



## Operational Guidelines for Vendors

Revised 02/12/2024

### Certifications, Inspections and Designations

1. All vendors must achieve “market-certification,” documenting that they actually grow, produce or create items sold at the Market. A one week waiting period is normally required of agricultural vendors not previously certified. A two week waiting period is normally required of artisan vendors not previously certified. Applications from new vendors are due by the deadline listed on the application. **Applications from new vendors received after the listed deadline, will be reviewed and considered only on an as needed basis.**

2. Absentee vendors are permitted at the Nash County Farmers Market. An absentee farmer may designate only one market-certified vendor to sell his/her agricultural items at the market, provided those items are grown in North Carolina. Vendors must be the original producer of at least 70% of items being sold April-August. Starting the first market day in September, vendors will be allowed to follow a 50/50 rule. Vendors must adhere to strict guidelines when selling an absentee vendor’s product.

a) The vendor designee must submit a Vendor Designation form for the absentee vendor at minimum two (2) weeks prior to selling at the market. The Absentee Vendor Committee will review the paperwork. The Absentee Vendor Committee consists of 3 to 5 members of the Farmers Market Advisory Board/Staff. Once the committee reviews the paperwork, the designated vendor will be notified of approval. Absentee vendor products may not be present or sold at the Market until the designated vendor is notified of approval.

b) Established vendors may retain a vendor designee from one year to the next. Nash County Cooperative Extension staff will verify the status each year. Any new absentee vendors must be approved by the Absentee Vendor Committee.

c) A vendor must bring the items to the market from the absentee vendor. If the vendor does not bring the products from a verified absentee vendor during the market season, the market vendor must relinquish the absentee vendor.

d) All designated vendors will be required to have an in-depth knowledge of products grown by the absentee vendor.

e) Designated vendors must have a visible sign in their booth space documenting the product, the farm producing it and where it was produced.

f) A market certified vendor may appeal the decision of the Absentee Vendor Committee in writing within 10 days of denial of absentee vendor through the Farmers Market manager.

3. Value-added products made with a crop produced by the vendor and bottled or canned by a third party are permitted at the Nash County Farmers Market and are regarded as a vendor’s product. This is allowed due to the strict NC regulations regarding food canning and bottling. Many products require a commercial facility to legally can or bottle food products.

4. Absentee vendors that grow fruits and vegetables in NC will be accepted at the market after satisfactory inspection by the market manager and/or NC Cooperative Extension staff and approval by the absentee vendor committee. Absentee vendors that grow plants or produce specialty food items in North Carolina will be permitted after satisfactory inspection by the market manager and/or NC Cooperative Extension staff and approval by the absentee vendor committee. **Absentee vendors will not be permitted for artisan or craft items.**

5. The market manager and/or NC Cooperative Extension staff will conduct on-farm inspections and/or verifications as needed to monitor compliance by market-certified vendors and absentee farmers. Willful abuse of the market certification or vendor designation procedures may result in suspension of an individual's market participation for the remainder of the market season.

6. Vendors selling food items prepared or cooked off-site are required to provide evidence of satisfying food safety requirements of the Food and Drug Protection Division, N.C. Department of Agriculture & Consumer Services. For most baked goods, a certificate of home kitchen inspection is required. Vendors preparing pickled foods must successfully complete an FDA approved "Better Process Control School." All food items must be labeled with the vendor's name and its ingredients as required by the NCDA&CS. The sale of foods that require refrigeration should follow guidelines set by the NCDA&CS.

7. The Nash County Farmers Market will permit a small select number of artisans who handcraft their items. Examples of such artisan products include; pottery, woodwork, stained glass, all-natural soaps, farm raised spun yarns, and basketry. Handcrafted, uniquely made items constructed with raw materials such as plants, animals, or forest products will be considered. Preference will be given to applicants with locally sourced materials. The item must show evidence of manual skill obtainable only through a significant period of experience and dedication. Market artisans are encouraged if possible to actively demonstrate their handmade craft while participating at the Market. New applicants to the market are required to submit three photos of products they intend to sell along with a completed vendor certification application. If pictures are not included with a new applicant's vendor certification, the application will not be reviewed. A two week waiting period is required to allow the Farmers Market Artisan and Craft Committee to review an artisan vendor's products. The Farmers Market Artisan and Craft Committee consists of 3 to 5 tenured market vendors. **Vendor designees are not permitted for artisan or craft items. All artisan items must be created by the vendor submitting the certification application.**

8. Vendors who sell unprocessed agricultural products are not required to collect sales tax from their customers. **However, vendors who sell items other than unprocessed agricultural products they themselves produce must provide the farmers market manager a copy of their NC Department of Revenue "Certificate of Registration". A vendor failing to provide this documentation will not be permitted to sell at the market.** The N.C. Dept. of Revenue makes it possible to obtain a "Certificate of Registration" by visiting this link and clicking on the REGISTER ONLINE. <https://www.ncdor.gov/taxes-forms/business-registration/online-business-registration>

9. Failure to comply with any of the guidelines will result in the following penalties:

1st offense - 2 week market suspension

2nd offense - 1 month market suspension

10. The Market Manager has the right to suspend a vendor for the remainder of the calendar year for continuous violations of policy.

### **Assignment of Selling Space by the Market Manager**

1. Market-certified vendors will be given priority for use of market space if:

- i) The vendor's primary sales involve agriculture products.
- ii) The vendor has prepaid for the portion of the season he/she plans to attend.
- iii) The vendor has seniority at the market. Vendors earn seniority for occupying market space through their accumulation of market participation days as recorded by the market manager. A vendor's record of market participation days will be the sum of market participation days in the previous years and the current year to date.
- iv) The vendor has indicated they will attend for a large portion of the market season.
- v) The vendor's farm or residence is located in Nash, Edgecombe, Wilson, Halifax or Northampton Counties.

2. A market space is considered occupied only when both the vendor or vendor's employee and products are present **If a vendor plans to be absent from the market on a particular date, all set up items and products must be removed to clear the booth space in advance of the vendor's absences.** If items are not removed by the vendor, the market staff will move items to make room for additional vendors. The Market and staff are not responsible for products and set-up equipment left at the Market.

3. The market manager can direct some vendors to share a space if it is determine their product variety or supply will not justify use of a whole space. Due to the demand for space at the Market, side by side vendor collaboration may not be available due to limited space.

4. Vendors paying for Saturday Markets on a daily basis (guest vendors), will each pay \$10.00 per market space per day fee (Tuesday markets and half spaces are \$5.00).

**5. All vendors must give notice to the market manager by Thursday at 5 pm if he/she is NOT planning to attend. There will be a \$10 NO SHOW fee for non-compliance.** The only exception to this rule is emergency situations which are at the manager's discretion.

6. Transfer of market space assignments by and among vendors is prohibited. Market space assignment is the responsibility of the market manager.

7. Vendors must indicate on their application which dates they plan to attend the market and market space will be assigned. When demand for selling space exceeds the market's capacity, additional vendors may be directed to take outdoor positions on the market grounds.

8. The market manager will categorize vendors as agricultural, baked goods, specialty food/drink or artisans according to observation and judgment that at least 75% of a vendor's sales activity is in one of these categories.

### **Specific Product Limitations**

1. The sale of agricultural products are encouraged at the Nash County Farmers Market. Agricultural product include the following: vegetables, fruits, farm raised meats, dairy products, eggs, honey, plants, nuts, seafood, wood and fiber.

2. The sale of homemade baked goods, candy, jelly, jams, preserves, homemade ice cream, and specialty food items produced by the vendor is generally allowed, provided required inspections and certifications are satisfied.
3. The sale of value-added agricultural products such as, cooked popcorn and nuts are permitted. When possible the primary raw agricultural ingredients should be produced in North Carolina.
4. The sale of ready-to-eat items such as snow cones, cotton candy, sandwiches and beverages are generally not permitted but may be permitted by the market manager on a limited basis.
5. **The market manager and NC Cooperative Extension staff will limit at their discretion the excessive duplication of any product.**

### **General Requirements**

1. Each vendor must display a sign that includes his/her name or business name, location and telephone number. Minimum sign size will be 8½ inches X 11 inches. A sign will not be larger than 12 square feet.
2. **Each vendor selling any items other than unprocessed agricultural items that he/she actually harvested must present his/her N.C. Dept. of Revenue "Certificate of Registration" to the market manager. A vendor failing to provide this documentation will not be permitted to sell at the market.**
3. All items must have a visible sign displaying the price.
4. For products sold by weight, vendors will provide scales that have been inspected for accuracy by N.C. Dept. of Agriculture, Standards Division.
5. Vendors will return unsold products, containers or waste to their farms or homes for proper disposal. Vendors will also be responsible for cleaning and sweeping their market space at the end of each market day.
6. The market manager may ask vendors or customers to leave the market building and grounds, if it is determined they are disruptive to the atmosphere or mission of the market.
7. The market manager will not accept personal gifts from vendors, nor attempt to influence product pricing.
8. The market manager will use discretion to address situations not specifically described by these published market operational guidelines.
9. It is the responsibility of the market vendor to promote the Nash County Farmers Market and all vendors in a positive way to market customers. Failure to do so may result in the vendor losing market certification and suspension of his/her market participation.
10. Vendors assume all liability arising from the sale or use of their products, displays, tables, equipment and other items that are sold or used on the property of the Farmer's Market and hereby agree to indemnify and hold Farmer's Market staff and vendors harmless from any and all liability, claims, loss, cost, damage or expenses (including the cost and expense of defending any claim) arising or alleged to arise out of vendor's sale or use of its products or property at the Farmer's Market.
11. It is highly recommended that all market vendors have liability insurance.
12. SNAP/EBT and Double Buck tokens are used as a form of payment for food items at the Nash County Farmers Market. All vendors with eligible SNAP/EBT or Double Buck products are

required to take these tokens as a form of payment. Tokens will be collected monthly and submitted to Nash County for payment to the vendor.

13. All vendors who receive payment from the county for tokens or products used in market promotions must submit a W-9 to the county.

14. Vendors are required to provide their own tables, table covering and signage. The Nash County Farmers Market is not responsible for any items the vendor chooses to leave at the farmers market week to week.

15. All vendors are required to provide sales and/or service to all market customers regardless of race, color, national origin, religion, gender, age or disability. Failure to do so may result in the vendor losing market certification and suspension of his/her market participation.

**Please Send Vendor Certification Application and Required Paperwork to:**

Maurine Brown

1006 Eastern Ave. Nashville, NC 27856

[Mmbrow24@ncsu.edu](mailto:Mmbrow24@ncsu.edu)

252-904-3250

**Market Schedule and Payment for 2024 Season**

Saturday Market - 8am to 1pm, April 6<sup>th</sup> to Nov. 23<sup>rd</sup>

Tuesday Market – 3pm to 6pm, May 7<sup>th</sup> to July 30<sup>th</sup>

Holiday Market – 9am to 1pm Nov. 30<sup>th</sup> to Dec. 21<sup>st</sup>

Peak Season								Fall Season			Holiday
April	May		June		July		August	Sept	Oct	Nov	Nov/Dec
Sat	Tues	Sat	Tues	Sat	Tues	Sat	Sat	Sat	Sat	Sat	Sat
6	7	4	4	1	2	6	3	7	5	2	30
13	14	11	11	8	9	13	10	14	12	9	7
20	21	18	18	15	16	20	17	21	19	16	14
27	28	25	25	22	23	27	24	28	26	23	21
				29	30		31				
<b>Peak Season Only - Booth Space - Sat Only - \$200</b> <b>Peak Season Only - Booth Space Sat &amp; Tues - \$250</b>								<b>Fall Only - Booth Space - \$100</b>			<b>Holiday Only - \$40</b>
<b>Peak &amp; Fall Seasons - Booth Space Cost - Sat Only - \$270, Plus Holiday - \$310</b> <b>Peak &amp; Fall Seasons - Booth Space Cost - Sat &amp; Tues - \$320, Plus Holiday - \$360</b> <b>Guest Vendor Fee - \$10 for each Saturday, \$5 for each Tuesday</b>											<b>Holiday Market</b> <b>9am to 1pm</b>

\*Refunds for prepaid vendor fees may be permitted if a medical condition prevents a vendor from attending the market. Likewise, if a vendor or their products are not accepted at the Nash County Farmers Market a vendor may request a refund. All request for refunds must be made by email to [Mmbrow24@ncsu.edu](mailto:Mmbrow24@ncsu.edu) before June, 1 2024