

# **The Pine Bush Farmers' Market**

P.O. Box 1434, Pine Bush, NY 12566  
(845) 744-6763

## **Rules and Regulations** (Last revised 1/22/08)

*The Pine Bush Farmers' Market is sponsored by the Town of Crawford.*

### **I. MARKET MISSION**

The objective of the Pine Bush Farmers' Market is to support the development of a local agricultural economy, which will foster stewardship of our land and economic development in our communities by:

1. Providing a forum for building a sense of community among farmers, agriculturists, and consumer s
2. Educating consumers about local farming and seasonal eating
3. Providing a place for family farms to sell their goods directly to consumers
4. Incubating new farms, farm-related businesses, and enabling farmers to transition from part -time to full-time farming
5. Assisting new entrepreneurs who sell food and farm -related products that make use of locally -grown ingredients gain entry into the local market
6. Strengthening businesses in Pine Bush.
7. Bringing people together from throughout the tri -county area.

### **The Seven Cardinal Rules of the Pine Bush Farmers' Market :**

- I. Always remember the mission of the Market.**
- II. Continuity and reliability are critical.** All vendors are expected to participate in the market on a regular basis throughout the season.
- III. You must grow it, or otherwise produce it, to sell it.**
- IV. No surprises.** The Market Coordinator's approval is required if you are going to have a change in product or otherwise deviate from your normal operation.
- V. You must stay for the duration of the Market.**
- VI. Provide enough volume to sell for your allotted time.**
- VII. When in doubt, talk to the Market Coordinator .** We're here to help and work with you. If you have any questions or concerns, let us know.

**Most Importantly: WORK TOGETHER**

# **PINE BUSH FARMERS' MARKET**

## **2008 RULES AND REGULATIONS**

The Pine Bush Farmers' Market will operate at the Old Town Hall Parking Lot, New and Depot Streets, Pine Bush, on Saturdays from 9:00 a.m. to 2:00 p.m., from June 14 through October 25, 2008.

### **I. ELIGIBILITY**

- A. The Pine Bush Farmers Market is a Producer-Only Market.** All persons who actually produce the products for sale such as fruits, vegetables, plants, herbs, flowers, eggs, baked goods, jellies, jams, honey and/or other products are eligible to sell at the Pine Bush Farmers' Market .

In 2008 growing year, allowances will be made for re-sale (see details below) by approved vendors solely to assure a breadth and diversity of products for the Market.

### **II. GENERAL RULES**

- A. Definition of Vendor and Farm/Production Facility:** All products sold must be grown or otherwise produced by the vendor. "Vendor" shall be defined as the producer of goods sold and shall include the family and employees of the applicant who assist in cultivation and/or production at the same property listed in the application under the "name of farm/production facility."
- B. The Pine Bush Farmers Market participates in Farmers' Market Nutrition Program (FMNP) for WIC and Senior Citizens' nutrition programs.** All rules applicable to FMNP must be adhered to.
- C. 2008 Allowances for Re-sale:** The Market Manager must approve all items purchased for re-sale on a case-by-case basis. All re-sale items must be produced by a local/regional farmer/processor. Under no circumstances will the re-sale of goods from wholesalers be permitted. Proof of origin of re-sale goods is required, and must be posted at the market. A temporary allowance for re-sale may be granted for a product until a local member/vendor's own product is ready for sale. At this time, and with a week's notice, the temporary allowance may be revoked.
- D. Site Visits of farms and production facilities.** All vendors shall allow the Market Manager and/or members of the Market Board to inspect their production facilities at any time, with or without notice, to ascertain that products sold are being grown or otherwise produced on-site so as to maintain the integrity of a producer-only or growers' market.
- E. Organic.** Vendors who wish to claim that their produce is organic must provide proof of certification in compliance with the US Department of Agriculture, and display such certification for the public to review. Each item permitted to be sold as re-sale (see re-sale allowances, above) that are claimed to be organic must provide individual proof of organic certification.
- F. Health Regulations:** All vendors participating in the Pine Bush Farmers' Market must comply with the sanitary rules and regulations of local, state and federal health departments.

Orange County Health Department: **Phone:** (845) 291-2332 **Website:**

<http://www.co.orange.ny.us/orgMain.asp?orgid=49&storyTypeID=&sid=&>

NYS Agriculture and Markets: **Phone:** (800) 554-4501 **Website:** <http://www.agmkt.state.ny.us/>

### **G. FEES**

- a. **Rent:** Vendors are responsible for submitting payment of the market space fee to the Market Manager either in advance for the entire season (payment due May 31, 2008) or on a monthly basis,

paid one month in advance of the first market day of each month (first payment due May 31, 2008).  
**Payment is due whether the vendor attends the market or not. The 2008 vendor fee schedule is:**  
\$25/week/space if the entire season is paid in advance  
\$30/week/space if paid on a monthly basis

- b. **Guest Vendors:** Vendors may be invited to the market to participate as guests for special events or some other limited purpose. Guest Vendor participation must be approved by the Market Board prior to participation. Guest Vendors will pay a daily stall fee of \$30.00 at the discretion of the Market manager (see Non-Profit booths, below). Guest Vendors not selling a product but providing a service to the market (leading children's activities, demonstrations, etc.) to promote their business will be charged a \$10.00 fee.

H. **Hold-Harmless Clause and Insurance:** All authorized vendors participating in the Pine Bush Farmers' Market shall be individually and severally responsible to the Pine Bush Farmers' Market, Market Board, and the Town of Crawford for any loss, personal injury, deaths, and/or any other damage that may occur as a result of the vendors' negligence or that of its servants, agents, and employees, and all vendors hereby agree to indemnify and save the Pine Bush Farmers' Market, the Market Board and the Town of Crawford harmless from any loss, costs, damages, and other expenses, including attorney's fees, suffered or incurred by the Market or the Town of Crawford by reason of the vendor's negligence or that of its servants, agents and employees; provided that the vendors shall not be responsible nor required to indemnify the Market or the Town of Crawford for negligence, its servants, agents, and employees. Each vendor must carry his/her own product liability insurance and must be prepared to present it in the market. Furthermore, vendors must have vehicle liability insurance to cover any incidents related to damage caused to persons or property by your vehicle. Proof of both product and vehicle liability insurance should accompany your application to sell at the Market. Visit <http://www.nyfarmersmarket.com/homepage.html> for information on the Farmers Market Federation of New York insurance program.

I. **Space Assignment:** A space is defined as measuring 11' (width) by 11'. Vendors may share a space: e.g., each vendor uses only half the space, or one vendor uses the space early in the season, and the other later in the season. The designation and allocation of vending spaces shall be the responsibility of the Market Manager.

J. **Set-Up Time:** The setting up of the Market may begin at 7:00 a.m. on Saturday mornings and no earlier. Vendors must be in their assigned space no later than 8:30 a.m. Vendors arriving after this time may be excluded from participating in the market for that day. Vendors are required to remain at the market for the duration of the market day.

K. **Cleanup:** Vendors are responsible for setting up their displays and keeping their space(s) clean. All vendors shall cleanup their areas at the end of each Market day.

L. **Pricing, Weights, and Measures:**

- a. Each vendor will operate as an individual entity and, as such, each vendor is responsible for setting his/her own prices; however, intentional undercutting and predatory pricing are not allowed. End of day discounting is also prohibited.
- b. Weights and measures are expected to be in accordance with all applicable local, state, and federal rules and regulations.
  - i. vendors selling by weight must have Bureau of Weights and Measures approved scales
  - ii. vendors selling by volume should use standard size containers such as pint, quart, peck, bushel, etc.

- M. **Signage:** All vendors must display their farm or business name at their booth for the duration of the Market.
- a. Vendors may also be required to display other licenses or permits by state or local regulatory agencies.
  - b. If a vendor sells out of product, the farm or business name sign must remain at the booth
  - c. If organic is claimed for the farm or any individual re-sale item, organic certification in compliance with federal law is required.
  - d. Other claims of method of production and product quality must be verifiable.
  - f. Each item must be clearly marked with a price sign.
  - e. All signage is subject to approval of the Market Manager.
- N. **Sales Tax:** Each vendor will operate as an individual business entity and as such, each vendor is responsible for collecting his/her own sales taxes, where applicable. Whereas farmers selling their own produce directly to consumers are exempt from sales taxes, value-added producers (i.e. bakers, preserve-makers) may be required to pay sales or other taxes (check the local, state and other applicable regulations and see how they apply to you). For information, call 1-800-972-1233. For a certificate of registration form, call 1-800-462-8100.

## II. NON-PROFIT ORGANIZATIONS

Non-profit organizations with missions related to farming, gardening, conservation, education, youth and/or nutrition are invited to participate in the Market. Organizations that offer items or services for sale (other than memberships) shall pay the occasional day-rate of \$10/day on a per space basis. Organizations that have no intent to sell at the market are asked to make a \$5 donation to the Market Board for a space.

## III. VIOLATIONS

### Responsibilities of the Market Manager

- A. **Complaints:** Resolve complaints against vendors regarding the origination of produce, goods, or any other matter.
- B. **Vendor/Customer Conflicts:** Resolve any conflict, or potential conflict, which may arise between a vendor and a customer.
- C. **Sole Discretion:** Issue a warning to a vendor that has violated any provision of the rules and regulations.

### Responsibilities of the Market Board

A. **Resolve Conflicts.** In the event that the Market Manager is (1)unable to resolve or (2) directly involved in the complaints, conflicts or violations of rules and regulations, resolution is the responsibility of the Market Board.

## IV. OTHER BOARD RESPONSIBILITIES

- A. **Accept and Cancel Vendor Applications:** The Market Board will review vendor applications and accept or deny admission to the Pine Bush Farmers Market. The Market Board reserves the right to cancel the approval of any vendor's application at any time if and when the Market Board finds the said vendor in violation of any of the guidelines and eligibility requirements.
- B. **Oversee and Assist the Market Manager**
- C. **Modifications.** The market board reserves the right to revise the Pine Bush Farmers' Market Rules and Regulations at any time as deemed appropriate.
- D. **Misc.** Any other responsibilities required by the organization of the board.

**Notes:** *Paragraphs II.G.a Rent and II.I Space Assignment were revised on 12/17/06. Market Mission item 5 was revised on 1/7/07.*