

2014 Market Season - USDA Farmers Market Rules and Operating Guidelines

All vendors, new and returning **must** complete an application. Accepted market vendors will be required to read the USDA Farmers Market Guidelines, sign and submit the "Vendor Certification" page acknowledging they have read and will abide by the terms and conditions set-forth in the guidelines. The application and operating guidelines are available on the farmers market website at: www.ams.usda.gov/farmersmarkets.

Application Process:

Current market vendors that participated in the previous market season will have the opportunity to retain their space provided all required information has been submitted. To be considered for the 2014 market season all new and returning market vendors must submit their completed application and required documentation by the first week in May. If a market vendor is not accepted into the market, the application will be kept on file for the 2014 market season. In the event that space becomes available during the market season, we will contact those market vendors that meet all market criteria and are the best fit for the overall atmosphere of the market according to the product diversity and customer request.

The application packet must contain the following mandatory content before it will be accepted for review and approval.

- Completed application signed and dated.
- Complete list of all products that will be sold during the market season and the months of availability for each product. New products not listed and submitted with the application **must** have prior approval from market management before bringing/selling the product(s) at the farmers market.
- Map and/or directions to farm or business
- Liability Insurance information
- Copies of organic certification documents (if applicable),
- Copies of all food safety forms, inspection reports and licenses/permits applicable to the sale of your product(s). Vendors are responsible for knowing which requirements apply to their product(s).
- Copy of signed vendor certification form if accepted as market vendor. The signed form is used to certify that the market vendor has read, understands and will abide by the market guidelines.

The completed application packet can be: 1) mailed to the address on application, 2) faxed to 202-690-0031 or 3) emailed to velma.lakins@ams.usda.gov.

Permits and Licenses:

All participating market vendors in the USDA farmers market must abide by all applicable federal, state, and local health regulations. Market vendors will be responsible for obtaining and paying for any permits and licenses required by the District of Columbia. Market vendors must comply with the regulations within their respective state that include regulations pertaining to the harvesting, food preparation and safety, and labeling of products within their respective states for products that are brought to and sold at the farmers markets. All market vendors must include when submitting the application packet a copy of all applicable reports, permits and licenses required by the health department of the state or county from which the products originated. All permits and licenses must be kept current for the entire market season.

Contact Information:

The District of Columbia Department of Consumer And Regulatory Affairs
(202) 442- 4400

Maryland Department of Health and Mental Hygiene Rules and Licenses
(301) 767- 8400

Pennsylvania Department of Agriculture
(717) 787- 4315

Virginia Department of Agriculture and Consumer Services
(804) 786-3520

Products to Be Sold:

Fresh fruits, vegetables, herbs, honey, jams and jellies, cheese, vinegars, cider, frozen meats and poultry, maple products, baked goods, breads, ready-to-eat foods, handmade soaps, flowers, bedding plants, and potted plants are examples of products that may be sold at the market. **Sales of fresh meat or poultry products are prohibited.**

Market vendors must only sell products from plants or animals they have grown or raised themselves on their own farms with the exception of limited cooperative marketing arrangements with other local growers pre-approved by market management (see Cooperative Marketing section, page 4). This includes but is not limited to fresh fruits, fresh vegetables, preserved fruits and vegetables, fresh and dried herbs, frozen and processed meats and poultry products, cheese, nursery and container plants, and honey. Producers of local horticultural, meat, poultry and dairy products adhering to these standards will always represent the majority of our USDA farmers market vendors. Prepared foods vendors selling hot food products must be made primarily from the farmers own produce, and meats or ingredients purchased from a local farmer/grower. Vendors selling non-edible items, baked goods, prepared foods and beverages will be reviewed on a case-by-case basis and selected based on space availability and product diversity. No flea market or garage sale type items will be sold at the market

Produce: Growers offering a balanced mix of fresh fruits and vegetables will be maintained throughout the season. All produce must be of fresh market quality, insect-free and have no residue such as dirt or mud that cannot be removed by normal washing. Produce of lesser quality for use in preserving, canning or jam making may be sold if clearly labeled as such.

Value-added products: These products will be admitted into the market at the discretion of market management and product diversity of the market. Examples of value-added products include jams, jellies, fruit butters, salsas, pesto, etc.

Meat Products: No fresh meat or fresh poultry products will be sold at the market. Only frozen meat and frozen poultry products that have been processed in a USDA Food Safety Inspection Service (FSIS) licensed and inspected facility and bear the USDA seal of inspection will be sold at the market. Any preparation instructions or suggestions must be compliant with all FSIS food safety requirements. Meat and poultry products sold at the market must be kept frozen at a temperature of 0 degrees **F** or below. Calibrated thermometers are to be kept in freezers/storage containers for meat and poultry products at all times when selling at the market and will be checked for appropriate temperature by market personnel.

Baked Good: Baked goods must be handled in accordance with the rules and regulations described by the state and local health department in which your farm/business is located. Vendors will be

required to submit current kitchen inspection reports, licenses and permits associated with their farm/business.

Eggs: Shell eggs packed for the consumers are to be stored under refrigeration at a temperature of 45 degrees F or below at all times while selling at the market. Shell eggs must be intact and free of cracks. Eggs must be from the farmer's own fowl. Egg cartons must be properly labeled in accordance to the state regulations where the eggs are produced. No resale of another farmer's eggs is allowed.

Ready-To-Eat Foods: Market vendors are responsible for complying with state and local health department regulations within their respective state and county concerning the storage, preparation, and labeling of processed and potentially hazardous foods offered for sale at the farmers market. All market vendors selling food other than whole uncut fruits and vegetables must submit applicable food safety forms and licenses with their farmers market application. A market vendor may be immediately terminated from market participation if he/she fails to comply with their applicable local health department regulations and the USDA farmers market guidelines.

Food Handling:

Proper handling of food at the farmers market is a critical part of ensuring the safety of consumers. Foodborne illness is caused by consuming contaminated foods or beverages. All food items must be properly protected against contamination at all times. Therefore:

- Prepared/ready-to-eat foods may not be displayed for sale without being properly wrapped, covered or protected by an appropriately designed sneeze guard. All food items must be kept covered and kept at a proper temperature prior to selling.
- Vendors must store all food items at least 6 inches off the floor/ground.
- Vendors cannot handle exposed, ready-to-eat foods directly with their bare hands. Utensils such as deli paper, tongs, or disposable gloves may be used to prevent bare hand contact with exposed, ready-to-eat foods. **Disposable gloves that handle money should not come in direct contact with ready-to eat-foods. Gloves must be discarded when they become damaged or soiled or when vendor is switching tasks.**
- Food samples must be presented in a safe and sanitary manner and in accordance with the local health department of the state or county which the products originated. Vendors must provide toothpicks for consumer use if providing samples of their products. Signs are to be clearly displayed stating "*Please use toothpicks when sampling*" and "*toothpicks are for single use only.*"
- Ice used for consumption must be kept in clean containers and dispensed by appropriate scoops/utensils.
- Adequate equipment must be used to maintain foods that require time and temperature control for safety (potentially hazardous foods) at the appropriate temperature to prevent risk of illness. **Foods that require cold holding refrigeration must be kept at 41 degrees F or below. Foods that require hot holding heat must be kept at 135 degrees F or above.**
- Vendors will have access to on-site hand washing station and rest rooms.
- All vehicles and other equipment used for transporting and displaying products must be kept clean at all times.

Hours of Operations:

The **Seasonal Outdoor Market** is held every Friday, from 10:00 am to 2:00 pm starting the first Friday in June through the Friday before Thanksgiving. The market is located at the USDA Headquarters Building in the parking lot, located on the corner of 12th Street and Independence Avenue, SW, Washington, D.C.

For the SAFETY of the Customers, market vendors must arrive at the market no later than 9:30 am and be ready to start selling when the market opens at 10:00 a.m. The market will open at 10:00 am and close at 2:00 pm each market. Due to space limitations, latecomers may be relocated or denied admission at market management's discretion. **No sales before the 10:00 am bell ringing. Market vendors will be allowed 15 minutes after the market closes to complete sales transactions initiated before the 2:00 pm closing.** All vehicles must vacate the market site no later than 3:30 pm.

The **Winter Indoor Market** is held in the South Building starting the first Wednesday in December through the last Wednesday in May from 10:00 am until 2:00 pm. Space is limited to the indoor market participants. Market vendors that participate in the outdoor market season will be permitted to participate in the indoor market depending on space availability. To the extent space permits, new participants will be accepted on a first come, first serve basis. Parking spaces will be assigned by the USDA Parking Office based on available space in the USDA South Building courtyard. USDA's Office of Operations will provide assistance to help with the set-up and loading and unloading of products.

Building Access:

Market vendors will have limited building access. A list of participating market vendor names will be provided to the USDA Office of Security which will allow access to the restrooms and the cafeteria during the outdoor market season. Anyone who deviates from the designated locations may be escorted out of the building by Security and lose future building access privileges.

Clean-up:

Market vendors are responsible for maintaining their space in a clean and attractive manner with attention to public safety and respect for the use of this public space by others following the end of the market day. Market vendors are responsible for cleaning all trash and waste including sweeping up of any debris within and around their allotted space. On-site trash receptacles are provided for consumer and market vendor use.

Conduct on Federal Property:

While participating in the market, farmers and vendors are required to comply with [Subpart 101-20.3 of the Federal Property Management Regulations](#), "Conduct on Federal Property".

Cooperative Marketing:

Farms/businesses are permitted to share space with another market vendor or sell another farm/business product if the arrangement is beneficial to the market. **Such** cooperative market arrangements **MUST** be pre-approved by market management before they are allowed, and the only products that will be considered for sale under cooperative market arrangements are those that are not currently being sold by existing vendors in the market. Products must be clearly labeled with the farm name and location.

Disputes:

It is the intent of the Market to offer customers fresh, quality farm products. All complaints/concerns, whether it is from the market vendor or consumer, should be reported to market personnel and submitted in writing. The issue will be and addressed appropriately by market management.

Drinking and Smoking:

No alcoholic beverage consumption or smoking permitted in the market area.

Electrical Outlets:

There is limited access to electricity at the market. All market vendors must inform market management of their electrical needs and receive **prior approval** before using any existing electrical outlets at the market. Generators are not permitted for use at the farmers market without market management approval. If extension cords are used, they must be safely secured and out of the way of consumer foot traffic. Market vendors are responsible for supplying extension cords for their stall use. Check with market management to ensure that you are using an approved outdoor cord. If the appropriate cords are not being used then they can be removed from your stall and impact your market sales.

Farm/Business Visits:

All potential and participating farm/business vendors are subject to visits. USDA Farmers Market personnel reserve the right to inspect the farm or establishment to confirm crops and products being sold at the farmers market are in compliance with market guidelines. Market vendors must submit a map and directions to their farm/business location along with the market application. If a farm/business is found not in compliance with the market guidelines then the market vendor will be subject to consequences as listed in the Non-compliance section of the market guidelines.

Gleaning:

USDA does not charge a fee to market vendors that participate in the market. Market vendors should commit to supporting the USDA food gleaning/food recovery initiative in lieu of paying market fees. This commitment requires market vendors to donate fresh useable produce and other food products at the end of each market day to [DC Central Kitchen](#). For vendors selling non-food items, we strongly encourage them to purchase food items at the market to be donated or give a monetary donation to DC Central Kitchen. **We strive for 100% participation from the market vendors.** More information about gleaning can be viewed at [USDA Gleaning Toolkit](#). Questions about tax deductions for gleaning should be referred to the Internal Revenue Service or a tax advisor. Receipts for donated foods may be obtained from DC Central Kitchen.

Inclement Weather:

The farmers market is open rain or shine. It is at the market vendor's discretion to participate on market day in inclement weather. Be sure to notify market personnel of your decision. However, if the weather reports are calling for severe inclement weather, such as high winds, severe thunderstorm, tornado warning, etc., then market personnel reserves the right to cancel the market for the safety of the market vendors and customers. If the market is cancelled by market personnel due to severe inclement weather, then market vendors will be notified within 24 hours by telephone and/or email of the closure.

Market Commitment:

Market vendors must commit to the entire market season unless other agreements have been made with market management. A minimum attendance of 80 percent of market days is required. Product availability may limit participants' beginning and ending dates; therefore, a schedule will be developed prior to the start of the market season documenting the market vendor's commitment to the market. If the market vendor is not able to commit to the entire market season then market personnel has the option to share the space with another market vendor. Market vendors that repeatedly miss market days can be terminated from market participation at the discretion of the market personnel.

Market Equipment/Supplies:

Market management will supply market vendors with market canopies and will provide assistance with the setup and breakdown of the canopies each market day. Late comers will be responsible for the setup of their canopy. Each market vendor will be responsible for providing tables, tablecloths, certified scales, signs, containers, and change.

Media Communications:

The market is public property and is often visited by tourist taking pictures, media personnel and reporters. Market vendors have the option to not be photographed and it is at their discretion to answer questions or participate in interviews. If a market vendor does communicate with the public/media, he or she is required to inform market personnel immediately, so that appropriate personnel can be informed and prepared to take any necessary follow-up action.

Non-compliance:

USDA Farmers Market personnel reserve the right to refuse acceptance or dismiss any market vendor or product that does not adhere to the rules and guidelines as stated in this document. Consequences for violating the market rules and guidelines will result in the following:

- First offense: verbal warning
- Second offense: written warning
- Third offense: suspended for one market day
- Fourth offense: suspended for the remaining market season

Notification of Attendance:

Market vendors must give 48 hour notice if he/she cannot attend on market day and knows in advance. We are aware that sometimes unforeseen circumstances do occur. If a market vendor repeatedly misses market days or continuously arrives late to the market, it can result in termination of market participation. Consequences for violating the market rules and guidelines will result in the following:

- First offence: verbal warning
- Second offence: written warning
- Third offence: suspended for one market day
- Fourth offence: suspended for the remaining market season

Market vendors should contact Velma Lakins, USDA farmers market manager, at 202-690-8103 or by email velma.lakins@ams.usda.gov. If Mrs. Lakins is unavailable, market vendors are advised to leave a message as well as contact the main phone number for the Marketing Services Division at 202-720-8317 for further assistance.

Reasons to disallow participation:

Efforts will be made to accommodate all who apply, however, a vendor may not be allowed to participate in the market due to insufficient space, excess supply of the product(s) to be sold, do not submit the required license or permit for market participation, continuous late arrival, and refusal to adhere to market guidelines.

Reselling:

The resale of items purchased by participating farms/businesses will not be permitted except for vendors selling baked goods and value-added products in which the items must have been approved by market management.

Scales:

The Department of Consumer and Regulatory Affairs (DCRA) is responsible for scales inspection at the farmers market. DCRA will check scales for accuracy during the first month of the market opening. Scales must be clearly visible and readable to customers at all times. Any problems identified by DCRA must be corrected. If you have any questions regarding your scales, please contact the Department of Consumer and Regulatory Affairs Weights and Measures, 1110 U Street, S.E., Washington, D.C. 20020. The phone number is (202) 698-2138.

Signage for Vendor Stalls:

Market vendors must clearly display signs that show the name of their farm/business, products, prices, and their enrollment in any Federal nutrition assistance programs. Prices must be legible and visible for customers to see. Prices of items for sale must utilize one or more of the following techniques:

- Individual price stickers on each item
- Individual price signs for each type of item
- A list of prices on a large sign or board

Stall and Parking Space:

Every effort is made to minimize market vendor movement, but space adjustments can be made at the discretion of market personnel, if deemed necessary. Assigned stall space sizes are 10x10 or 10x20 feet. Parking will be provided for one vehicle. Parking will be assigned based on the availability of space located at the farmers market or across the street in the USDA courtyard. If the market vendor has an assigned parking space on the farmers market lot, his/her vehicle must fit within the assigned 16w x 17d foot parking space. All other vehicles must be removed from the market premises.

Security:

Every effort will be made by USDA to make the market a safe environment for market vendors and consumers. However, it will be the responsibility of the market vendors to take every precaution to safeguard all valuables and cash in their vehicles during market hours. Suspicious activity should be reported immediately market and/or Security personnel.

Sales Data:

Market vendors will be required to submit weekly sales data for USDA internal use only. Individual sales data will be kept confidential and not reported out.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0229. The time required to complete this information collection is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

VENDOR CERTIFICATION

This page must be signed and returned only if you have been selected as a vendor to participate in the 2014 farmers market season.

All participating market vendors must adhere to the rules and operating guidelines as stated in this document. By signing below, I certify that I have **read, understand and agree to adhere** to all applicable rules and guidelines as stated in this document. I further understand that should I fail to comply with these specified rules and guidelines, my participation in the USDA Farmers Market could be terminated.

Market Vendor Signature

Date