

Clayton Farm and Community Market Operating Guidelines

Revised January 2012

Who May Sell

Farmers and crafters living and operating within a 100 mile radius of downtown Clayton, North Carolina may apply to sell approved products at the Clayton Farm and Community Market.

What Products May be Sold

Farm products, value added farm products, and board approved arts and crafts may be sold at the Clayton Farm and Community Market.

Examples of farm products that may be sold include but are not limited solely to the following:

Produce: fruits, vegetables, nuts, grains, cut flowers and herbs

Live plants: bedding plants, hanging baskets, perennials, landscape plants

Other fresh farm products: fresh eggs, wool, honey, cheese

Value-added farm products: dried herbs, preserves, jams and jellies, pickles, home-made baked goods

Arts and craft products should be produced locally by the vendor from local materials. Arts and crafts for sale are to be approved by the Board of Directors of the Clayton Farm and Community Market Association. The approval of arts and craft items for sale at the Clayton Market is recognized as an inherently subjective process, and the Board of Directors is entrusted with that responsibility. The Board welcomes input from the general Clayton Market membership regarding the approval of any application to sell craft items. Artisans producing craft items are encouraged to include information about the sources of their local materials or the history of their craft.

Application Process

All prospective vendors must fill out an application prior to selling at the market, and the application must be approved by the Clayton Farm and Community Market Board of Directors before said vendor is allowed to set up a booth at the market.

All products that prospective vendors wish to sell during the season must be listed on the application, and only those products listed will be approved for sale at a vendor's booth.

All applicants must also include copies of any required licenses or inspection certificates that relate to their specific products. For example, all sellers of baked goods must present a copy of their approved kitchen certificate. Check with local Cooperative Extension offices for your specific product.

On site inspections may be required at the request of the Board of Directors if the board has any questions or concerns about any item being sold at the Clayton Farm and Community Market.

The CFCM board strongly encourages all vendors to obtain general liability insurance. For information on this process, vendors should contact Amie Newsome at the Johnston County Agricultural Extension: (919) 989-5380 or amie_newsome@ncsu.edu

Arts and Crafts applicants should also include photographs and/or samples of each product he or she wishes to sell at the Clayton Farm and Community Market.

Schedule of Fees

Each prospective vendor is encouraged to join the Clayton Farm and Community Market Association. Annual dues to the association are \$35.00. Initial membership dues shall accompany the membership application, and are accepted at any time during the year. Renewing members must pay annual dues no later than March 12. Any dues paid will be refunded upon written request in the event that a vendor application is denied.

Vendors who are also members of the Clayton Farm and Community Market Association will pay a vendor's fee of \$7.50 each day that they sell at the market, and will be given priority over choice of space.

Vendors who have filed out a Market application but are not members of the Clayton Farm and Community Market Association will pay a vendor's fee of \$15.00 each day that they sell at the market.

Daily selling fees will be collected at time of vendor set-up on each market day.

All non-sufficient checks will be assessed an NSF fee payable to the Clayton Farm and Community Market.

Use of the Market Facilities

Selling spaces are established each market day and will be assigned by the on site manager. Vendors will provide their own tables, tents, etc. Any vendor whose inventory requires special facilities or care is expected to provide for those needs him or herself.

Vendors are required to have their booths operational no later than 30 minutes prior to market opening time. Late arrivals may be allowed to set up only at the discretion of the on site manager.

Vendors are expected to maintain their booth throughout the entire time the market is open. Leaving early is only allowed with the approval of the on site manager.

Each vendor is responsible for maintaining a professional appearance. Booth space must be kept clean and all trash contained. It is the responsibility of the vendor to remove all trash and unsold products at the end of the market day. Use of market space is a privilege that may be revoked if a vendor fails to keep the area safe and clean.

To safeguard the reputation of the Clayton Farm and Community Market and to insure the safety of all products sold all vendors should abide by state and local food safety and health regulations. It is the responsibility of each vendor to be aware of and to maintain compliance with any such regulations that apply to his or her product and to maintain proper documentation of such compliance at his or her booth.

Vendors who do not plan to sell at the market every Saturday should make a good faith effort to inform the Market President or Market Manager via email or phone about their vending schedules. Ideally, the Market would like to be notified about changes in vending schedules no later than Wednesday before the next market Saturday.

Marketing Products

All vendors must prominently display their name and location in their booth (e.g. Toad Song Farm, Archer Lodge). The sign should be no smaller than 8 ½ x 11 inches, and no larger than 18 x 24 inches.

All products must be clearly priced and neatly displayed. Selling top quality produce at radically lower prices than current market rates is strictly prohibited.

Poor quality or over-ripe produce must be clearly labeled as such, and can be sold for a discounted price.

The Clayton Farm and Community Market is a community market, and all competition among vendors **must remain friendly**. Price wars are strictly prohibited. Loud music, drumming, shouting and use of other disruptive tactics to draw attention to individual booths are strictly prohibited. Vendors are encouraged to create unique, tasteful, and eye-catching displays.

Vendors advertising as “Organic”, “Unsprayed”, “Natural”, etc. are not required to be certified by any recognized certification agency. However, state law restricts use of the phrase “Certified Organic” to only those who have in fact been certified by the United States Department of Agriculture. All vendors are required to advertise truthfully and to respond to customers’ questions in a like manner.

Grievances

The on site manager has the authority to grant exceptions to the market policies on an individual basis for reasons of dire need.

Should any vendor, at any time, be found in violation of the market guidelines, he or she will be asked to immediately comply with said guidelines. Failure to do so will result in expulsion from the market.

The on site manager has the right to impose disciplinary action at the market. Vendors have the right to a hearing before the Clayton Farm and Community Market Association Board of Directors within 2 weeks of any disciplinary action.

In the event of customer dissatisfaction, the dispute must be resolved to the satisfaction of the customer and the on site manager in a timely manner. Vendors who routinely fail to resolve customer disputes may be asked to leave the market.

Vendors with concerns, disputes, or suggestions should contact the on site manager during the market day. They should furthermore, contact the Clayton Farm and Community Market Association Board of Directors in writing within 5 business days.

On Site Manager

The on site manager shall be responsible for assigning spaces on market day to vendors.

The on site manager shall be responsible for collecting the daily market fees and submitting them to the Clayton Farm and Community Market Association Treasurer in a timely manner.

The on site manager shall be responsible for handling day to day administrative issues.

The on site manager shall be responsible for enforcing market regulations and administering penalties, such as requesting a vendor to leave the market.

The on site manager shall be responsible for answering inquiries and responding to complaints from customers and vendors.

The on site manager shall be responsible for contacting local law enforcement or emergency services in the event of an emergency on site.

The on site manager shall be responsible for securing the site at the end of the market day.

Market Sponsors

Businesses or other organizations who contribute \$250.00 or more to the CFCM will receive the following acknowledgement:

--The CFCM will display a sign at the market for 1 year, acknowledging the sponsorship; sponsor will provide us with a logo or other information

--This support also entitles the sponsor to present an event on a Market Day to be determined in consultation with the CFCM.

SEE AMENDMENTS, BELOW: GROWER-BUYER-SELLER POLICY 2011

Policy on Grower-Buyer-Seller: (i.e., those who purchase produce from other local growers or who purchase value-added foodstuffs from other local producers to sell at the CFCM)

The following policy on grower-buyer-seller status for the Clayton Farm and Community Market vendors is premised on the following:

- * A grower/vendor's ability to offer a reasonable selection of fruits and vegetables over the course of the market season can be negatively impacted by crop failures or delays.
- * A grower/vendor should have the opportunity to supplement his/her own produce with that of other local growers at those times when specific items are in high demand (watermelon and sweet corn, for example)
- * Some grower/vendors might find a co-op approach viable, i.e., growers pool their produce for sale but only one grower serves as a market vendor.
- * Some vendors might wish to supplement their own offerings with value added foodstuffs (salsa, jellies, jams, etc.) from certified local producers.
- * The CFCM will uphold the local (100 mi. radius) and seasonable nature of the fruits and vegetables sold at the market per our mission statement of supporting local growers.
- * We want to provide our customers with the greatest possible variety of locally made products and produce.

Given the above principles, and using the N.C. Farmer's Market regulations as a template, we propose the following policy:

In addition to being able to offer fruits and vegetables produced on land owned by the vendor or his/her immediate families, vendors may purchase produce for resale from 3 local (i.e., 100-mile radius applies) certified N.C. growers, i.e., growers should be identified by the Farm Service Administration(FSA).

In addition to offering value-added foodstuffs produced by the vendor him/herself, vendors may offer for sale other value-added products as approved by the Board.

To implement this policy and to ensure the local mandate of our mission, we propose the following:

Unless the grower-buyer-seller relationship has been spelled out and approved on the initial or renewed market application ahead of time, (e.g., other growers have already been identified or other value-added producers identified ahead of time), individual vendors will need to follow the procedures below:

For resell of produce:

- * Notify CFCM Board officers at least 3 days (more if possible) in advance of the market Saturday that vendor will be offering produce for resell.
- * Board can be reached through the CFCM email account (info@clayton-farmers-market.org) or by phone (Kathy Tate-Hildreth 919-247-6852) if email is not available.
- * If resell has been approved as an on-going situation, market needs to be advised of any said produce (Follow guideline on notification just above.)
- * In all cases (whether advance approval or on-the-spot consideration) vendor will provide Market with name of growers from who produce has been or will be purchased for resell and the grower's FSA number.
- * A designated Board member will certify the sale by contacting the grower.
- * Offering non-seasonal and non-local fruits and vegetables violates the market's mission statement; therefore, any vendor offering such items for resale will be denied market privileges from that moment forward. In such cases, there will be no refund of daily market fees paid, annual membership dues, or other monies previously paid by the vendor.

For resell of value-added foodstuffs:

- *All of the above notification procedures (except for supplying FSA number) apply.