

Clear Lake Community Farmers' Market

2019 Rules

1. The market season runs from the first Friday in June through the first Friday in December
2. Vending times are 5:00 until 8:00 p.m.
3. Vendors may begin set up at 4:30 p.m. Vendors are encouraged to be set up by 5:00 p.m. and to not leave the market before 8:00 p.m. unless sold out.
4. Vendors are expected to have any appropriate insurance or required permits, on required items to collect and pay sales tax, and to follow any/all federal, state or county laws, rules and regulations as individuals, businesses or vendors.

Market Fees

5. Fees (\$25.00) are waived for vendors who agree to offer free samples OR a gift for our raffle. This helps everyone because we advertise both in promoting the Farmer's Market.
6. In addition to signing these rules and agreeing to them, Vendors must sign and agree to a separate "hold harmless" agreement
7. Vendors are expected to have any required permits and/or appropriate insurance for individual vendor product liability

Vendor Eligibility

8. The market is open to local vendors in the Clear Lake, WI area
9. Products sold must be grown or made by the vendor or his/her immediate family who resides at the same address. No items not grown or picked by the vendor, or items from outside the stated area may be sold. At the committee's discretion, a vendor from outside the area may be allowed, if his product is unique and does not compete with existing vendors.
10. **A submitted application (application can be found [here](#))** does not guarantee acceptance as a vendor. Vendors are accepted based on eligibility, product to be sold, and seniority.

Set Up Procedures

11. Vendor stall size may vary; Product may not be placed outside your assigned area.

Vendor Performance

12. Each vendor is responsible for his/her tables, chairs, and other equipment. These should be brought the day of sale, and removed at the end of the sale that same day. Each vendor must remove his own equipment. Tables, etc., left after the moving date will be charged storage fees in the amount of \$10 per day. Spaces must be kept clean and safe. The market association is not responsible for loss of or damage to vendor equipment or furniture.
13. All vendors are required to have a sign with their name and location (town). Growers must also clearly list prices. Signs may be simple (marker boards) or elaborate.

Product

14. Each vendor sets his/her prices. Radical price cutting is prohibited. Smaller or riper produce should be labeled as such and can be sold for a discounted price. Vendors with taxable items need a sales tax number and must pay sales tax to the state, and are solely responsible for doing so. Product quality shall be consistent with that of other vendors. Display of substandard product may result in its removal from sale by the committee. When setting prices please be aware that someone else's livelihood may depend on selling at a profit.
15. Baked goods must be labeled with the baker's name, address, and description of item. Food products should be labeled with a list of ingredients or a list of ingredients should be provided for customer review with common allergens highlighted. **Jams and jellies must have an ingredient label on each container.** No dairy products or custard pies may be sold unless the vendor has appropriate licenses. Copies of these licenses must be given to the committee. Pecan pies are acceptable, pumpkin pies are not. Tax must be collected on candies unless they contain flour. Eggs must be kept refrigerated as per state law. Re-used egg cartons should have the original label scratched out. Produce bags and containers must be left open. Vendors who wish to sell a potentially hazardous (perishable) food must obtain a state license and furnish a copy of that license to the market manager.
16. When giving out samples each vendor should use good personal hygiene and proper temperature control of foods to avoid food borne illness. Fruits and vegetables must be rinsed in clean water before cutting. Melons should be rinsed in a 200 parts per million chlorine solution prior to slicing. Use clean cutting boards and knives and replace them often. Store soiled items in a plastic bag to avoid insects. Use disposable gloves, tongs, napkins or toothpicks. Protect samples from insects and contamination. Store samples at appropriate temperatures; melons and tomatoes must be stored at 41 F or below, once cut. Each vendor providing samples will also provide a garbage container. Wash hands frequently with your own hand washing station or hand sanitizer.
17. Vendors are solely responsible for ensuring state and county rules and regulations are followed.

Market Management

18. There is no smoking, drugs, or alcoholic beverages allowed on the grounds. No firearms or pets (except service animals) are allowed.
19. Election of the co-op market manager takes place at the spring meeting in even numbered years. Appointments to committees, such as advertising and special events, occur then, too. Those running for office must be active market participants.
20. In order to maintain a smooth running market, the market manager has the authority to interpret and enforce the market rules. Vendors not following the rules may lose their space and must reapply the next year as a new vendor and will be placed at the bottom of the list.. One warning will be given. The manager's decision is final. No refunds are given.
21. Vendors shall be courteous to other vendors and shall not engage in activities that make other vendors and/or the public uncomfortable. Vendors are not permitted to use the following techniques while at market: hawking, calling attention to products in a loud manner, selling products in an aggressive way, or denigrating the product of other vendors.
22. Stall fees are not refundable.
23. Farm/garden inspections may be made to determine whether produce sold at the market is locally "farm-raised". All vendors must agree to assist in the inspection of their farm/garden by representatives of the Farmers' Market. Failure to comply with inspection procedures may result in suspension from the market. An inspection fee of \$25 will be charged on farms that are inspected if a violation of the rules is found. Clear Lakes Community Farmers' Market reserves the right to inspect all member operations throughout the season as needed.

FARMERS' MARKET GUIDANCE DOCUMENT

REQUIREMENTS FROM INSPECTIONS AND APPEALS

FOOD AND CONSUMER SAFETY BUREAU

The following products may be sold at a farmers market to consumer customers without being licensed as a food establishment at the market location:

1. Fresh fruits and vegetables which are whole and uncut
2. Bakery products which are not potentially hazardous. These products include only the following items: breads, cakes, doughnuts, pastries, buns, rolls, cookies, biscuits, and pies (except meat pies). The following products are examples of bakery products that are potentially hazardous and cannot be sold at farmers market without a license: soft pies, custard filled products and cream filled products.
3. Fresh Shell Eggs that are kept at 45 For below (ambient temperature)
4. Honey (products containing honey would have to be individually evaluated)
5. Non-potentially hazardous food products: that is products that do not require refrigeration, since they are shelf-stable. These products can be prepared in the home, to be sold for consumption off-the-premise. Some examples of products that can be prepared in the home for direct sale to consumer customers include: jams, jellies, and dried noodles.

The following products may NOT be sold at a farmers market without appropriate licensing from local, state or federal authorities:

1. Potentially hazardous food products (foods that require temperature control), which include meat, poultry, dairy products
2. With the sole exception of jams and jellies, no "home style" canned goods can be sold at farmers markets. Since food in a hermetically sealed container shall be obtained from a licensed food processing plant.
3. Wild Morel mushrooms

What types of licenses are honored to sell potentially hazardous foods at farmers market?

1. Farmer's market potentially hazardous food license.
 - a. A separate license is required for each county in which a vendor sells food.
 - b. The license is only valid at farmers markets.
 - c. If the vendor operates two or more stands simultaneously, a separate license is required for each unit.
2. Mobile food license
3. Temporary Food License
4. Canned goods, except jams and jellies, must be from a licensed food processing plant. (Only jams and jellies that meet the Standard of Identity for jams and jellies specified in 21 CFR Part 150 are exempt from licensing. This includes most common fruit based jellies, but not pepper, onion, or unique fruit jellies or fruit butters.)

Requirements for Selling Wild Morel Mushrooms

Wild Morel mushrooms ONLY can be sold at a Farmers Market if all of the following criteria are met:

1. Each Morel mushroom must be inspected and found to be safe by a "certified Morel mushroom identification expert";
2. The seller of Morel mushrooms must keep a record of the following information for 90 days from the date the mushrooms were purchased:

- a. The name, address, and telephone number of the certified Morel mushroom expert;
 - b. A copy of the Morel mushroom identification expert's certificate of successful completion of the course, containing the date of completion; and
 - c. The quantity of the Morel mushrooms purchased and the date(s) purchased;
3. The seller must obtain a Farmers Market Potentially Hazardous Food License or a Mobile Food License;
4. A Consumer Advisory shall inform consumers by brochures, deli case or menu advisories, label statements, table tents, placards, or other effective written means that wild mushrooms should be thoroughly cooked and may cause allergic reactions or other effects.
5. 5. Iowa State University offers the Morel Mushroom Certification course each spring.

Labeling Requirements

All food must be labeled with the common name of the food and the name and address of the person who prepared the food.

Allergen information needs to be declared on the label or by the use of a placard. The following food products are considered major allergens: Peanuts, Soybeans (not refined soybean oil), Milk, Eggs, Fish, Crustacean (crab, lobster, or shrimp), Tree Nuts (almonds, pecans, or walnuts), and Wheat.

Food that is prepared in licensed food establishments or food processing plants must be labeled with the following information:

1. Product name
2. A list of ingredients in order of predominance (by weight). If the product has a standard of identity in the Code of Federal Regulations, it must conform to that standard.
3. Name and address of the manufacturer, packer or distributor. Unless the name given is the actual manufacturer, it must be accompanied by a phrase which states the product is "manufactured for" or "distributed by."
4. Net weight or volume.
5. Allergen information.
6. Nutrition labeling information is required unless exempt. Exemptions may be found on the FDA website: www.fda.gov

Other Regulations

The requirements outlined in this document relate only to Iowa licensing and inspections.

Individual products may also be subject to FDA regulations. To determine if FDA regulations are applicable contact David Arvelo, FDA's Small Business Representative, at [david.arvelo@fda,hhs.gov](mailto:david.arvelo@fda.hhs.gov) or visit the FDA Website.

Name _____

Business name (if different) _____

Website URL _____

Full Address _____

Phone Number _____ Cell: _____

Agree to terms and conditions? Yes / No

Agree to have any/all required licenses? Yes / No / Not Applicable

Agree to have any/all required permits? Yes / No / Not Applicable

Agree to have any/all required insurance? Yes / No

Signed Hold Harmless Agreement? Yes / No

Products to be sold

I have read the policies, procedures and resources for the Clear Lake Community Farmers Market and hereby agree to abide by them. Further, I agree to sell at the market only items listed above. I acknowledge that those items must be of my own production and produced at the location listed. I acknowledge full responsibility for all my activities in the market and for those assisting me. I acknowledge the authority of the market manager to immediately settle any disputes regarding product legitimacy, procedural and vendor conduct non-compliance subject to appeal under the procedures set forth in the policies, procedures and resources guide. I agree to allow review of my records and on-site visit of the premises where the products offered for sale are produced if needed, and to be entirely responsible for the items and products I sell at the market.

Applicant Signature _____ Date _____

Print name _____

Please complete and submit the last two pages (5 and 6) of this document (required).