



2004 PASCO FARMERS MARKET RULES AND REGULATIONS

Please read these regulations carefully before signing your application and keep this copy for your records. Failure to observe these policies may result in charges or termination of market application/permit to sell.

The Pasco Farmers Market (PFM)

The Pasco Farmers Market is a community farmers market in the heart of Downtown Pasco, Washington. The goals of the Farmers Markets are to provide an outlet for Washington State's farming families to direct sell their farm products and to provide farm-fresh food for consumers. The market should also be a meeting place to celebrate the diversity of our communities.

Permits to sell and booth/stall assignments are made based on the Market's need to balance available produce with a well-rounded "market basket" for customers. The Market intends to meet the needs of participating farmers without overloading the Market with particular products.

Basic Consumer Expectations

The market will be dominated by growers selling produce which they raised on their own nearby farm. All the produce sold will predominantly come directly from a nearby farm and will be fresh. All the crafts sold will be handmade by the vendor. All processed foods sold will be made by the vendor.

Market Organization

The Pasco Farmers Market (PFM) is a project of the Pasco Downtown Development Association (PDDA), a non-profit 501(c)(6) corporation registered with the State of Washington and the Federal Government. A committee of nine members governs the PFM. Committee members are comprised of at least four (4) vendors from the Pasco Farmers Market, one of which will be the Chair of the Committee, the Executive Director of the PDDA, one other (1) member of the PDDA and three (3) advisory members from the community with an interest in the market and Downtown Pasco. The committee meets once a month and meetings are announced.

The mailing address is:

Pasco Downtown Development Association
P.O. Box 842
Pasco, WA 99301

The Farmers Market location times and dates:

The parking lot at 4th and Lewis Streets in Downtown Pasco, WA
Saturday, 8:00-Noon, the 1st weekend in May until the 3rd weekend in November
Wednesday, 8:00-Noon, the 1st Wednesday in May until the 3rd Wednesday in November.

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REGULATIONS ON PRODUCTS SOLD AT THE FARMERS MARKET

Products not covered under these guidelines will be given special consideration by PFM Committee. All vendors must obtain any required licenses and/or permits required by the State of Washington, Franklin/Benton County, and City of Pasco.

Products sold at the Farmers Market are limited to:

A. Fresh farm products:

1. Includes fresh fruits and vegetables, herbs, nuts, honey, dairy products, eggs, poultry, mushrooms, meats and fish. Also included in this category are fresh flowers, nursery stock, and plants. The Pasco Farmers Market will allow the sale of Controlled Atmosphere (CA) or cold stored fruit and vegetables. The grower is responsible for full disclosure to the consumer using proper signage indicating that their product is not from that growing season.
2. All fresh farm products must be grown or produced in Washington State or counties which border the state. All products must be grown or produced by the seller. **Vendor must be an active owner and operator of the farming operation and may not be operating the business under a franchise agreement.** Only vendors selling as farmers may sell Fresh Farm Products from this category.
3. The vendor must propagate all plants and flowers from seed, cuttings or plugs, bulbs or plant division. All finished products offered for sale must have been grown by the vendor and have been under the vendor's control for a minimum of sixty (60) days.
4. The vendor's application for a permit to sell shall state what is grown by vendor, and what products the vendor will sell at the Farmers Market.

Any producer who sells produce that is not his or her own production, while claiming that it is; will be permanently expelled from the Market.

B. Value added farm foods:

1. Includes preserves, jams and jellies, cider, syrups, salsas, smoked meats or fish, dried fruit, flours, and salad dressings.
2. All value added farm foods must be made from products/ingredients, a majority of which are grown and produced by the seller. Value added farm foods must be produced by the vendor from raw ingredients. Vendors in this category must have personally cooked, canned, baked, preserved, or otherwise treated the product they sell. All processed foods must have the proper permits and licenses required by the State of Washington, City of Pasco and Benton-Franklin County Health Department and made in accordance to their specifications.

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Vendor must be an active owner and operator of the farming operation and may not be operating the business under a franchise agreement.

3. The vendor's application for a permit to sell shall state what is grown by vendor and what products the vendor will sell at the Farmers Market.

C. Hand Crafted Products:

1. Crafters are persons or entities who craft with their own hands the products they offer for sale. To qualify as a crafter, a majority of the tools and equipment used by the crafter to produce their products must require skills, personal handling and/or guidance by the crafter.
2. Crafters should incorporate materials produced in Washington as much as possible. Crafters must create their craft products in Washington, or in counties which border the State of Washington.
3. Crafts will be subjected to a jury process at the beginning of the market season and may be requested to submit a sample of their work to the Farmer's Market Committee for review. Review items considered are: craftsmanship, quality, percentage of raw materials used, percentage of product that is hand crafted versus non-handcrafted and originality.

D. Processed Foods:

1. Processors are persons or entities offering fresh food products (such as meats, seafood*, ciders, baked goods, jams, etc.) that have added value to their product through some sort of "hands-on" processing (e.g., hand filleted fish, smoked or butcher meats, handmade candies, etc.). Includes juices, wines, preserved foods, jams, pastries, pasta, granola, cookies, muffins, breads, pies, and related take home desserts, not prepared on site.
2. Processed foods must be produced by the vendor from raw ingredients. Vendors in this category are those who have cooked, baked, or otherwise treated the product they sell. No commercially prepared dough mixes, crusts, shells, or fillings are allowed. It is expected that the vendor will use raw ingredients that are grown in Washington, as appropriate for the product, and when possible, use products from the farmers market.
3. All processed foods must have the proper permits and licenses required by the City of Pasco, Benton-Franklin County Health Dept. and/ or the Washington State Dept. of Agriculture.
4. (*In the case of Seafood vendors, product must originate from the greater Pacific Northwest, which includes Washington, Oregon, Alaska and British Columbia.)

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5. **Vendor must be an active owner/operator of the business and may not be operating under a franchise agreement.** The vendor's application for a permit to sell shall state what is grown/processed or prepared by vendor, and what the vendor will sell at the Farmers Market.

E. Prepared Foods:

1. Allowed are freshly made foods available for sale and immediate consumption on-site.
2. **Vendor must be active owner/operator of the business and may not be operating under a franchise agreement.**
3. When selecting prepared food vendors, priority will be given to vendors preparing food from raw ingredients and using ingredients grown and/or produced in Washington State and by participating market farmers. Vendor must have all required state, county and local food permits. The application for a permit to sell shall state what is grown/processed or prepared by the vendor and what will be sold at the Farmers Market.

MARKET PARTICIPATION AND BOOTH/STALL ASSIGNMENTS

1. The Market Manager will give first priority to returning vendors who were in good standing the previous season and participated in the market either for a full season or half season (3 months).
2. The Market Manager will reassign booth/stall space to Reserve Vendors in good standing from year to year in their same location.
3. Non-Reserve Vendors are assigned on a random basis at the discretion of the Market Manager. Assignments are made with the attempt to balance the needs of the market, i.e. supplying customers with a complete, competitive selection of produce available in season, with the needs of new farmers applying to PFM without overloading the market with particular products.
4. Market Assignments are based on:
 - a. Available space in the market
 - b. The need for a specific product and your ability to produce it
 - c. Number of booth/stalls you require. The more space you need, the harder it is to place you. Smaller vans and pick-ups are easier to accommodate.
 - d. Your performance at the market including:
 - i. Good product quality, display and signage
 - ii. Ability to follow PFM rules and manager's directions at market. (i.e. punctuality, clean up at end of day, prompt notification when canceling, etc.)
 - iii. Sales history
 - iv. Market fees paid in full on time.

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We will try our best to satisfy participants' requests. We do our best to give returning longtime vendors room to expand without closing the market to new growers.

THE ROLE OF THE MARKET MANAGER

The Market Manager's job is to implement Market policies. This includes overseeing Market set-up, booth assignments, and collection of fees, providing information on membership and Market policies, and assuring vendor compliance with all Market policies. The Manager will make booth assignment decisions based on available space in the Market and the need for specific products. The Manager will be responsible for public concerns and vendor complaints. The Manager is also the conduit between vendors/customers and the PFM. The Market Manager has complete authority to interpret and implement policy on the Market site; including the authority to rescind booth/stall space for just cause. Vendor grievances will be taken to the PFM Committee.

PRICING AND QUALITY OF PRODUCTS

The PFM is a not wholesale market or an outlet for excess produce from large producers. The market was established to provide a space for local family farms to sell their produce, processed foods and baked goods to the community at or near retail pricing.

VENDORS RESPONSIBILITY

Pricing of goods sold at Market is the responsibility of the individual vendor. Vendors are expected to sell their goods at retail pricing. Vendors are not allowed to give produce or other items away for free or at below-cost pricing, thus undercutting potential sales of other vendors. **Vendors that sell their produce at a reduced rate, that is; below a fair retail rate will be regarded as dumping their products.** The first violation will result in a verbal and/or written notice from the Market Manger that they are in violation of market policy. The second violation will result in a \$50 fine. The third violation will result in dismissal from the market for the remaining part of the year. **Vendors are expected to bring quality produce to market. Seconds or "culls" are not allowed.**

MARKET RESPONSIBILITY

The PFM reserves the right to establish a minimum pricing policy in order to protect the sales of participating farmers.

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WHO CAN SELL AT THE PFM

Washington state farmers and producers as listed may sell at the market as well as counties bordering the state. **The actual grower/farm owner must be present at the market at least one (1) time per month. There will be no exceptions to this rule.** Principal farmer/producer may send family members, partners, or employees to the Market in their place, but are responsible for having their on-site representatives aware of all Market rules and violation policies. All employees, partners, and family members may be asked to sign an agreement that states they understand and will comply with Market policies and guidelines.

BOOTH/STALL FEES

Annual Booth/ Stall fees

All vendors will pay a yearly application fee for the Market of \$100 for Reserved Vendors and \$50 for Non-Reserved Vendors. This fee and the completed application must be submitted to the PDDA office by March 31st of that Market year. Applications received after this date will be considered on a first come basis and needs of the market.

Daily Booth/ Stall Fees

The fee for each booth/booth/stall is \$20 for Saturday Market Day and \$15 for Wednesday Market Day. Each vendor is responsible for paying the booth/stall fee to the PFM. The PFM has a responsibility to the WSFMA to track market gross sales. Each Market participant is expected to cooperate with sales monitoring activity by Market management.

Upon payment of specified fees, vendor may use and occupy a market space designated by the Market Manager. Depending on location, market booth/stalls are typically 9 to 12 ft. wide by 25 ft. deep. These booth/booth/stalls are intended to accommodate one vendor sales area and vehicle.

RESERVED VENDORS

1. Reserved Vendors who cannot attend on a market day must contact the Market Manager 48 hours prior to Market day. Reserved Vendors who do not call at least 48 hours before market day will be charged the minimum booth/stall fee for that Market day. This fee must be paid before selling at the next market day.
2. All Reserve Vendors must be at the market site by 7:00 AM and be ready to begin selling when the Market opens promptly at 8:00 AM. Reserve Vendors who arrive after 7:00 AM will forfeit their reserve space and will be considered on a first come basis with the Non-Reserved Vendors. If there are unavoidable extenuating circumstances, i.e. vehicle breakdown, traffic delays, please call the Market Manager on the cell phone number that is provided by the PDDA.

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NON-RESERVED VENDORS

Non-Reserved Vendors will be admitted to the market on a first come basis and will be assigned a booth/booth/stall as space and need permits. These vendors will form a line on east side of 4th Avenue and will begin entering the market at the manager's discretion.

The PFM reserves the right to prohibit anyone from selling or any product from being sold.

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SELLING TIME: Vendors are required to stay until closing unless they have received permission from the market manager. Vendors who sell-out early should post a sign letting customers know they have sold-out and should not leave their vehicles and possessions unattended. Vendors will load up unsold merchandise; clean area/booth/stall used, and vacate the Farmers Market site no later than one (1) hour after the Market is closed. Any exceptions must be cleared with the Market Manager.

SIGNAGE: All vendors will post a sign identifying the name of the farm/business represented and where it is located. Signs should not be smaller than 24" wide by 8" high. Vendors will have their signs displayed before sales begin. Failure to have a sign will result in a first offense warning. The second offense will result in a \$10 fine.

PRICE SIGNAGE: Produce and other allowable Market products should be clearly marked with their price. This can be done by individually tagging each item with a sign or by listing all produce and prices on a large sign or blackboard.

SELLING SPACE: The vendor sales area (where your produce is marketed) must not extend beyond the allotted boundaries of the booth/stall space.

VENDOR VEHICLES AND LOADING/UNLOADING: Vendor booth/stalls and/or vehicles must not extend beyond allotted booth space. The Market booth/stall booth/stalls have been designed with on-site vendor vehicles in mind. If you have a second vehicle, please have it off the Market site no later than ½ hour before the Markets starts and park it at least three blocks away from the market site or at the parking site designated for vendors.

BOOTH/STALL CLEAN UP: Vendors are required to maintain their individual selling space in a clean, safe, and sanitary manner. Each vendor is responsible for keeping his/her booth space clean during the Market and for complete clean up of their space at the close of the Market.

This includes hauling away any trash or garbage that is generated in or around the booth and sweeping up any product debris left on the ground. Farmers are not permitted to dispose of produce waste, overripe or leftover produce or boxes in any on-site garbage cans, the dumpsters located in the market area can be used for this purpose. Vendors should bring their own brooms and dustpans. Those who do not

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clean up at the end of the Market will be issued a written warning for the first offense and a \$25 fine for the second offense. A third offense is grounds for termination of vendor's permit to sell.

SET OUT DISTANCE FOR VENDOR DISPLAY: Displays and signs must allow clear visibility to adjoining booth/stalls. Display and selling techniques must not impair other vendors' ability to sell, nor create a hazardous situation for customers. Hawking or sampling in front of booth/stalls is not allowed.

SCALES: Vendors selling produce by weight must provide their own scales. Scales must be "legal for trade" and are subject to inspection by the Dept. of Agriculture - Weights and Measures Program.

PETS: No pets will be allowed in the vendor's selling area. The only exceptions will be seeing-eye dogs, dogs for the hearing impaired or other disability guide dogs.

CHILDREN: Vendors need to keep a watchful eye on their children at all times during the Market day. Set-up time can be an especially dangerous time for unattended children. Small children should not be allowed to wander the grounds without a parent or guardian with them. The Market can take no responsibility for their safety or whereabouts.

COURTESY/CONDUCT: Vendors and their representatives are expected to conduct themselves in a safe and courteous manner at the Market. Any language or behavior considered to be deleterious to the normal operation of the Market will be grounds for denial of the vendor's application/permit to sell.

ALCOHOL/CONTROLLED SUBSTANCES: Consumption of alcoholic beverages or any controlled substance while at the Market is prohibited. Any participating Market vendor or representative who is under the influence while at the Market will be immediately expelled from the Market.

REFUNDS: Customers who have a legitimate complaint about the produce they purchase should be given a full monetary refund or replacement of equal value by the vendor that sold them the produce. It is the Market's policy to satisfy the customer and to promote good will by being generous with produce and food products. If produce is overripe and must be consumed the same day, the customer must be informed in advance. If a customer wishes to exchange only a partial bag of produce, only partial credit is due. Complaints which seem unfounded or excessive may need to be mediated by Market management.

HAWKING: Hawking (calling attention to your products in a loud, repetitive, public manner) during the Market day is discouraged and may be limited or prohibited by the Market manager.

VENDOR DRESS: Vendors are requested to be fully clothed including shirts and shoes at their booth/stalls during the Market hours.

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VENDOR MUSIC: Vendors may play individual music in their booth space, but should be aware of the volume and your neighbor's ability to transact business without any audio interference. Remember, not everyone likes the same type of music.

SMOKING: Smoking is not allowed in the vendor sales areas.

SAFETY: Producer vehicles, tables, and overhead shades must be maintained and used in a safe manner. Legs must be firmly locked into place on the shades. Tables must have smooth edges and remain stable when loaded with produce. Shades must be tied down or weighted. Tarp poles must not obstruct traffic flow and care must be taken when setting up or taking down displays. All vendors who wish to erect canopies on the farmers market site during a normal period of market operations, including the set up and break down period, are required to have their canopies sufficiently and safely anchored to the ground from the time their canopy is put up to the time it is taken down. Any vendor who fails to properly anchor his or her canopy will not be allowed to sell at the farmers market on that market day, unless that vendor chooses to take down and stow their canopy.

SAMPLING: Special Health Department guidelines and regulations must be followed by vendors for food demonstration and sampling. Please consult with the Health Department regarding these regulations.

FARM VISITS: The PFM or its designated representative has the right to inspect vendor's land. Representatives may inspect or visit any farms or establishments used by vendors. Farm visits will be conducted with at least 24-hour notice. Vendors should provide help during a visit in identifying the crops listed on the application for permit to sell.

OTHER: The PFM is not responsible for loss of property or damage. There will be no discrimination according to race, color, creed, sex, religion, sexual orientation, age, or nationality.

LICENSES, PERMITS AND SPECIAL REQUIREMENTS

TAXES: Retail sales taxes and Business and Occupation taxes are the responsibility of the individual vendor. Vendors who are required by law to have a Washington State Master Business License Number must supply this tax number when application is made to sell at the Market.

INSURANCE: All vendors must show proof of current automobile insurance for on-site vehicles, and provide the Market with policy numbers, which will be kept on file.

PERMITS AND LICENSES: All vendors shall provide at the time of application copies of any permits and licenses applicable to the sale of their products. These will include the vendor's Washington State tax number, and where applicable, the Washington State Nursery License, Washington State Dept. of Agriculture Food Processors License, Certification for Organically Grown Produce, Grade A Dairy Permits, Pesticide Applicator's License or Department of Fisheries Wholesale License. When applicable

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sellers of plants, bulbs or seeds for planting must have a Nursery License, available from the Washington State Department of Agriculture.

ORGANIC PRODUCTS: If a product is labeled “organic,” it must be certified as required by Federal Law. Verbal or written declarations of organic status not certified or verified, will result in termination of vendor’s application/permit to sell. When an organic producer is also selling non-organic produce at the same stand, the non-organic produce must be clearly separated from the organic produce and clearly labeled as non-organic or conventionally grown.

“UNSPRAYED, PESTICIDE-FREE OR LOW-SPRAY”: Written and verbal declarations regarding pesticide use which cannot be certified such as “Unsprayed” “Pesticide free” or “Low Spray” will need a notarized affidavit attesting how these procedures are followed. This affidavit will be kept with the Market management for the season. Consumer queries regarding farming practices must be answered factually.

PROCESSED FOODS: Must be licensed by the Department of Agriculture as a Food Processor. These foods include dried fruits, herbs, teas, baked goods, cider, preserves, salsas, and salad dressings. Beekeepers who process their own honey do not need a Food Processor’s license.

LABELING: Processed foods, including honey, have Washington State labeling requirements. Labels on processed foods must meet State requirements and include 1) The name of the product 2) Company name 3) Address (if not found in the phonebook) 4) Net weight on bottom 1/3 of label and 5) Ingredients listed in decreasing order of predominance.

FOOD HANDLER’S PERMITS: All prepared foods and baked goods vendors must have a current Benton -Franklin County Health Department Food Handler’s Permit.