



# Allen County Farmers' Market Regulations

Rev. 03/09/23



The mission of the Allen County Farmers' Market is to provide consumers, particularly those of low socio-economic level, with high quality, fresh locally grown food, and farm products at a convenient location; to provide producers with a profitable, well-organized, and operated retail marketplace; and to promote direct market relationships between consumers and producers.

1. The Allen County Farmers' Market is held Tuesdays at 700 N. State St., Iola, Thursdays on the east side of the square in Iola, Saturdays on the west side of the square in Humboldt and at the southeast corner of 54/59 highway junction in Moran during the market season.

- Iola State Street Market will start the season on May 2<sup>nd</sup>-August 2023\* with setup 12:35-1:00pm. The market is open 1:00-3:00pm with sales beginning with the ring of the bell at 1:00pm, **and NO sales following the close of market.**
- Iola Square Market will begin May 6<sup>th</sup>-mid October 2023\* with set up 5:05-5:30pm. The market is open 5:30-7:00pm with sales beginning with the ring of the bell at 5:30pm., **and NO sales following the close of market.**
- Humboldt Market will begin May 8<sup>th</sup>-August 2023\* with setup 7:35-8:00am. The market is open 8:00-11:00am with sales beginning with the ring of the bell at 8:00am, **and NO sales following the close of market.**
- Moran Market will begin May 8<sup>th</sup>-August 2023\* with setup 7:35-8:00am. The market is open 8:00-11:00am with sales beginning with the ring of the bell at 8:00am, **and NO sales following the close of market.**

\*Weather permitting

**No EARLY OR LATE sales will be tolerated. Vendors parked inside the market must stay until the closing bell. If a vendor must leave prior to closing, then market items may be carried to the vendor's space while parking the vehicle outside of market.**

2. The selling space will be **one parking stall & the 10' adjacent along the street side**, marked on the sides by the parking lines or a **10' stall space on the grass at the east edge** of the courthouse yard along the sidewalk.

All tents/canopies/umbrellas/signs/etc. must be sufficiently and safely secured. Weights should be secured in a manner that does not create their own safety hazard.

3. **The producer and prepared vendor fee for each market will be paid prior to the first sale. No weekly fee will be assessed if the season fee is paid. Stalls are not transferable.**

4. Vendors may reserve a market stall which will be recorded on the market chart for reference. **No vehicles will be allowed on the grass.**

5. The permissible products for sale will be locally produced, crafted, or grown within a 50-mile radius of Allen County.

Products should be prepared for market per the "Food Sold Direct to Consumers in Kansas: Regulations and Food Safety Best Practices" revised January 2023 (Pub. MF3138 from Kansas State University Research and Extension) and meet the requirements set by the Kansas Department of Agriculture. *Live plants can only be sold by licensed and exempted live plant dealers who have been issued a license or claimed an exemption for the Allen Co. Farmers' Market from the Kansas Dept. of Ag. The sale of live animals is not allowed at the market.*

## **FOODS ALLOWED WITHOUT LICENSING**

Baked goods · Icing with > 65% sugar · Dry baking mixes · Fresh uncut fruits, vegetables, herbs · Whole frozen fruits and vegetables · Intact salad greens · Certain cut produce and cut herbs · Nuts & Nut butters · Honey · Eggs · Poultry · *Home canned fruit jams/jellies\* Reduced or no sugar fruit jams and jellies require a product assessment* · Canned soda/pop based jellies · Canned high acid foods · Juice, cider · Candy and fudge · Chocolate dipped products not requiring refrigeration · Cultivated whole mushrooms · Whole fish and seafood · **RTE** Foods and beverages (prepared off site sold for immediate consumption, 6 or < per year) · **RTE** Foods and beverages (sold for immediate consumption by community groups for fundraising purposes) · Non specialized processed food sold 6 or < days/year · Homemade dried pasta · Vanilla extract · Spices · Loose leaf tea · Lard · Pepper Vinegars · Herb flavored/infused vinegars · Grain products · Fruit leathers · Sampling products

## **FOODS ALLOWED WITH PROPER LICENSING (POTENTIALLY HAZARDOUS FOODS AND BEVERAGES)**

Baked products with PHF · Dough · Cut leafy greens (fresh or dried) · Cut melons and tomatoes · Heat-treated dried produce · Roasted vegetables · Meat/poultry · **RTE** Meat/poultry · Fish/Seafood cleaned · Vacuum-packaged foods requiring temperature control · Sprouted grains · Sprouts · Certain vegetable juices · Wild morel mushrooms · Naturally fermented canned foods · Symbiotic culture of bacteria and yeast (SCOBY) · Acidified shelf- stable canned foods, low- acid shelf-stable canned foods · **RTE** Foods and beverages · Non specialized processed food sold > 6 days/year · Alcoholic beverages · Infused oils · Animal feed/treats · Broths · Dairy products/milk

## **FOODS THAT MUST BE TESTED TO DETERMINE THEIR CATEGORY**

Pepper jams/jellies · Flower jellies · Low sugar fruit jams/jellies · Canned salsa, barbeque sauce · Chocolate candies · meringue cookies · Pecan pie · Powdered sugar/milk icing · Bread with cheese · Homemade mustard · Herb-infused simple syrups, elderberry, other fruit syrups · Tomato Juice · Pumpkin butter, squash butter.

**All licenses must be copied & given to the Market Director.** Any item not produced by the vendor may be approved for sale by the board of directors on an individual, weekly basis prior to coming to market.

A second category of vendorship for Prepared Food Vendors will be regulated by the KDA's Division of Food Safety & Lodging as referenced in the "Food Sold Direct to Consumers in Kansas: Regulations and Food Safety Best Practices" revised January 2023 see pages 10-11 (Pub. MF3138 from KSRE). A copy of license will be on file with the Market Director for reference always during the season. The season fee for Prepared Food Vendors allows for and should not exceed one spot per

month for 5 months during the current market season. Prepared Food Vendors are encouraged to use locally grown products from the other market vendors in their offerings.

**6. Allen County Farmer's Market is a Smoke Free Location, and all Vendors are asked to help monitor this policy.**

**7. Vendors are central to the life and viability of ACFM. At the same time issues may arise involving vendors and/or the market are a real possibility.** Market participants are required to conduct themselves in a manner that contributes to a positive shopping experience for market customers. Market Management expects market participants to be honest and to conduct themselves in a courteous and friendly manner with customers and/or other market participants. Any grievances should be immediately directed to market management and NOT directed to the vendor in question.

Quality control and the Market's reputation are of the utmost importance. Routine inspections may be conducted. If your product(s) are found to be unfit to sell at the farmers' market, ACFM management may ask you to discontinue sales of said item(s) immediately. Vendors who repeatedly attempt to sell unfit items, produce and/or violate market rules may be asked to leave the market.

- The first violation of the rules will result in a verbal warning by the Market Director. Documentation of the warning will be kept on file by the Market Director.
- The second violation of the rules will result in a written warning, given by the Market Director. A copy of the letter will be kept on file by the Market Director, along with any documentation of the violation. Additionally, the vendor will be barred from selling at the market for one week.
- The third violation of the rules will result in dismissal from the market.
- If after receiving a warning or suspension, a vendor disagrees with the Market Director over the infraction, the vendor may make a written application to the market governing body to be heard on the issue. Both the vendor and the Market Director will appear before the governing body and present their sides on the issue. The decision of the governing body is final.

**8. Vendors must clearly display signs that show the *name of their farm/business and location, business/tax license, product types, prices, and enrollment in any Federal nutrition assistance programs.*** Prices must always be legible and visible for customers to see. Prices of items for sale must utilize one or more of the following techniques:

- Individual price stickers on each item.
- Individual price signs for each type of item.
- A list of prices on a large sign or board.

**9. Produce may be sold by weight, count, head/bunch, or dry measure.** If selling by weight, scales are subject to inspection by the KDA Division of Weights and Measures. If using scales, please sell by approximate weight. Each seller has the privilege and responsibility to establish prices on his/her own goods. Do not underprice! Do not sell yourself or your fellow vendors short!

**10. All vendors must have a tax schedule and collect taxes or tax exemption certificates from customers during the sale of tangible products.** The method of tax collection ("plus tax" or "tax included") is at the discretion of the vendor. **Additionally, vendors MUST comply with ALL applicable local, state, and federal regulations**, including but not limited to approval seal on weighing devices; pesticide licensing and safe use; participation in mandatory commodity orders for agricultural commodities; organic certification on claimed products; food safety, sanitation, and health permits; labeling for packaged products. The vendor must be able to document compliance with laws, regulations, and market bylaws to the market coordinator and/or any customer. A packet of pertinent documents will be given to each vendor at the Vendors' Meeting at the beginning of each season.

**11. Please pick up a registration form from Market Management, complete and return it during setup time each week.** Each vendor will complete a registration form each day of the market. Registration forms will be kept as a record of who participated, what products were sold, what products planned for next week to advertise and the vendor's signature showing agreement to follow the rules.

**12. Each vendor is to keep their stall areas neat and clean. Produce should be clean and kept cool. Vendors are responsible for the removal of waste and leftover produce from the market area.**

**13. WEATHER CANCELLATION POLICY:** The Allen County Farmers' Market has always been a rain or shine market. If thunderstorms, tornado warning/watch, or severe rain occurs, the ACFM board President will determine if market is cancelled. Vendors will be notified of the cancellation or can call/text the Market Director at any time.

**14. Thank you for helping to keep Allen County Farmers' Market successful!**