

RUTHERFORD COUNTY FARMERS' MARKET
RULES & REGULATIONS
FEBRUARY 2023



All forms and materials can be found on our website: Rutherford.Tennessee.edu/Farmers-Market. In some cases, web links may be referenced in this document. If you do not have access to the internet, please ask RCFM Personnel to provide paper copies. Rutherford County Extension provides supervision and management for the market operation as well as the technical services required by vendors and customers who participate in the market. Rutherford County Extension will collect information, as necessary, to appropriately document the market operation and prepare/submit any required reports.

The RCFM provides area producers with an opportunity to sell, and customers with an opportunity to buy (1) fresh, home-grown produce, (2) a variety of plants including (but not limited to) shrubs, ornamental grasses, annuals, perennials, vegetable transplants, etc., and (3) certain processed foods which meet Tennessee Department of Agriculture (TDA) and, in some cases, Federal Food and Drug Administration (FDA) guidelines and regulations.

Location and Schedule: The RCFM is operated from the Lane Agri-Park Community Center located at 315 John R. Rice Blvd. in Murfreesboro. In 2023, the RCFM will be in operation from 7:00 am to 12:00 pm, on Tuesday and Friday of each week from Friday, May 12th through Friday, October 27th.

The RCFM is strictly a PRODUCER ONLY MARKET (NO re-selling allowed) and will be open to Producer-Vendors from counties within the Middle Tennessee area. Producer-Vendors are only allowed to sell produce and select other agricultural products that the Producer-Vendor personally and physically grew/ produced. The sale of any products not grown or produced by the vendor, the reselling of goods, or the sale of goods that have been obtained by trading or bartering is strictly prohibited and is grounds for dismissal from the market. All products must be raised in Middle Tennessee. To ensure compliance with established market guidelines, inspections may be scheduled to the kitchens, farms, or gardens of those selling at the RCFM.

I. VENDOR QUALIFICATION

- 1) To participate in the RCFM, all vendors must meet any local, state, and/or federal permit requirements relative to the items they offer for sale. Copies of such permits must be kept on file with the RCFM. Only producer-only items listed in your completed application can be sold at the RCFM. Items not listed will be allowed for sale only with the RCFM Managements advanced approval. If a business is a partnership, all members of partnership must sign the *RCFM Producer-Vendor Certification Form* representing the business. In order to participate in the RCFM, all vendors must complete the 2022 RCFM Application Packet, which includes the following documents:
 - 2023 RCFM Producer-Vendor Certification Form (signed by your county Extension Agent)
 - 2023 Token Acceptance and Reimbursement Form (only need signed form)
 - Current permits or partnership forms (if applicable)
 - Farm Map and Directions
 - Farm Safety Self- Help Form (confidential and used to aid in education and safety awareness)
- 2) The RCFM accepts credit, debit, and SNAP payments on behalf of all Producer-Vendors. As SNAP funds may only be used to purchase certain items, each vendor must complete a brief training session and sign the *Token Acceptance and Reimbursement* form to participate. All who wish to sell at the RCFM will be required to accept these tokens for appropriate items.
- 3) RCFM vendors are encouraged to utilize electronic payments at their own discretion and expense. All sales via such devices need to be added in daily gross sales along with cash and token payments, excluding fees accrued through such procedures.
- 4) All parties participating in a legitimate partnership must complete a *RCFM Partnership Form*. Signatures of all partners must be notarized. Brokerage partnerships will not be allowed in the RCFM. All parties must physically be involved in growing product, i.e., partnership cannot be purely financial in nature.
- 5) Representatives at each market booth must be the original producer of the item sold or be employed by the producer.

II. PRODUCT QUALIFICATION AND SALES REGULATION

- 1) Producer-Vendors must abide by and all products must comply with all applicable federal, state, and local regulations. Any licenses or permits required for any of the products sold must be current and be displayed prominently in each vendor's booth during all markets. Permits should be viewable by customers and without obstructions. Producer-Vendors will NOT be allowed to sell without the necessary permits displayed in such a manner. It is the responsibility of the vendor to provide copies of such permits and/or licenses along with their Producer Certification Form to Market Management before being allowed to sell at the RCFM. A copy of the most current permit/s along with a copy of the most recent TDA inspection must be provided in order to sell processed foods at the RCFM.
- 2) The TN Department of Agriculture's Farmers Market Compliance Guide can be found here: <https://www.tn.gov/agriculture/consumers/food-safety/ag-farms-farmers-markets.html>.
- 3) Vendors who sell processed foods (including potentially hazardous canned goods, shelled beans and peas, shucked corn, or sliced fruit and vegetables) must obtain a Food Manufacturing permit from TDA. Federal FDA Product Process Registration/s may be required for acidified foods.
- 4) Vendors-Producers selling baked goods and non-hazardous canned goods are currently covered under the TN Food Freedom Act <https://www.tn.gov/agriculture/consumers/food-safety/tennessee-food-freedom-act.html>. If you have taken the on-line training through the University of Tennessee to get the Domestic Kitchen certification. The link is on our website and can be found at <https://foodscience.tennessee.edu/domestic-kitchen-course-2/>. A copy of this certification must be provided in order to make and sell such products at the RCFM.
- 5) Fresh poultry eggs may be sold at the RCFM without a TDA permit; however, all egg vendors must abide by the best management practices described at <https://extension.tennessee.edu/publications/Documents/PB1898.pdf>. Eggs must be sold in new containers and labeled with producer contact information.
- 6) Vendors selling meat or other animal-derived products from their farms must have and display a current TDA Retail Meat Permit. Vendors should contact TDA for specific information about selling these products.
- 7) Vendors who sell non-vegetable plants (including herbs, house plants, and landscape plants) must comply with TDA guidelines and regulations. Vendors can find information at <https://www.tn.gov/agriculture/businesses/plants/forms.html> and should contact TDA for more information regarding such permitting.
- 8) Producers of Certified Organic items must have a copy of their National Organic Program Certification on file with market management as well as on display when selling at market. Only certified organic growers may display signs using the term "Certified Organic."
- 9) All produce sold in the Market will be sold by legal weights and measures. Vendors are responsible for having their scales calibrated annually.
- 10) Offering samples is encouraged; however, all samples offered by vendors must meet the following criteria:
 - Samples must be stored in rigid, covered containers until serving and should be kept cool.
 - All samples must be pre-cut away from sales booths using clean cutting utensils. Vendors may prepare samples before arriving at the market or use the onsite kitchen to wash and prepare samples of fresh fruits and vegetables.
 - All samples of processed foods must be prepared in a permitted kitchen facility.
 - Foods that require cold holding refrigeration must be kept at 41°F or below.
 - All samples must be held and dispensed under clean and sanitary conditions (i.e., toothpicks provided for sampling)

Since we are strictly a producer-only farmers' market, products are limited to farm products. The product must be qualified as a farm product by market management before it can be sold.

****It is the responsibility of every vendor to know if they are required to collect and remit Tennessee Sales Tax. The Tennessee State Sales and Use Tax guide can be found at: <https://www.tn.gov/agriculture/consumers/food-safety/ag-farms-farmers-markets.html>. A recent publication entitled *Sales Tax in Tennessee on the Purchase and Sale of Farm Products* may be found at: <https://extension.tennessee.edu/publications/Documents/PB1806.pdf> .****

III. SEASON VENDOR SPACE

- 1) "Season" vendors may reserve a booth space for the 2023 season (May-October) by paying \$350 by or on Friday, May 5, 2023. This includes a \$275 sales space fee and an additional \$75 fee for RCFM promotion and resource support. All RCFM fees are non-refundable (even if a vendor decides to give up the reserved space, stops participating in the market prior to the end of a market season, or forfeits reserved space due to repeated violation of any or part(s) of the RCFM Rules and Regulations) and non-transferable. There will be a \$25 processing fee for any check which is returned to the Rutherford County Finance Department for insufficient funds.
- 2) Any New produce vendor seeking a season booth must submit a completed Farm Food safety plan along with other application materials before opening day. For more information contact market management.
- 3) Market Management reserves the right, at any point, but especially early and late in the season, to temporarily relocate season vendors in the interest of overall market health.
- 4) After submitting all necessary paperwork, training, and paying the annual fees, vendors wishing to reserve a space for the 2023 season will have their names called in order of attendance from the previous season to choose a booth space. A vendor's attendance of the previous season's market will affect their position in the season booth drawing. New season vendors will be entered onto a drawing and will choose a booth when their name is drawn.
- 5) If season vendor is absent from the RCFM for more than three consecutive market days without notifying Market Management, reserved space and booth fee may be forfeited for remainder of calendar season.
- 6) Parking: Each season vendor with a wall (perimeter) booth space is assigned one parking space behind their booth space. Each season vendor with an interior booth space does not have a designated parking space. You may use an open perimeter parking space to unload and should move to the outer parking lot when finished, or if the vendor using that parking space arrives. All vendors should work together to ensure their neighbors can load and unload with relative ease. Ensure your vehicle or trailer does not extend beyond the parking space during sale hours. No parking is allowed along driveway paths. Do not block traffic or emergency vehicle access.

IV. DAILY VENDOR SPACE

- 1) Any Daily Vendor should contact market management prior to attendance by calling the day before market, 615-898-7710, leave a message at 615-785-0862, or by emailing hlambert@utk.edu.
- 2) "Daily" vendors will pay \$10 per day at the market. This includes a \$5 sales space fee and an additional \$5 fee for RCFM promotion and resource support. Daily spaces are rented on a first-come, first-served basis. There will be a \$25 processing fee for any check which is returned to the Rutherford County Finance Department for insufficient funds.
- 3) Parking: Each daily vendor with a wall (perimeter) booth space is assigned one parking space behind their booth space. Each daily vendor with an interior booth space does not have a designated parking space. You may use an open perimeter parking space to unload and should move to the outer parking lot when finished, or if the vendor using that parking space arrives. All vendors should work together to ensure their neighbors can load and unload with relative ease. Ensure your vehicle or trailer does not extend beyond their parking space during sale hours.
- 4) No parking is allowed along driveway paths. Do not block traffic or emergency vehicle access.

V. ARTISAN VENDOR SPACE

- 1) Artisan Vendors can choose to be a daily vendor for any or all Fridays(25), plus 4 Tuesdays during the Fall Market & Arts Festival in October only.
- 2) Artisan vendor booths will be placed on the small side of the community center throughout the season.
- 3) All artisan vendors must have clear communication with management about impending attendance or absence, planned or unexpected.
- 4) No resale items, direct sales or manufactured, prefabricated, products or items will be permitted. All items must be hand-crafted or altered in some manner for sale.
- 5) The Rutherford County Farmers' Market staff reserves the right to reject or remove from the sale any items considered unsuitable or found not to be hand-crafted in some manner.
- 6) The primary vendor registering for the booth space must be 18 years old or older and will be responsible for the items and assistant vendors within their booth space. Booths must be manned at all times during the event by the vendor or its representatives.

- 7) RCFM Fall Market & Arts Festival artisan booth vendors are NOT permitted to sell concessions (food or drink to be consumed on premises). Homemade foods– baked goods and jellies, are allowed as a market vendor only.
- 8) Artisan vendors are required to accept Rutherford County Farmers' Market Tokens. An **artisan vendor can ONLY accept the GREEN market tokens**. Please read token agreement and return signed form. Keep the reimbursement schedule for your knowledge and records. Artisan vendor is permitted to use personal payment device.
- 9) Artisan vendors will receive a money bag each morning that must be returned at the close of business with any tokens.
- 10) Accurate gross sales must be claimed daily.

VI. ADDITIONAL PRODUCER RESPONSIBILITIES AND CONDUCT

- 1) During peak season (estimated June 1st through September 14th), only one vendor booth space will be allotted per individual, household, or partnership, unless space is available. During the month of May and from September 1st through the end of the season, a vendor may rent up to two adjacent spaces if all of the following conditions are met: 1) They have sufficient product to make two booths appear "full" 2) If their use of two booths does not conflict with the reserved booth of an adjacent season vendor and 3) If the vendor has obtained Market Management's prior approval. Vendors will neither set-up nor sell market items outside the Community Center without permission from Market Management. The vendor is responsible for bringing all tables, chairs, petty cash, and other materials needed.
- 2) During May the Community Center doors will open at 5:30 am, with market hours opening at 7:00 am till noon. From June 1st through October market days, the Community Center doors will open at 5:00 am, with market hours opening at 7:00 am till noon. Vendors may sell to early shoppers, including in to gross sales for day.
- 3) Reserved season spaces must be occupied by 6:30 am. At 6:45 am, unoccupied sale spaces may be rented to daily vendors unless the Market Management has been notified of a late arrival time due to an emergency or unforeseen incident (e.g., flat tire, dead battery, etc.). CALL 615-785-0862 ASAP after Market Management arrives, leaving a voice mail if necessary.
- 4) All Vendors must clearly display signs that show the name of their farm/business, products, and prices. RCFM management can often supply price cards as well as assist with signage. We are happy to help.
- 5) No hawking or obvious price wars are allowed in the market. This includes any disruptive behavior or other aggressive activities conducted for the purpose of drawing customers or attracting attention to one specific booth.
- 6) Booths must be reasonably clean during market hours, as we are selling food. Repeated failure to follow this guideline could result in dismissal from the market (without fee refund). Also, clean your booth before leaving! ALL rubbish must be cleaned from both the vendor's booth and parking space prior to departure. The trash cans in the community center are for trash only. Vendors may donate unwanted produce to the charity gleaning organization or dispose of it at the dumpster located behind the Community Center.
- 7) The RCFM closes at 12 noon. Vendors are required to stay until the market closes except in such cases when all products have been sold. Should this occur, the vendor must notify Market Management and be able to demonstrate that this is true. The Market Management must approve exceptions to this policy in advance. Vendors should stop making sales at noon, load any remaining sale items, clean their assigned sale and parking space, and clear the area no later than 1:00 pm.
- 8) Should the interior thermostat drop below 60 degrees Fahrenheit, Producer-Vendors may be required to shut all garage doors during market sale hours. In this situation, garage doors may be opened in order to restock, but must be promptly closed in order to retain heat. In warm weather, doors will remain open and overhead fans may be running. All booths have electrical outlet access.

All RCFM Producer-Vendors must report their ACCURATE daily gross sales and turn in tokens daily. This information regarding sales will be treated in a strictly confidential manner and will not be shared with any other market vendors, Extension offices, or other governmental agencies. Receipt slips will be given to each vendor and should be placed in our blue RCFM bank bags with any tokens for redemption each market day. Producers who choose not to report gross sales will lose their privilege to sell at the Rutherford County Farmers' Market for the remainder of the season. Reporting sales is required of all RCFM vendors. The information is needed in order to secure funding for the market.

*****INCLUDE ALL GROSS SALES FOR ANY ORDERS PLACED AND/OR PICKED UP ON SITE. *****

VII. COMMUNITY CENTER REGULATIONS

Rutherford County Extension aims to provide a fair and healthy market environment.

GRIEVANCE POLICY: Any vendor complaints regarding policy or implementation of policy can request a meeting with the Market Management and will be contacted in a timely manner to schedule a meeting. All complaints must be addressed in writing to Market Management. Complaints against another vendor, must be accompanied by a \$50 "good faith" check. The Market Management will then investigate said complaint 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. The submission of application for admission to the market serves as the vendor's agreement to abide by the rules of the market and enforced by the Market Management. Violations of the rules of the market may be grounds for dismissal from the market. Hostile confrontations between vendors will not be tolerated and may result in one or all parties being banned from the RCFM. Market Management does not discuss a specific vendor's issues with any other vendors.

Complaints about the market operation may be registered (in person, by phone, or in writing) with the market management or an appropriate member of the Rutherford County Extension Staff. All complaints will be given serious consideration as well as prompt attention.

Neither Rutherford County Extension nor anyone associated with supervision and/or management of the market operation will assume any liability resulting from accident, injury, or theft. Items which are lost, stolen, or damaged will not be the responsibility of Extension or those associated with operation of the market. Being procured and built with public funds, the Lane Agri-Park Community Center is subject to all laws, rules, and regulations governing public property. The following, among other things, must be adhered to:

- * Under no circumstances will alcoholic beverages be permitted on the premises.
- * Smoking or use of tobacco products is not allowed inside the premises or within 25 feet of the Community Center. Vendors may smoke in the parking lot if they are 25 feet away from the building and should dispose of cigarette butts in either of the two butt receptacles located by both the front and rear community center entrances.
- * Firearms or weapons of any kind are not permitted on the premises.
- * Unattended children are prohibited from the market.
- * No animals will be allowed inside the building except for service animals.

We appreciate your patience with the changes to protect all who work at
and support the Rutherford County Farmer's Market.

CONTACT INFORMATION

Market Phone: 615-785-0862

County Director: Anthony Tuggle Email: atuggle@utk.edu or:
Heather Lambert Email: hlambert@utk.edu

Market website: Rutherford.Tennessee.edu/Farmers-Market

Phone: 615-898-7710

Address: UT-TSU Extension of Rutherford County
315 John R. Rice Blvd., Suite 101
Murfreesboro, TN 37129-4105