

Johnson City Farmers Market Vendor 2023 Handbook

Summary: This document outlines the policies and procedures of the Johnson City Farmers Market (JCFM) association. JCFM is a 501(c) 5 non-profit organization. It is currently located at 100 East Market Street Pavilion, through a daily (Saturdays) lease agreement with the City of Johnson City. The market strives to be largely comprised of agricultural products with a lesser focus on value added products and crafters.

The objectives of JCFM are to:

- Promote opportunity for small local farmers, gardeners, bakers, canners, artists, vending to sell produce or product to the public.
- Help and promote small farm interests.
- Unify its members through moral, social, and public support.

Vendor Selection

How to apply

- All vendors, returning or new, must submit an application annually.
- Applications are accepted online through the Johnson City Farmers Market email at managerjcfm@gmail.com and/or paper applications via the United States Postal Service (USPS).
- You may be required to submit photos of your product.
- A vendor is required to provide any necessary licenses, permits or certificates. Please refer to all rules and regulations posted through the TN Dept of Ag.
<https://www.tn.gov/agriculture/consumers/food-safety.html>
<https://www.tn.gov/agriculture/consumers/food-safety/ag-farms-farmers-markets.html>
<https://www.tn.gov/agriculture/licenses.html>
- Vendor will be notified by email **OR** USPS (vendor preference) of application status.
NOTE: It is the vendor's responsibility to notify Market Management of the method in which they would like to receive correspondence.

Vendor categories

- Farmer/Producer -- Homegrown producers will sell at a rate of 100% homegrown. The Market Management will allow for resale vendors for the 2022 Market season. These vendors will be identified by previous Market history sales. For the safety of our customers all items must be labeled with homegrown/resale and include the county and state where item is grown. This is absolutely essential due to the increased recalls in the last few years. Farmer/Producer includes plant sales. All vendors requesting to sell plants must present a copy of a current TN Dept of Ag Nursery/Grower license. Plant vendors must grow all items themselves from seed/bulb/etc. Plug plants may be allowed as long as the plugs have been transplanted and grown to size by the vendor. No sales of any plants will be allowed unless the necessary licenses are present.
- Value Added – This category includes bakers, jams & jellies, pet foods, and foods available for immediate consumption. This category makes up + - 15% of our market ratio. Some vendors may require a commercial kitchen license. Some items are now covered by the Tennessee

Food Freedom Act

<https://www.tn.gov/agriculture/consumers/food-safety/tennessee-food-freedom-act.html#:~:text=The%20Tennessee%20Food%20Freedom%20Act,Tennessee%20and%20enhances%20consumer%20choice>. Vendors that choose to sell Potentially Hazardous items as defined by the

TN Dept of Agriculture and are not working with a current permit will be required to have the necessary labeling and each vendor that chooses to sell these items must also provide proof of insurance unless they carry the necessary permit for these items. Proof of insurance for vendors without a permit must be provided with application before being allowed to sell at our market.

- Craft vendors – All items must be hand-crafted by the vendor. Photos of items to be sold must be submitted with your application. This category makes up + - 15% of our market ratio.
- Concessions – (all ready to eat foods and hot foods) will be permitted at the Farmers Market. The vendors must adhere to the required TN Department of Health guidelines/permits. Due to new TN regulations we are no longer allow poured beverages or fresh prepared foods (including popcorn) unless you have a permitted food truck or cart. Concession vendors (food trucks) will be permitted on a rotating basis (2 additional concession vendors per week). Concession vendors will be contacted and managed by the Market Manager. All food trucks or carts must be permitted to operate with permission from the Johnson City Fire Dept.

Vendor rates

ANNUAL MEMBERSHIP FEE-

\$40.00

DAILY SETUP FEE: \$12.00

1 DAY VENDOR: \$20.00

Assignment: Booth Space

- The Market Board of Directors and Lot Manager (referred to as Market Leadership in remainder of document) will assign booth space.
- Consideration for Booth assignments under the Pavilion are as follows:
 - Farm Vendors: Farm vendors must (while in season) supply a majority of farm related products at each market. Tables should display a large quantity of produce, eggs, meat, etc.
 - Vendor for 7 or more years
 - Board Member
- The Saturday Market will open at 6:30 am for vendor set up. Vendors must arrive at the Market by 7:30 am in order to keep their assigned space. All vendors must be set up and ready for customers no later than 8:00am. If a vendor cannot be at the Market by 7:30 am due to an emergency, a later arrival time might be accommodated provided the request is made to the Market Leadership. NOTE: if the vendor has not filled their assigned space nor notified the Market Leadership by 7:30 am on Saturday Market Days, their space can be occupied by another vendor with permission of JCFM Board.
- If a vendor has reserved a space but sees that he/she cannot come to the market, the vendor must notify the Market Manager at least 48 hours in advance. Vendors who fail to notify the Market Manager of two uncommunicated absences will forfeit their assigned spot under the Pavilion. Final decisions lie with the Market Management. NOTE: Special

consideration can be given to emergency situations.

- Vendors who cannot attend the market may send a “stand in” representative. However, the vendor is responsible for making all onsite representatives aware of all rules, policies, and procedures for the market. The Market Leadership must be notified if a representative will be substituted for the vendor prior to the market day.
- Vendors shall be responsible for the actions of employees, agents, or other persons working for or with the vendor.
- Vendors may not set up their booths and then leave. In case of an emergency and the vendor must leave, the vendor is responsible for notifying the Lot Manager prior to leaving. Vendors will need to have assistance when backing up and pulling out of the parking lot.

Operations

- Saturday Market hours will be each Saturday, May - October, 8a.m. - 1 p.m.
- Saturday Market: Vendors shall have access to the Market one and a half hours prior to opening for the purpose of unloading and setting up merchandise and must exit the facility and property no later than 1:30 pm each market day. Any additional times for loading/unloading will need to be approved by Market Leadership. Failure to be setup by the specified time at the market may result in a loss of vendor space for that market day. Failure to vacate property by 1:30 p.m. may result in a suspension of the vendor from the market for the next market day the vendor was scheduled to attend. If additional infractions occur, the vendor shall be subject to loss of the reserved space for the remainder of the season.

Market Leadership is on duty at each Market and will have authority for last minute additions/changes to Market. The Market Leadership has the right to require that signage or displays be rearranged when, in the opinion of the Market Leadership, the signage or display is blocking another vendor or the flow of traffic.

- Electricity is not guaranteed for each vendor. If you require electricity, please note this on your application.
- Vendor Table(s) will be monitored each Market day by Market Management to insure compliance with licensing rules/regulations as well as Handbook guidelines. Market Management will be assigned this responsibility on a rotational basis.
- Vendors are responsible for cleaning up after themselves. Sweeping and placing garbage in provided lined trash cans will be performed by each vendor prior to leaving the market.
- Breezeways of the Pavilion **CANNOT** be occupied by Market vendors via the Johnson City Fire Marshall.

Approved Sale Merchandise

Only those vendors approved by Market Leadership may sell approved items at the market. All foods,

except fresh fruits and vegetables, sold at the farmers market must be properly labeled in accordance to Tennessee Department of Agriculture (TDA) or United States Department of Agriculture (USDA) requirements. Failure to do so may result in the vendor being asked to remove the product from display/sale. Some fruits and vegetables may still be required to be labeled in compliance with the policies set forth by the Johnson City Farmers Market.

NOTE: Information on all permits and licenses required by the Tennessee Department of Agriculture can be found by calling (800) 628-2631 or at: <http://www.state.tn.us/agriculture/regulate/permits/index.html>

Fruits, vegetables, flowers, plants, herbs and any other produce

- Any item offered for sale that is not identified in the vendor application must first be approved for sale by Market Leadership to ensure the items meet the purpose of the market policies and procedures.
- Market Leadership will have the authority to approve or disapprove any items to be sold in the market in accordance with policy.
- At the discretion of the Market Leadership, low quality produce may be required to be removed from display or be marked as second quality merchandise.
- Market Leadership has the authority to inspect the origin of items sold at the market to ensure product conforms to market standards. This includes farm inspections to ascertain the product being sold is in a similar growth stage as that sold at the market.
- LINK: <https://www.tn.gov/agriculture/consumers/food-safety/ag-farms-farmers-markets.html>

Meats, poultry, eggs

- Animal product may be sold at the market provided it is raised within a 100 mile radius of the market, and provided vendor complies with all requirements of the USDA and the TDA. Meat and poultry products are primarily under the jurisdiction of the USDA. Generally, the exception is farm based retail meat that is permitted through the TDA. All meats must be refrigerated or frozen in original packaging, clearly labeled and stored in clean and sanitary refrigerators, freezers or coolers that meet USDA requirements. A Retail Meat Sales Permit is required from vendors selling meat at the market. The permit must be submitted with the vendor application and also displayed at the vendor booth during market days. Compliance with all USDA and TDA guidelines, requirements and restrictions are the sole responsibility of the vendor. Please visit this link to learn more about local guidelines:
<http://offices.sc.egov.usda.gov/locator/app>. And/or
<https://www.tn.gov/agriculture/consumers/food-safety/ag-businesses-retail-food-establishments/farm-based-retail-meat-sales.html>

- A producer may sell **eggs** at a farmers market from his own flock of less than 3,000 birds under the following conditions:

Compliance with sanitation requirements of egg rules.

Eggs sold as unclassified or ungraded eggs must be sold in new containers that are labeled to indicate the producer of the eggs including name, phone number

and address. Please visit this link to learn more about local guidelines:

<https://extension.tennessee.edu/publications/Documents/W646.pdf>

Eggs deemed adulterated may not be offered for sale.

Eggs are stored at 41 degrees or below. (21 C.F.R. § 115.50)

LINK:

<https://www.tn.gov/agriculture/consumers/food-safety/ag-businesses-eggs-and-poultry.html>
[Processed product](#)

Processed Products:

Vendors may offer for sale **homemade baked goods, jams, jellies, honey, sorghum molasses, formulated acid foods or acidified (canned goods) and other prepared foods** that meet all TDA requirements and any local and state health department guidelines and are determined to be acceptable by Market Leadership. Items must be prepared by the vendor offering the item for sale. All processed products offered for sale must meet any applicable local, state, federal rules, regulations or laws. Please visit this link to learn more about local guidelines:

<https://utextension.tennessee.edu/publications/Documents/SP747-A.pdf>

<https://utextension.tennessee.edu/publications/Documents/SP747-B.pdf>

Dairy

Raw milk cannot be offered for sale for human consumption. All dairy products, including ice cream and cheeses, must come from an approved source that is inspected and permitted. All products must meet regulations set forth by the TDA.

Soaps, Pet Food, Plants

Soaps, pet food (<https://extension.tennessee.edu/publications/Documents/PB1832.pdf>)

and plants (<https://www.tn.gov/agriculture/businesses/plants/forms.html>) may be sold only in compliance with the TDA and require an accompanying license from the TN Dept of Ag.

Additional information may be obtained by contacting TDA Agricultural Inputs Section at (615) 837-5135.

Crafts

Crafts offered for sale at the market must be hand-crafted by the vendor. All items offered for sale must be approved by the Market Leadership prior to being displayed or offered at the market for sale.

Pictures of items to be sold must be submitted with the vendor application.

Prohibited items

Selling, distributing, sampling alcoholic beverages, tobacco, or vaping products at the market is prohibited.

SNAP Benefits

All vendors with eligible items will be required to participate in the SNAP program when implemented. Training will be provided to vendors to ensure proper compliance with program

regulations.

Safety, Sanitation, Facility Guidelines

- Smoking/ vaping is prohibited on city property. EXCEPTION: Smoking is allowed in your private vehicle with the windows up.
- The city will provide trash cans for the market. Vendors are responsible for the collection and removal of all refuse generated from sales and activity at their booth space, even if it is outside of the booth space. Only trash or garbage generated at the market can be deposited in city provided trash cans.
- Each vendor is responsible for leaving their assigned booth space broom clean at the end of each market day.
- All tents on property must be secured, per City of Johnson City regulations each tent is required to have 40lbs of weight on each leg. We have found that a cinder block tied on each leg will suffice.
- Vendors may not use duct tape, command strips, etc. on any portion of the facility. Vendors will be responsible to cover the cost of any damages to the facility for failing to comply with this requirement.
- No open flames are allowed in the market.
- Vendors must keep all merchandise, refuse, signage, tents, tables, chairs, personal property, and any equipment within their assigned booth space only.

Vendor Expectations

- Vendors are required to adhere to all local, state and federal food safety regulations and provide applicable certifications when necessary.
- Vendors are required to collect and file any applicable taxes and payment to the appropriate agency.
- Scales used by a vendor are subject to inspection – it is the requirement of each vendor to maintain proper scales.
- Vendors must comply with Market Rules as well as all local, state and federal laws, and regulations.
- Vendors are expected to have positive interactions with other vendors, customers, and market Manager.
- Vendors are expected to submit applications, licenses, photos, and other correspondence in a timely manner.
- Vendors are expected to maintain a timely payment history.
- Consuming alcoholic beverages while on city property or during market hours is prohibited.
- Smoking/vaping is not allowed by vendors while vending, except in personal vehicles with windows up.
- Vendors are responsible for the safeguarding of their property; the City of Johnson City and Market Leadership are not responsible for any loss or theft.

- Any person under the influence of intoxicants, exhibiting disorderly conduct, or otherwise violating city and/or market regulations may be asked to leave the market property. Persons refusing to vacate the premises upon request will be considered trespassing and will be dealt with in accordance to law.
- No amplified music or sound is allowed from vendor sales areas/booths.
- No vendor or vendor representative shall make a public outcry, engage in “hawking,” or play or emit any musical or electronically enhanced sound for the purpose of drawing customers or attracting attention to their sales space.
- Vendors must provide their own equipment and any additional materials for display of items.
- Vendor agrees to abide by all ordinances and regulations of the City of Johnson City, including all requirements and/or conditions that may be in place or required by Johnson City Farmers Market management.

NON-COMPLIANCE:

ALL VENDORS are expected to comply with all rules, regulations, guidelines as set forth by the Market Management/City of Johnson City. Violations observed on Market Day will be immediately addressed on the same Market Day. Correction of the violation is expected to occur immediately. Continued non-compliance by a vendor will be at the discretion of the Market Management. This discipline could include suspension and/or removal from future Markets. Final decisions regarding disciplinary action rely solely with the Market Management.

Legal Statement

Vendor agrees to indemnify, defend, and hold harmless the City of Johnson City, including without limitation, its officers, directors, agents, employees, and volunteers (herein Indemnified Parties) from and against: Any and all claims, demands, losses, damages, defense costs, or liability of any kind or nature, including attorney fees, that an Indemnified Parties may sustain or incur or which may be imposed upon it for injury to or death of persons, or damage to property as a result of, arising out of, or in any manner connected with vendor's performance, including its officers, employees, and agents, under the terms of this Agreement, except any liability arising out of the sole negligence of an Indemnified Parties. Such indemnification includes any damage to the person(s), or property(ies) of Indemnified Parties or third persons; and any and all federal, state and local taxes, charges, fees, or contributions required to be paid with respect to vendor, its officers, employees and agents, (including, without limitation, sales or use taxes, unemployment insurance, social security, payroll tax withholding,).

Vendors are encouraged to acquire insurance to cover their actions at the market. The City of Johnson City is not responsible for the acts of the Vendor, its employees, guests or agents.

Market Telephone: 423-467-5327
Market email address: managerjcfm@gmail.com
Facebook: Johnson City Farmers Market
Web Address: www.johnsoncityfarmersmarket.org

By signing this document, vendor agrees to comply with the provisions in this Johnson City Farmers Market Policies and Procedures Handbook and other applicable laws and regulations.

Vendor Business Name: _____

Vendor Name: _____

Vendor Signature: _____

Date Signed: _____