



2019 MARKET HANDBOOK

**Cornell Cooperative Extension of Broome County
840 Upper Front St
Binghamton, NY 13905**

The Broome County Regional Farmers Market Handbook is a living document. It may change to reflect the evolving needs of the Regional Market and its vendors. All regulations and rules are the result of the Market Manager and Cornell Cooperative Extension. Any changes or updates will be reported to the vendors.

Questions or comments? Please contact AW738@cornell.edu

Basic Rules for Broome County Regional Farmers Market

1. The market is sponsored by Cornell Cooperative Extension of Broome County and is operated by a market manager.
2. The market manager shall be in charge of processing and approving vendor applications and reserves the right to accept or reject based on market needs.
3. The market manager has the right to prohibit the sale, and to order the removal from the market, of products or commodities deemed by the manager to be unwholesome or unfit for human consumption and for any violation of the farmers' crop plan.
4. The market manager has the right to suspend vendors from the market if they are found in violation of rules and regulations.
5. In the event of media presence at the market, the market manager is the voice of the market and will direct all media interviews.
6. The market will be located at Cornell Cooperative Extension of Broome County, 840 Upper Front St, Binghamton, NY 13905.

The market will operate: **Saturdays**, 9am-1pm Year-round and **Sundays** 10am-1pm

Winter Season: January 5th – April 27th (17 weeks)

Summer Season: May 4th – Oct 26th (26 weeks)

Holiday Season: Nov 2nd- Dec 21st (8 weeks)

Sunday Season: June 23-Sept 29 (14 weeks)

7. Vendors **must** arrive at least 30 minutes before the market begins to allow for ample time to set up displays and products. If vendors should require an earlier setup time, they can make arrangements with the market manager. A late fee of \$25 will take place each time a vendor arrives after 9:00am (unless the market manager has been made aware prior).
8. Vendors are required to stay throughout the duration of the market hours. If a vendor must leave early for any reason the market manager must approve in advance. Break down **begins** at 1pm for Sat and 1pm for Sunday. If you break down early, you will incur a fee of \$25 per time after 2 warnings.

9. All vendors must vacate the premises within one hour after the market closes. Discuss with market manager if special arrangements need to be made.
10. If a vendor is unable to attend a market, they must notify the market manager a minimum of 2 days in advance. If there is less than 24-hour notice, a fee of \$10 will be applied. If vendor is a no show/no call, a fee of \$25 will be applied (to be paid prior to next market). After 2 no show/no calls, vendor will not be allowed back in the market to sell until discussed with the manager. All requests must be written via email to market manager.
11. By checking the seasons you plan to vend, you are signing up to be at all markets during that time. Vendors may miss no more than 2 markets in any given **season** (not all year, this is per season). Please plan to have someone work your vendor booth if needed. *Exceptions made for emergencies by the market manager. A \$25 fee will be applied to all misses thereafter.
12. There are no refunds if a vendor is no longer able to participate in the farmers market. Grievance to this rule may be submitted to market manager and executive director for further assistance.
13. Vendors are required to submit their market application, insurance form and be approved before attendance at the market. Payment must be received *at least 1 week* prior to the first day of the first market season attended. A late fee of \$10 per Saturday will be applied until paid in full and vendor will not be allowed in market after the 3rd Saturday unpaid.
14. Vendors will be asked to resubmit applications on a yearly basis, and insurance ACORD forms as they expire.
15. The market will accept one-time drop in vendors as needed at the fee of \$25 per market with appropriate paperwork.
16. Dogs and other pets are not allowed inside the market building.
17. No soliciting from outside sources or entities will be allowed during market hours.
18. Non-profit organizations may request tabling at any market for the cost of \$25 per space via the market manager with appropriate paperwork. They will be placed on the calendar as space allows.
19. All vendors must have signage on their table or behind them, along with a tablecloth cover. All products must have proper signage/labels/pricing at every market. No product/table/sign can be outside of the 10x10 space.
20. Types of vendors allowed to sell at the Broome County Regional Farmers' Market:

- a. **Growers and farmers:** producers of product from land owned, rented or controlled, who harvests and markets with a financial interest in product; any and all fruits, vegetables, poultry, meats and meat products, eggs, general dairy products, plants, and cut flowers.*
 - b. **Craftsperson:** ie, home goods, beauty products, etc. Objects must be created by the hand of the person.
 - c. **Bakers and food purveyors:** products baked or produced by the seller.
21. Stall fees are as follows:
- a. Indoor Stalls (Main Building) -10 x 10: \$25 per Saturday year-round, \$20 per Sunday/Classroom (discounts to Sunday vendors who also vend Saturday \$15).
 - b. Outdoor Stall 10 x 10: \$20 per Saturday/ \$15 Sunday
 - c. Food Trucks/Food Carts: \$25 Saturday/ \$20 Sunday
22. Stalls and spaces are assigned by the Market Manager *Year-round vendors receive priority to indoor market. The classroom and outdoor spaces (summer only) will be used accordingly to fill in as needed. No space is guaranteed.
23. If a vendor plans to add to their product line mid-season, a letter of intent must be submitted for approval prior to new products coming to market to sell.

Guidelines for Selling

24. Only vendors that have been approved by the market manager and have paid for their season are allowed to sell at the Market.
25. Resale is allowed at the market. Each vendor is required to bring to market and have a display volume of not less than 80 percent of items produced directly by the vendor. The remaining 20 percent of products sold at the Market may be products purchased by resale. **All resale items must be labeled with the original source and cannot be purchased from a store.** The Market Manager reserves the right to enforce these percentages by asking for information from the vendor.
26. All vendors are required to carry Comprehensive General Liability Insurance with a combined single limit of not less than one million dollars (\$1,000,000) two million dollar aggregate (\$2,000,000). Such insurance policy shall specifically name “Cornell Cooperative Extension Broome County” as additional named insured. All insurance policies will expressly provide that the policy will not be canceled or modified without (30) days prior written notice to the Market Manager. A copy of the Insurance Certificate must be filed with the Market Manager beforehand with the signing of their vendor agreement.
27. Vendors that have a signed and approved Farmer’s Market Wireless EBT (Electronic

Benefits Transfer) Program Participation Agreement Form will be allowed to accept EBT and/or Debit/Credit tokens. Only vendors selling qualified products listed on the Agreement Form will be permitted to accept EBT \$1 tokens. Any vendor found to be in violation of this rule or the terms of the Agreement Form will immediately be removed from the program. Vendors will submit their tokens to the Market Manager for reimbursement once the total amount of tokens is greater than \$15 dollars. **(A copy of this must be filled out with your application)**. If all paperwork is in order, reimbursements will be handed out the following week unless there's a holiday.

28. All vendors must comply with the directions and orders of the Manager, or the Manager's duly authorized representative.
29. Vendors not parking in their own garage space must park behind Applebee's during market hours. There are not equal spaces to vendors. This must be worked out with neighboring vendors as spaces are not assigned.
30. Stall sizes vary. The Regional Farmers Market does not guarantee any vendor a specific stall size and/or stall location.
31. Vendors are permitted to share stalls; vendors must notify the market manager upon turning in applications of their intent to share a stall and must split the cost of the stall between themselves. The same insurance guidelines apply to both vendors. This will be approved via the Market Manager based on market needs.
32. Vendors must provide their own stall displays such as tables, table coverings, etc. Vendors are required to stay within the boundaries of their stall, as determined by the Market Manager. The Market Manager reserves the right to modify, relocate and/or deny stall assignments.
33. Displays should be constructed in such a way that they do not block customer walkways nor pose any other hazard to customers inside their vending space. No signage in walkway.
34. Any vendor wishing to provide samples of product to customers must notify the Market Manager and follow all sampling rules and guidelines.
35. Vendors are required to keep their market space neat and clear of obstacles, litter and debris.
36. At the end of the market day, all stalls and displays must be cleared and cleaned and should be left in the same state at which they were at the beginning of the market day. Brooms will be made available after market ends. Market manager will mop any spills.
37. No smoking, alcoholic beverages or firearms are permitted at the market. Exception is approved farm wine and beer vendors.

38. No amplified music is permitted at the market unless arranged by the Market Manager.
39. All products offered for sale must be of good quality and condition. The Market manager reserves the right to direct any inferior goods be removed from display. Failure to remove products deemed inferior may result in loss of market privileges.
40. Vendors are responsible for the actions of their representatives, employees or agents.
41. A wait list will be created upon full market as product allows, new vendors will be permitted into market to diversify what's available to consumers.

Permits/Licenses/Certificates:

42. Fresh produce: No permits, licenses or certificates required, if raw, uncut and unprocessed.
43. Plant Sales: Only one nursery license is required and must be posted in public view at the time of sale. ***Must provide proof of all with application (copies).**
 - a. NYS Department of Agriculture & Markets Nursery Growers License, if engaged in the production of plant material intended for sale. A nursery grower is also permitted to purchase and resell plant material under this same license.
 - b. NYS Department of Agriculture & Markets Nursery Dealers License, if purchasing and reselling plant material only and the vendor is not involved in any growing of potted plant material.
 - c. Valid NYS Sales Tax Certificate
44. Eggs: No permits, licenses or certificates required, for cleaned shell eggs maintained at 45 degrees F or less (in a cooler or on ice sheets). Eggs must be from farm owned hens (not purchased eggs) and sold in new, unused containers.
45. Honey, Maple Syrup: No permits, licenses or certificates required, if single ingredient products. Article 20C License from NYS Dept. of Agriculture & Markets, if additional ingredients are added to the products; i.e. maple mustard, maple cotton candy, etc.
46. Baked goods: 20C Exemption from NYS Dept. of Agriculture & Markets if home baked, non-hazardous; i.e. bread (no breads containing fruits or vegetables), rolls, cookies, cakes, brownies, fudge & double crust fruit pies. (Quick breads are considered potentially hazardous and cannot be done under 20C Exemptions).
47. Mushrooms: Cultivated mushrooms, sold whole or otherwise processed, require no license. Cultivated mushrooms, sliced, chopped, washed and identified as ready to eat or any other processing requires an Article 20-C License. Mushroom species picked in the wild shall be obtained from sources where each mushroom is individually inspected and found to be safe by an approved mushroom identification expert prior to sale. At this time, there are no approved mushrooms experts in New York State.

48. Non-Alcoholic Cider/Fruit Juice: Article 20C License from NYS Dept. of Agriculture & Markets for manufacturers/bottlers. All cider and fruit juices must be pasteurized or UV treated.
49. New York State Wine, Beer & Liquor: All NYS Alcohol Vendors must enforce age restrictions regarding sales by the bottle and sampling at farmers markets. To offer samples, you must have a one time or annual tasting permit from the State Liquor Authority (SLA). All alcohol vendors also need Valid NYS Sales Tax Certificate and must submit their brand label for approval (<http://www.sla.ny.gov/brand-labeling-1>).
50. Farm Brewery License: Beer producers sourcing 20% or more of their ingredients from New York State farms are eligible for a Farm Brewery License which allows them to produce beer in NYS. No other State Liquor Authority (SLA) license is needed for farm breweries to sell NY labeled beer by the bottle at farmers markets as defined above.
51. Craft Breweries: Beer producers making 60,000 barrels or less per year with any ingredients can get a Craft Brewery License. Craft Breweries can sell at farmers markets with either a no-fee permit from the NYS Liquor Authority OR a marketing permit:
No-fee permit: <http://www.sla.ny.gov/system/files/BrewerOffPremisesPermit.pdf>
Marketing permit: <http://sla.ny.gov/online-permit-applications>
52. Farm Wineries or Micro Wineries: Farm Wineries produce 150,000 gallons or less per year whereas Micro Wineries produce 1,500 gallons or less per year. Both licenses require wines to be made from 75% grapes, fruits, or other agricultural products made in NYS. No permit is needed from SLA for licensed Farm and Micro Wineries to sell at farmers markets; however, the market itself must apply for an official farmers market designation with the Dept. of Agriculture & Markets. The farmers market designation should be kept on hand at every market/event,
53. Farm Cidery: A Farm Cidery license from the SLA is for those producing 150,000 gallons or less of cider per year and cider must be NYS labeled. In order to be NYS labeled, the product must be made exclusively from apples or other pome fruits grown in NYS. Cider is defined as partially or fully fermented juice of fresh, whole apples or other pome fruits, 3.2 - 8.5% alcohol with nothing added that increases alcoholic content produced by natural fermentation, but it may be sweetened or flavored after fermentation. In many cases, cider may also be labeled as a low alcohol or high-alcohol wine. A cider producer with a permit to conduct tastings may sell their cider at a NYS farmers market where they are conducting a tasting.
54. Farm Distilleries: Farm Distilleries produce 35,000 gallons or less of spirits per year and use

75% or more New York State ingredients. In addition to the Farm Distillery license, a Marketing Permit is needed to sell distilled products by the bottle at NYS farmers markets.

<http://sla.ny.gov/online-permit-applications>.

55. Processed foods:

- a. Home Processors are eligible for an Article 20-C Exemption from NYS Dept. of Agriculture & Markets, for non-hazardous foods only, including traditional fruit jams, jellies and marmalades; candy (excluding chocolate); spices and herbs (repackaging only); and snack items such as popcorn, caramel corn and peanut brittle. Information on registering as a Home Processor in New York can be found on the website, <http://www.agriculture.ny.gov/FS/consumer/processor.html>, or by calling one of the Regional Offices.
- b. Article 20-C License from NYS Dept. of Agriculture & Markets, prepackaged and labeled in accordance with NYS Food Labeling Law; Identity of food in package form; name of manufacturer, packer or distributor; place of business; ingredient declaration in descending order of predominance by weight; and net quantity of contents.
- c. County Board of Health Permit if processing is on-site; i.e. cutting of baked goods to be sold by the piece, slicing of cheese to be sold by the pound; cooking and selling ready-to eat foods.
- d. Home processing of canned fruits and vegetables is not permitted. All canned fruits and vegetables must be done under 20C license and registered with the Federal government as a food processor.
- e. Article 20-C License from NYS Dept. of Agriculture & Markets is required for dehydrating herbs and spices or for the blending of any spices for repackaging.

56. Meats: license is required is grinding or processing. License is not required for cutting.

- a. Red Meat (beef, lamb, goat): USDA slaughtered and/or processed must have USDA legend. Article 28D License required if warehousing for wholesale. Must be maintained at 0 degrees F or below if sold frozen, 40 degrees F if sold fresh.
- b. Chicken: License not required to sell 250 turkeys or 1000 birds of other species annually. No license required if USDA slaughtered. Article 28 license if warehousing for wholesale accounts. Article 5A license required if selling over 250 turkeys or 1000 birds of other species annually.
- c. Exotic Meat: Must be slaughtered at an Article 5A licensed establishment. Must be labeled "Processed at an NYSDAM facility." Article 28 license required if warehousing for wholesale accounts, if not licensed under Article 5A.
- d. Processed Meats: Article 20C license from the NYS Dept. of Agriculture & Markets.
- e. Fish: No permit, license or certificate is required if a freshwater fisherman is selling only whole, non-protected species. Article 20C License from NYS Dept. of Agriculture & Markets if fish is pan-ready. NYS DEC hatchery permit

required if selling protected freshwater species. NYS DEC permit required if re-selling any protected freshwater species. NYS DEC Food Fish license to catch and sell marine fish. NYS DEC Food Dish and Crustacean Dealers & Shippers license to resell marine fish purchased from a licensed fisherman.

57. Dairy:

- a. Cheese & Other Dairy Products (such as yogurt, butter, sour cream): For producers, Part II Permit, issued by NYS Dept. of Agriculture & Markets Division of Milk Control and

Dairy Services. If cut and wrap cheese, need Part II Permit issued by Division of Milk Control and Dairy Services unless part of a food establishment regulated by Division of Food Safety, in which case just need Article 20C license.

- b. Milk and Fluid Milk Products (such as 2%, 1% and non-fat milk): Milk must be pasteurized. Producer must have Part II Permit issued by Division of Milk Control and Dairy Services. Producer and any distributor must have a Milk Dealers License issued by Division of Milk Control and Dairy Services unless amount handled is less than 3000 pounds per month.

58. Grains and Legumes (prepackaged - cannot be packed on site): No permits, licenses or certificates are required.

59. Fresh Cut/Dried Flowers: valid NYS Sales Tax Permit.

60. Crafts: Valid NYS Sales Tax Permit.

61. Products not specifically identified must be pre-approved by the market management.

62. All applicable food safety regulations, both state and local, must be adhered to at all times. Gloves must be worn if passing out samples.

63. All alcoholic beverages, including wine, beer and distilled products, must have approved NYS Farm Winery/Brewery license from the NYS Liquor Authority.

64. All applicable licenses and permits for products sold must be obtained and kept current. Copies of applicable permits and licenses will be kept on file with the market management.

65. The Market Manager reserves the right to perform spot inspections of vendor stalls.

Compliance

65. The Market Manager or duly authorized representative will be present at all market events. In the event of problems or complaints, vendors should address the Market Manager to resolve the problem. Formal complaints should be addressed to the Market Manager in writing or via email for documentation. Unless it's an emergent situation with a vendor or customer, no market issues will be handled during market hours.

66. At no time should a vendor become combative with another vendor or market staff. There will be one warning. The next time you will be asked to leave and not come back. No refund will be given.

67. All complaints will be investigated by the Market Manager within two weeks of submission, and a decision will be made regarding the complaint. Complaints against the market manager should be made to the Executive Director of Cornell Cooperative Extension – Broome County.

I hereby declare that I have read the 2018 Broome County Regional Farmers Market Handbook and agree to abide by all policies established therein.

Signature _____

Date _____

The Market Manager will notify the vendor of acceptance or denial. At times, all market spots may be full, in which case the interested vendor may be asked to move to a different market day or be placed on a waiting list for a future opening or as a drop-in vendor.

The market manager will calculate your cost of vending at the farmers market. The market manager will notify you of this cost and will request payment once the application has been approved. **Half season and full season payments are accepted.** First payment must be made 1 weeks prior to 1st market date for each season.

Please send completed applications with all forms completed to AW738@cornell.edu, hand in at current market or mail to:

Cornell Cooperative Extension
Re: Market Manager
840 Upper Front St
Binghamton, NY 13905

Questions? Please contact Amy Willis at above email or (607) 584-5019.