

Janesville Farmers Market, Inc.

Saturdays, 8 AM to 1:00 PM, May 8th through October 30th , 2010

Located on Main Street between Milwaukee and Wall Streets in Downtown Janesville

2010 POLICIES, PROCEDURES, AND RULES

Goals of the Janesville Farmers Market, Inc.

- To enhance the image of downtown Janesville by providing a vibrant, healthy, and broad-based community activity in the heart of the downtown
- To draw attention to downtown retail and recreational opportunities
- To foster positive social interaction between a cross-section of farmers, the arts community, not-for-profit community groups, community members, and visitors
- To promote a healthy lifestyle by making available a wide variety of quality, fresh produce and farm products
- To provide an educational forum for consumers to learn the uses and benefits of high-quality locally grown produce and other agricultural products
- To offer growers and producers of agricultural commodities a community-supported forum to showcase their products
- To present consumers and local farmers an opportunity to interact directly with one another
- To preserve Wisconsin's unique agricultural heritage and the historical role farmers' markets have played in that heritage.

A. Approved Farm Products

A. All Farm Products sold at the JFM must be grown and/or produced in Wisconsin. The list of Farm Products approved for sale at the JFM include:

- Fruits and vegetables
- Meats, eggs, and cheese
- Bakery items and candy (vendor produced in a licensed commercial kitchen)
- Canned fruits and vegetables (vendor produced in a licensed commercial kitchen)
- Honey, sorghum, syrup, and molasses
- Cider
- Plants: annuals, perennials, nursery stock, house plants, fresh and dried flowers, and fresh and dried herbs
- Items made entirely with raw agricultural products

B. Products not included in the list of Approved Farm Products are not allowed to be sold at the JFM without the written permission of the JFM's Market Manager. Farm Products which are outside the list of Approved Farm Products but have been approved for sale by the written permission of the Market Manager are considered an Approved Farm Product for only that vendor who has sought and received permission to sell that Farm Product.

C. It is the intent of the JFM to have Vendors selling Farm Products which they themselves have grown or produced. With the permission of the JFM's Market Manager, eligible Vendors may sell products which they themselves have not grown or produced. These products must comply with the JFM's Rules and Procedures in that they must have been grown/produced in Wisconsin by a Wisconsin-based farmer/producer. The Vendor wishing

to sell Farm Products which that Vendor has not grown/produced must be able to clearly document the origin and chain of custody of these non-Vendor grown/produced Farm Products. Upon the discretion of the JFM Market Manager, Vendors wishing to sell Farm Products which they themselves have not grown/produced may be asked to document in writing the origin and chain of custody of these non-Vendor grown/produced Farm Products. The selling of Farm Products which have not been grown/produced by a JFM Vendor shall not exceed 50 percent of the gross revenues of that Vendor's sales at the JFM. Farm Products grown/produced by JFM Vendors are expected to be at least 50 percent of that Vendor's gross JFM revenues.

B. Farm Vendor Eligibility

A. To be a JFM Farm Vendor, one must be an individual or group whose business is to grow and/or produce one or more Approved Farm Products(s). The Farm Vendor's business must be based in Wisconsin.

B. During JFM hours in which a Farm Vendor is selling product, the Vendor's stand must have present at least one person who is (i) the Farm Vendor listed on the Farm Vendor Application, (ii) a family member of the Farm Vendor, or (iii) an employee or participant in the growth/production of the products sold by the Farm Vendor. These individuals should be listed on the Farm Vendor Application in the appropriate section. Exceptions to this rule require approval from the JFM Market Manager.

C. All individuals and organizations wishing to be a Farm Vendor at the JFM must complete the appropriate paperwork and submit all necessary local, state, and federal regulatory documentation. A Farm Vendor will not be allowed to vend at the JFM without submitting a completed Farm Vendor Application. Once the JFM Market Manager receives all necessary documentation, the Market Manager will process the application and send a letter confirming the Farm Vendor's completed application and stall assignment.

D. If a Farm Vendor sells a product which falls under local, state, and/or federal regulations, the Farm Vendor must submit a copy of all relevant documents and/or licenses to sell such Farm Products.

E. If a Farm Vendor's regulatory circumstances change after approval of his/her application, he/she is responsible for submitting updated documentation to the Market Manager within 30 days of confirmation of this change.

F. Vendors will be accepted on a first-come, first-serve basis, with preference given to 2009 Vendors for stall assignments.

C. Disputes, Appealing, Decisions, and Dispute Hearings

A. Farm Vendors or prospective Farm Vendors wishing to dispute the Rules and Regulations of the JFM or the decisions of the JFM Market Manager may do so in writing. The letter of Dispute must be submitted (post Marked) within 30 days of the dispute. The Letter of Dispute must include the decision or Rule and Regulation being disputed, a clear statement of the nature of the

dispute and the desired outcome. Letters of Dispute should be addressed to the JFM Board of Directors.

B. Within 14 days of receipt of the Letter of Dispute, the JFM Board of Directors shall meet to discuss the dispute. At that time, the JFM Board of Directors may ask the Disputee and/or Market Manager to give testimony regarding the dispute. Any other witnesses and/or evidence shall appear at the discretion of the JFM Board of Directors.

C. After hearing the Dispute or Decision Appeal, the JFM Board of Directors shall rule on the Dispute/Appeal within one week of the hearing. The Board's decision will require a majority vote of Board quorum. JFM Board of Director's decisions will take effect immediately or retroactively, as decided by the Board at that time.

D. There is no further appeals process after the JFM Board of Directors has decided on a Dispute/Appeal.

D. Farm Vendor Fees

A. *Seasonal Farm Vendor Stalls.* 26 weeks, May 8th -October 30th: **\$150.**

Seasonal farm vendor stalls includes reserved stall and preference of stall location in section "A" of the Market.

B. *Partial Season Farm Vendor Stalls. Option 1:* 16 weeks, June 5th –September 18th : **\$100**
Option 2: 9 weeks, September 11th - October 30th : **\$50.**

Partial seasonal farm vendor stalls includes reserved farm vendor stall and consideration of farm vendor stall preference. The Market Manager assigns stall locations.

C. *Daily Farm Vendor Stalls:* \$15/day.

No reserved farm vendor stall. Market Manager assigns stall locations on a first-come, first-serve basis.

E. Farm Vendor Stall Guidelines and Conduct

A. *Assignments.* Seasonal and partial-season vendors have pre-assigned sites for the season. Daily vendors are assigned farm vendor stalls on a first-come, first-serve basis by the Market Manager.

B. *Parking.* Adjacent parking for vendor vehicles is limited. Seasonal and partial-season vendors will receive priority in the assignment of stalls with adjacent parking. Daily vendors may or may not have the ability to park closely to their stalls.

C. *Stall Set-Up and Strike.* Stall set-up is from 6:30AM to 8AM. Stall strike is from 1PM to 1:30 PM. At strike, trash removal and stall teardown is the vendor's responsibility.

D. *Size.* Stall sites are 10 feet wide by 10 feet deep. Vendors, product inventory, and display must stay within the allotted stalls. Vendors should try to refrain from extending their activity beyond their stall boundaries or the vendor will have to pay to reserve two stalls.

E. *Display.* Vendors are expected to provide their own stall furnishings including tents, tables, and chairs. Vendors provide their own signage. Electricity is available in a limited, pre-requested capacity. Please call the Market Manager in advance should you require electricity.

F. *Signage.* Within the stall space, vendors may want to display signage with the name of his/her business and its location. Organic products may be advertised provided they are certified as organic. The Market Manager may ask to see a vendor's organic certificate at any time.

G. *WIC/Senior vouchers.* Approved WIC and/or senior voucher vendors may display signage informing their customers of their approved WIC and/or senior Voucher status.

H. *Vendor Representation.* Vendors may be represented by a family member or an individual who participates in the production of the products sold. Vendor representatives must be listed on the vendor application.

I. *Reassignment of Stalls.* Vendors must check in with the Market Manager by 7:45AM. Late arriving vendors should notify the Market Manager as soon as they determine their arrival time. The Market Manager reserves the right to reassign the stall of vendors who not occupy their stalls by 7:45AM.

J. *Sales Time.* Market sales hours are from 8AM to 1PM. Vendors should use their best judgment in the observance of this rule.

K. *Attendance-Seasonal/Partial Seasonal Stall Holders.* Vendors must notify the Market Manager if they will not be present on any contracted Market day. Stall assignment priority for the next season is determined by this year's level of participation.

L. *Attendance-Daily Stall Holders:* Vendors must provide at least 48 hours notice to the Market Manager of their intent to participate at Market on a specific date barring any unforeseen circumstances. At the time of notification, vendors will also inform the Market Manager of the products they intend to sell.

M. *Weights on Tents and Canopies:* Vendors are required to use appropriate weights or other means on each corner of tents and canopies so they remain stationary if wind gusts occur. This is to insure the safety of vendors and consumers.

N. *Sales Practices.* Vendors must follow all appropriate practices required by law including the use of scales certified for legal trade, proper handling of potentially hazardous foods, certification for products advertised as organic, etc. Enforcement of these practices is left to the proper local, state, and federal agencies.

O. *Behavior.* Vendors are expected to conduct themselves in a courteous manner to other vendors, Market personnel and Market patrons. Threatening, abusive or harassing behavior constitutes a violation of the Janesville Farmers Market, Inc., rules and is grounds for dismissal from the Market.

P. *Smoking.* Smoking is not permitted anywhere on the Market site.

Q. *Noise.* Loud or disturbing noises should be kept to a minimum in the Market area. Vendors should not play music at a sound level which disturbs other vendors or Market patrons. The operation of motors or engines is generally not permitted.

R. *Disciplinary Action.* The Market Manager uses his/her reasonable discretion regarding the enforcement of Market rules. Warnings will be issued to comply with rules after a warning has been issued and not complied. The Market Manager has the right to dismiss any vendor from the Market for any violation of rules set forth in this document and/or any violation of any regulatory code or law with approval by the Janesville Farmers Market, Inc., Board. Any vendor dismissed from the Market surrenders any stall fees paid.

Application materials include: Farm Vendor Application Product Checklist Farm Vendor Hold Harmless Form Proof of automobile liability insurance Copies of applicable licenses/permits/certifications

Please submit complete application materials to:

Theresa Huber, Farmers Market Manager

1601 Clover Lane, Janesville, WI 53545

(608) 758-9359

jvlfarmersmarket@aol.com

Janesville Farmers Market, Inc.

Saturdays, 8am to 1:00 pm, May 8th through October 30th , 2010

Located on Main Street between Milwaukee and Wall Streets in Downtown Janesville

2010 FARM VENDOR REGULATORY CHECKLIST

The following information is provided as a courtesy to vendors. Any variations from the specific items on this list may have additional licensing/permit requirements

If you intend to sell uncut, unprocessed whole **PRODUCE**:

- ➔ You are ***not*** subject to regulation.

If you intend to sell **HONEY, SYRUP, SORGHUM, and/or MOLASSES**:

- ➔ You are ***not*** subject to regulation unless you would like to claim a grade of product. Please see the state statute governing the selling of a particular grade of product via the Internet: <http://www.legis.state.wi.us/rsb/code/atcp/atcp157.pdf>(.) If requested, a copy may also be mailed to you by the Janesville Farmers Market Manager at **(608) 758-9359**.

If you intend to sell **MEAT, POULTRY, FISH, EGGS, and/or CHEESE**:

- ➔ You need a ***State Mobile Vending Permit***. Please contact the **Wisconsin State Department of Health and Family Services: (608) 266-2835**. You may also obtain a ***State Mobile Vending Permit*** application from the Janesville Farmers Market Manager at **(608) 758-9359**.

If you intend to sell **BAKERY ITEMS, CANDY, CANNED GOODS, JAMS, JELLIES, SYRUP, SORGHUM, and/or SALSA**:

- ➔ You need a ***License for an Approved Commercial Kitchen***. Please contact ***Roger Eychaner, Rock County Health Department: (608) 757-5441***.

If you intend to sell **CIDER**:

- ➔ The cider must be properly ***labeled***. If you are pressing your own cider, the label must say “not pasteurized.” If someone else is pressing your cider, certain procedures must be followed and the label must say “pasteurized.” You may view the state statute governing retail cider sales via the Internet at: <http://www.legis.state.wi.us/statutes/Stat0097.pdf>(.) If requested, a copy may also be mailed to you by the Janesville Farmers Market Manager at **(608) 758-9359**.

If you intend to sell **ORGANIC PRODUCTS**:

- ➔ You *may* need an ***Organic Certificate***. Please contact a ***USDA Accredited Certifying Agent*** or the Janesville Farmers Market Manager, at **(608) 758-9359**, for a list of certifying agents.

If you intend to sell **PRODUCT BY WEIGHT**:

- ➔ Please consult your vendor packet for weight information by the products you intend to sell. If you have further questions or concerns, please contact the Farmers Market Manager, at **(608) 758-9359**, for assistance.

*****OVER*****

If you intend to accept **WIC or SENIOR VOUCHERS**:

➔ You need a *Certificate* from the *WIC/Senior Voucher Program*. For a WIC certificate, please contact *Jennifer Johnson, Nutrition & Health Associates*: (608) 754-3722. For Senior Vouchers, please contact *Paula Schutt, Rock County Nutrition Program*: (608) 757-5474.

If you intend to offer **FREE SAMPLES** of your edible products:

➔ Please contact *Roger Eychaner, Rock County Health Department*, for safe-dispensing requirements for free samples: (608) 757-5441.

If you are selling more than \$1,000 worth of **ITEMS REQUIRING SALES TAX**, including all non-edible items:

➔ You need a *Wisconsin Sellers Permit*. Please contact the *Wisconsin Department of Revenue*: (608) 266-2776. Additionally you may apply for the *Wisconsin Sellers Permit* via the Internet at:

<https://ww2.dor.state.wi.us/GenericFile/application?interview=1086489>.

The cost is \$20.00 for this two-year permit.

If you are selling **HERBS, PERENNIALS, and/or NURSERY STOCK (trees, shrubs)**:

➔ You need a *Nursery Grower's License* if your sales will exceed \$250.00. If your sales will not exceed \$250.00, you are not subject to regulation. For retail sales above \$250.00 to \$5,000.00, the *Nursery Grower's License* costs \$40. The *Nursery Grower's License Application* may be obtained via the Internet at:

http://www.datcp.state.wi.us/arm/environment/plants/nursery-stock/pdf/2004_Nursery_Grower_Pack.pdf.

If you are selling **ANNUALS/HOUSE PLANTS/CUT FLOWERS**:

➔ You are not subject to regulation.

Application materials include: Farm Vendor Application Product Checklist Farm Vendor Hold Harmless Form Proof of automobile liability insurance **Copies of applicable licenses/permits/certifications**

Please submit complete application materials to:

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2010 FARM VENDOR APPLICATION

Please type or print clearly.

Type of Application:

- A. Seasonal: 26 weeks, May 8-October 30: **\$150** Stall # Preference (please list three stall options): _____, _____, _____
- B. Partial Seasonal.
 _____ Option 1: 16 weeks, June 5- September 18th. **\$100**
 _____ Option 2: 8 weeks, September 11th -October 30th: **\$50**
 Stall # Preference (please list three stall options): _____, _____, _____
- C. Daily, **\$15**. Date(s) you intend to vend (not binding): _____

Please submit fees with application. Checks should be made out to "Janesville Farmers Market, Inc."

Contact Information:

Name of Primary Vendor: _____

Name of Business/Organization: _____

Mailing Address: _____

City: _____ State: _____ ZIP Code: _____

Business Address (if different) _____

City: _____ State: _____ ZIP Code: _____

Home Phone: (_____) _____ Business Phone: (_____) _____

Cellular Phone: (_____) _____ FAX: (_____) _____

Email: _____ *(Information will be sent by e-mail unless otherwise requested.)*

Vendor Alternate Representative(s): *Must be family member or participant in production of products sold.*

Name	Relationship to Vendor/Business
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____

Application materials include: **Farm Vendor Application** Product Checklist Farm Vendor Hold Harmless Form Proof of automobile liability insurance Copies of applicable licenses/permits/certifications. Please submit complete application materials to:

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2010 FARM VENDOR'S AGREEMENT

The undersigned hereby represents that he/she is the Applicant or an Officer or other Authorized Agent of the Applicant named herein and that he/she is over 18 years of age.

The undersigned further acknowledges that he/she has read and is familiar with the Janesville Farmers Market Policies, Procedures and Rules, and recognizes and agrees by his/her signature hereto that the issuance of any permit is expressly conditioned upon Applicant's acceptance and continuing compliance at all times with said Policies, Procedures and Rules.

Applicant on behalf of him/herself and his/her heirs, successors and assigns, hereby releases fully and forever, and discharges the City of Janesville, the Janesville Farmers Market Inc., and each and every of their perspective officials, officers, employees and agents from any and all claims, actions, causes of action, damages, costs and/or expenses of any kind or nature, including attorney's fees, however caused and incurred by the applicant, arising from or in any way connected with the issuance of permission to Applicant to be a vendor at the Janesville Farmers Market and the resulting operation of Applicant's business at said Market.

Applicant hereby agrees to indemnify and hold harmless the City of Janesville, the Janesville Farmers Market Inc., and each and every of their respective officials, officers, employees and agents from and against any and all claims, actions, causes of action, damages, costs and/or other expenses of any kind or nature, including attorney's fees, arising from or in any way connected with the Applicant's use of public space, operation of Applicant's business and the use of the same by Applicant's agents, members, partners, associates, contractors, servants, employees, invitees, and licensees.

The undersigned declares under penalties of perjury that the factual information furnished by him/her in Applicant's Application is true, accurate and complete to the best of his/her knowledge.

Applicant shall be responsible for compliance with all laws, rules, regulations and ordinances governing the sale of all goods at the Janesville Farmers Market.

The Janesville Farmers Market Board of Directors reserves the right to terminate the Market Contract of any or all Vendors at any time without cause and without reimbursement of fees paid.

Date: _____

Applicant _____

By: _____

Address: _____

Telephone: _____

Application materials include: Vendor Application Product Checklist **Farm Vendor Hold Harmless Form** copies of automobile proofs of insurance (available from vendor's insurance agent) if applicable, copies of valid Wisconsin Sellers Permit, Nursery License, Nursery Inspection Certificate, Food Licenses, Organic Produce Certification, WIC/Senior Voucher Certification or other regulatory requirements needed for the sale of product at this site.

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2010 FARM VENDOR PRODUCT CHECKLIST

Please circle the items and list the approximate dates of their availability. This product checklist assists the Market Coordinator and Steering Committee to promote and build the Market.

Product Description	Approximate Dates		Product Description	Approximate Dates	
Apples	From:	To:	Rhubarb	From:	To:
Asparagus	From:	To:	Rutabagas	From:	To:
Beans	From:	To:	Shallots	From:	To:
Beets	From:	To:	Spinach	From:	To:
Blackberries	From:	To:	Sprouts	From:	To:
Blueberries	From:	To:	Squash, summer	From:	To:
Broccoli	From:	To:	Squash, winter	From:	To:
Brussel Sprouts	From:	To:	Strawberries	From:	To:
Cabbage	From:	To:	Swiss Chard	From:	To:
Carrots	From:	To:	Tomatoes	From:	To:
Cauliflower	From:	To:	Turnips	From:	To:
Cherries	From:	To:	Watercress	From:	To:
Corn, sweet	From:	To:	Bakery	From:	To:
Cucumbers	From:	To:	Candy	From:	To:
Eggplant	From:	To:	Cheese	From:	To:
Fennel	From:	To:	Cider	From:	To:
Garlic	From:	To:	Corn, ornamental	From:	To:
Grapes	From:	To:	Corn, popcorn	From:	To:
Herbs	From:	To:	Eggs	From:	To:
Kale	From:	To:	Flowers, cut	From:	To:
Kohlrabi	From:	To:	Flowers, dried	From:	To:
Leeks	From:	To:	Gourds	From:	To:
Lettuce	From:	To:	Honey	From:	To:
Melons	From:	To:	Houseplants	From:	To:
Mushrooms	From:	To:	Jams/Jellies	From:	To:
Okra	From:	To:	Nursery stock	From:	To:
Onions	From:	To:	Nuts	From:	To:
Parsley	From:	To:	Plants, annuals	From:	To:
Parsnips	From:	To:	Plants, perennials	From:	To:
Pears	From:	To:	Meat	From:	To:
Peas	From:	To:	Sorghum/syrup/molasses	From:	To:
Peppers	From:	To:	Other:	From:	To:
Plums	From:	To:	Other:	From:	To:
Potatoes	From:	To:	Other:	From:	To:
Pumpkins	From:	To:	Other:	From:	To:
Radishes	From:	To:	Other:	From:	To:
Raspberries	From:	To:	Other:	From:	To:

Application materials include: Vendor Application **Product Checklist** Vendor Agreement
 Proof of automobile liability insurance Copies of applicable licenses/permits/certifications