in writing.

3. **Complaint Resolution:** The market manager will call a meeting of the committee. The committee will determine what type of investigation, if any, shall be conducted. After an investigation, if any, a commendation shall be made to the members as to whether the vendor should receive a warning, temporary suspension or expulsion from the association.

V. LIABILITY

The MFM, the Borough of Macungie, Macungie Memorial Park and sponsoring organizations do not provide any insurance to cover activities of vendors, their employees or agents. The vendors of the MFM will individually purchase liability insurance. Vendors will not be permitted to participate in the MFM without proof of at least \$500,000 liability insurance listing Macungie Memorial Park, 50 N. Poplar Street, Macungie PA 18062 as additional insured.

VI. TERMINATION

The Macungie Farmers' Market may consider termination when there are less than four active members or by vote of the association.

ACKNOWLEDGEMENT

I have received and carefully read the Macungie Farmers' Market Rules and Regulations for the 2012 season. I understand that it is my responsibility to abide by said Rules and Regulations.

I acknowledge that the Rules and Regulations are not intended to be and should not be interpreted as a contract, expressed or implied. I further acknowledge that I have been given an opportunity to ask any questions that I may have with regard to the policies set forth herein prior to executing this Acknowledgement.

Signed by: _____
(Please Print Name)

Signature: _____

Date: _____