

**DRAKE NEIGHBORHOOD FARMERS MARKET (DNFM)
2011 Rules and Regulations**

A Wednesday Market, 25th and University, Des Moines, Iowa, 4 PM — 7 PM
Managed by First Christian Church

The Market opens June 1, 2011

The Market closes September 28, 2011

18 weeks

Seasonal Vendors

Certificate of liability insurance must be on file at First Christian Church prior to selling at the Market. "Drake Neighborhood Farmers Market" must be listed as the certificate holder. \$300,000 minimum. A copy of your insurance policy does not meet this liability insurance requirement. Also, copies of any/all required permits or licenses must be on file with the DNFM prior to selling at the Market.

1. The seasonal fee reserves the same stall for each of the 18 scheduled Wednesdays. This fee must accompany your signed Agreement and vendor profile. The season fee for one stall, approx. 18 ft. by approx. 20 ft., is \$180. No refund for a cancelled market (due to bad weather, etc.)
If vendor is a member of the Drake Neighborhood Association, First Christian Church, or an employee of Drake University, the fee is \$160 for one stall only. Each additional stall is \$180.
Hook-up to Market electricity is \$3 per outlet (one plug-in) per week, or \$40 per season per outlet (one plug-in).
2. The Market Master reserves control of final placement.
3. The Market Master may release a seasonal stall to another vendor after 3:00 p.m. on Market Day, unless previous notice of late arrival is given to First Christian Church by Noon on the day before Market (Tuesday).
4. When the vendor has missed two consecutive Market Days without notice to the Market Master, his/her seasonal stall will be released to another vendor at 3 p.m. on the next Market Day.

Weekly Vendors

Certificate of liability insurance must be on file at First Christian Church prior to selling at the Market. "Drake Neighborhood Farmers Market" must be listed as the certificate holder. \$300,000 minimum. A copy of your insurance policy does not meet this liability insurance requirement. Also, copies of any/all required permits or licenses must be on file with the DNFM prior to selling at the Market.

1. Stall availability is first-come-first serve.
2. If reservations are not made with Market Master (Rose Scott / Eddie Robinson, 255-5630) by noon on the Tuesday before the Wednesday Market, placement is not guaranteed.
3. Payment must be received on or before 12 noon the day (Tuesday) before the Market date(s) you wish to vend. No refund for a cancelled market (due to bad weather, etc.).
4. Placement is the right of the Market Master.
5. Weekly vendors must comply with the Market Standards. The Market Master reserves the right to refuse acceptance of any vendor or item.
6. The fee for a stall is \$20 for each stall every Wednesday. If vendor is a member of the Drake Neighborhood Association, First Christian Church, or an employee of Drake University, the fee is \$15 for one stall only. Additional space is \$20. Hook-up to Market electricity is \$3 per outlet (one plug-in) per week.

Applications

Seasonal Vendors —Make check payable to Drake Neighborhood Farmers Market. Send to:

Drake Neighborhood Farmers Market
C/o First Christian Church,
2500 University Avenue
Des Moines, IA 50311

phone: 255-2181

Fax: 255-8759

Weekly Vendors — Please submit your completed application with check payable to Drake Neighborhood Farmers Market. Payment for stall rental must be received by noon the day (Tuesday) before the Market date(s) you want sell.

Contact

Sondra Eddings
First Christian Church
255-2181

Market web site: www.drakefarmersmarket.com

General Market Rules

All rules and regulations will be enforced by the Market. Disregard for any Drake Neighborhood Farmers Market (DNFM) rules or WIC/Seniors regulations will cause action to be taken. The Market Master retains the right to fine or prohibit a vendor from participating in the Market without a refund if any rule is broken.

1. Market Master reserves the right to refuse acceptance of any vendor or item that is not in keeping with the rules or quality of the Market.
2. The DNFM features Iowa Home Grown or Iowa Home Made products. Vendors selling Iowa Home Grown or Iowa Home Made products will receive first preference. Market Master reserves the right for final decision of acceptance of any vendor and/or vendor's products.
3. Individual vendors are responsible for obtaining any/all licenses required by the Polk County Public Health Department and the State of Iowa, and for complying with the Polk County Public Health regulations regarding safe handling of food. A permit fee will be charged for a Farmers Market License, and it will be valid for all farmers markets in Polk County for one year. For more information, call Iowa Dept. of Inspections & Appeals, Food & Consumer Safety Bureau, 515 281 6538. www.dia.iowa.gov/food
4. One vehicle only per stall, no exceptions. No vehicle may extend beyond the given stall area. All other vehicles must be removed from the immediate Market premises. Those vehicles from which goods are sold must meet Market's standard of cleanliness (no visually objectionable vehicles or bad odors) will be allowed.
5. Vendors furnish their own tables, chairs, canopies/tents, and all supplies.
6. Vendors furnish their own brooms, dustpans, trash cans/garbage bags, etc.
7. Vendors are responsible for removal of their garbage and for cleaning their stalls at the end of each Market Day. Vendors must take all garbage with them.
Vendor's garbage MAY NOT be placed in any Market or church trash bin.
Failure to meet these standards is a rule violation. If a stall is left dirty or vendor garbage placed in a Market or church trash bin, a fine equal to the weekly stall fee will be assessed and paid before the vendor is allowed to participate in the Market again.
8. Respect to fellow vendors and customers is expected. Profanity or heckling will not be tolerated.
9. No alcoholic beverages allowed on Market premises.
10. **No sales before 4 p.m.** The Market Master will signal the start of the Market at 4 p.m. (bell, whistle or something). The few minutes prior to 4 p.m. may be used for announcements, etc. "No sales" includes no bagging nor exchange of money, WIC or Senior checks, or EBT/debit/credit card transactions.
11. **Vendors must be at the Market by 3:45 p.m. on Market Day.**
Set-up time is 3 p.m. (or earlier if you need more time) on Market Day. The Market Master may release a seasonal stall to another vendor after 3 p.m. on Market Day, unless previous notice of late arrival is given to Market Master by Noon on the day before Market (Tuesday).
When the vendor has missed two consecutive Market Days without notice to the Market Master, his/her seasonal stall will be released to another vendor at 3 p.m. on the next Market Day.
Departure time is after 7 p.m., when the Market closes.
Adjust your schedule so that you are up and ready to vend at 4 p.m. on Market Day. To protect all people inside the Market, vehicular traffic is not allowed inside the Market between 4 p.m. and 7 p.m.
We have had near-misses with collisions between vendor vehicles, children, and vendor stalls, because this rule was ignored! If you *must* arrive late, park outside the Market lot and ask the Market Master to guide you in. If you *must* leave the Market grounds prior to 7 p.m., tell the Market Master when you arrive at the Market. Park your vehicle outside the Market lot. You can then drive to the vicinity of your stall via the alley or 25th Street, and load there, and depart.
12. **No dumping nor undercutting.** We want to maintain the quality of the Market. And, we want to maintain a good, competitive atmosphere for all vendors.
13. **Coupons.** The Drake Neighborhood Farmers Market offers weekly coupons to shoppers. Each coupon has a \$.50 (50 cents) value, and is good towards any purchase at the Market. The Market reimburses vendors for coupons on the last Market day of each month.
Only one coupon may be used on a purchase. For example, a shopper cannot use 4 coupons to make a \$2 purchase. The coupons are redeemed from the vendors on the last Market day of each month.
Coupons must be the 2011 edition. Vendors will not be reimbursed for previous years' coupons.

Market will not reimburse vendors for invalid coupons. This includes samples.

No 2011 coupons will be reimbursed after October 8, 2011.

Market reserves the right to refuse reimbursement for misuse of coupons.

14. **Vendor is responsible for explaining Market rules to all employees.** Violation of Market rules because an employee is unaware of rules is not acceptable, and may result in a fine.

15. **Vendor will report amount of sales to Market Master on a weekly basis.** Vendor names will be kept confidential. This sales information is used to measure impacts of Market promotions and to assess the Market. This information is necessary for the success of the Market and for grant applications. Grant funding benefits all vendors.

16. Vendor is responsible to collect and remit Iowa Sales Tax, as applicable. The DNFM does not accept any responsibility for vendors who do not meet this obligation. Failure to respond to sales tax inquiries by the Iowa Department of Revenue can prohibit vendors from participation in the DNFM. Vendors who are not regularly engaged in selling retail, and who do not have a permanent place of business, must collect and remit sales tax on a temporary permit basis. Call the Iowa Department of Revenue at 515-725-0227 for more information.

Product Classifications

All food must be displayed off of the ground. For more information, call Iowa Dept. of Inspections & Appeals, Food & Consumer Safety Bureau, 515 281 6538. www.dia.iowa.gov/food

A. Produce

The following may be sold: Fresh fruits and vegetables that are whole and uncut; honey, herbs, nuts and eggs.

To be sold you must comply with the following conditions:

Eggs must be kept at a temperature of 45° Fahrenheit or below.

Honey must be labeled per rule 481-34.3(137D). Information listed on label will include: name and address or person/s preparing the food, and common name of the food.

Prepackaged, non-hazardous food products prepared in an establishment licensed under Iowa Code section 137A.6 as a food establishment.

Produce NOT grown in Iowa MUST be labeled as to its point of origin.

Iowa-grown produce may NOT be displayed in wholesale boxes.

a. All food must be displayed off of the ground.

b. All food must be measured by weights or units. Label as being sold per piece, per pound, per half dozen, etc.

B. Potentially Hazardous Foods / Food Products

FARMERS MARKETS REQUIREMENTS FROM INSPECTIONS & APPEALS, FOOD & 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 that are not potentially hazardous. These products include only the following items: breads, cakes, doughnuts, pastries, buns, rolls, cookies, biscuits, and fruit 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 F or below (ambient temperature)
4. Honey
5. Non-potentially hazardous food products, which are 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. Products that can be prepared in the home for direct sale to consumer customers include: jams, jellies, candies 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, 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. (Section 3-201.12 of the Food Code which has been adopted by Section 137F.2 of the Code of Iowa)
3. Wild Morel mushrooms

What type 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 has operates two or more stands simultaneously, a separate license is required for each unit.
2. Mobile Food License
3. Canned goods (except jams and jellies) must be from a licensed food processing plant.

The following products may not be sold at a farmers market without appropriate licensing from local, state or federal authorities: Potentially hazardous food products, which include meat, poultry, dairy products. (State of Iowa, Department of Inspections and Appeals, Administrative Rule 481-30.2).

Vendors who wish to sell meat must obtain a Mobile Food Unit or Farmers' Market license. **For information on licensing please call the Inspections Division of the State of Iowa, (515) 281-6538.**

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. (Section 3-201.12 of the Food Code which has been adopted by Section 137F.2 of the Code of Iowa)

On site prepared foods may NOT be sold without appropriate license.

Vendors planning to prepare and sell food at the Market need to contact the Polk County Public Health Department and the State of Iowa, and for complying with the Polk County Public Health regulations regarding safe handling of food. A permit fee will be charged for a Farmers' Market License, and it will be valid for all farmers' markets in Polk County for one year. For more information, call Iowa Dept. of Inspections & Appeals, Food & Consumer Safety Bureau, 515 281 6538. www.dia.iowa.gov/food Your business may require a Mobile Food Unit or Farmers' Market license. Always check with the Polk County Health Department for verification.

Types of licenses that are honored to sell potentially hazardous foods at farmers market:

1. Farmers 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. Canned goods, except jams and jellies, must be from a licensing food processing plant.
4. Meat and produce labeled as **organic** may be sold. Proof of certification must be provided to the Market Master prior to selling at the Market.

C. Non-Potentially Hazardous Food products may be sold.

This means 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. Products that can be prepared in the home for direct sale to consumer customers are: jams, jellies, candies, and dried noodles.

Bakery products that are not potentially hazardous may be sold. These products include only the following items: breads, cakes, doughnuts, pastries, buns, rolls, cookies, biscuits, and pies (see exceptions below).

The following products are examples of bakery products that are potentially hazardous and cannot be sold at farmers market without a license: meat pies, soft pies, custard filled products and cream filled products.

- a. All food must be displayed off of the ground.
- b. All food must be measured by weights or units.
- c. Label as being sold per piece, per pound, per half dozen, etc.

D. Plants and Flowers

1. What can / cannot be sold:
 - a. Fresh flowers and plants may be sold.
 - b. Silk or synthetic flowers or plants may NOT be sold, unless they are part of a handcrafted item.
2. Rules and Regulations:
 - a. Plants or flowers grown out-of-state MUST be labeled as to point of origin.
 - b. All plants and flowers must be sold or measured in units. Labels will sell product as per piece, per half dozen, per bunch or bouquet, etc.

E. Miscellaneous

1. What can / cannot be sold:
 - a. Arts and crafts that are handcrafted original designs may be sold.
 - b. A limited number of miscellaneous items may be allowed into the Market.
 - c. Market Master reserves the right to refuse acceptance of any item that is not in keeping with the quality of the Market.
 - d. Acceptance of miscellaneous vendors will be handled on a case-by-case basis.

e. **Specific items which cannot be sold include** homemade butter, raw milk, home-canned fruits or vegetables (even in hermetically sealed containers).

2. Rules and regulations:

- a. Any permits or licenses required by law must be displayed and a copy must be on file with the Market Master.
- b. All items must be measured by weights or units (label as per piece, per dozen, per cup, etc.).

F. 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.

2011 Iowa WIC/Senior Farmers Market Nutrition and Cash Value Voucher Program

1. Vendors that wish to participate in the Iowa Farmers Market Nutrition and Cash Value Voucher Program (FMNP & WIC CVV) must be certified through the State of Iowa to accept WIC/Seniors checks. Vendors that participate in the program must receive training every three years and must annually submit an FMNP/WIC CVV Vendor Application. Growers interested in this program may call Paul Ovrom at 515-242-6239 for information.
2. Vendors with WIC/Senior FMNP certification for the 2010 season should have received their 2011 vendor applications from the Iowa Department of Agriculture and Land Stewardship in the mail. If you have not received yours, please contact Paul Ovrom
3. The Drake Neighborhood Farmers Market nor its Manager nor Master is NOT responsible for any vendor losses incurred from accepting WIC/Seniors checks/vouchers without certification, nor for any vendor losses incurred from accepting out-of-date nor ineligible WIC/Seniors checks/vouchers.
4. All WIC/Senior Farmers Market Nutrition and Cash Value Voucher Program participants must adhere to the rules and regulations established by the State of Iowa.
5. A Farmers Market Nutrition Program and Cash Value Voucher Program certified vendor who sells both fresh locally grown and non-locally grown produce can only sell fresh locally grown produce in a FMNP identified stall. If non-locally grown produce is being sold on the same day and in the same Market as locally grown produce being sold to WIC/Seniors clients, the dual produce source vendor must maintain two different stalls separated by at least two other stalls operated by vendors having no interest in the dual source vendor's enterprise.
6. For the purposes of the FMNP & WIC CVV, fresh, locally grown produce (fruits, vegetable, and herbs) is produce grown in the state of Iowa or any county outside Iowa that touches its borders. Of the produce offered by a certified vendor at a market, 51% must be grown by that vendor. Vendors must retain receipts of purchased locally grown fresh produce that is sold to customers using WIC and Senior FMNP checks or WIC Cash Value Vouchers. Receipts must show date of purchase, location of where that produce was grown, and seller's contact information. Of all of the items offered for sale by a certified vendor, at least 20% must be fresh, locally grown produce.