



Farmers' Market Program Rules 2019 Season

Please read all market rules carefully and contact Farm to City if you have any questions. Violation of these market rules may result in reassignment of market position or loss of permission to sell in the market.

Registration:

- Only producers from the Region – defined as the area within 150 miles of Philadelphia – are permitted to sell at *Farm to City* markets.
- Producers must complete and submit to *Farm to City* an Application, and a Crop List if farmer or a Menu & Ingredient Chart if a food artisan. If accepted to one or more markets, producers must submit food safety forms and certificates of insurance.

Products:

- *Producer-only Rule*: Producers may only sell crops, other farm products, or kitchen or food related items that they grow, produce, or make themselves, unless exceptions are granted as described below.
- Value-added products may be sold, provided that value-added producers use ingredients obtained from farms in the Region, as defined above.
- Exceptions to the Producer-only Rule may be granted on a case-by-case basis if:
 - The product comes from in the Region, and no other producer grows and sells that product at the same market,
 - The producer requests and is granted an exception at least a week before the proposed product's start date,
 - The producer displays a sign clearly indicating who produced the product and where the exempted product was produced, and
 - The producer understands that he/she must stop selling the excepted product when a direct producer of that product enters the market.
- All producers selling processed foods must be licensed by a government agency and must provide license number and contact information of licensee to *Farm to City*. Producers selling only crops harvested but not further processed are exempt from this licensing requirement.

Attendance:

- Producers selling at *Farm to City* markets must attend each week between their start and end dates unless otherwise noted on their application or explained to the market manager at least a week in advance of the missed date. **Producers who do not attend market consistently may lose their position at that market.**
- Producers must notify the market manager at least an hour before market opening time if they cannot attend due to circumstances beyond their control. Otherwise they will be charged a market fee for that week.

Market Hours:

- Sales begin at the established opening time and not before.
- Producers must arrive early enough so they are set up, all products are priced, and staff is ready to sell at the opening time. They must stay until the closing time unless previous arrangements have been made. **Producers who are consistently late to market (2 times or more in a one month period) may lose their position at that market.**

Space:

- *Farm to City* assigns spaces at the market.
- Displays must not limit the view or access of customers to other stands.
- If space at market is limited, a space surcharge may apply if a producer requires space that is longer than one vehicle or parking space.

Parking:

- Where parking fees apply and *Farm to City* is unable to obtain a fee waiver, the producer is responsible for these fees.

Equipment:

- Producers are required to bring their own supplies and equipment, including a canopy or pop-up tent.
- Tents must have a white canopy, vertical legs (i.e. not splayed). FTC can waive the white canopy requirement for the first season for new producers who already own a non-compliant tent. (Also, see Policy on Securing Tents, under Public Safety.)
- Scales used at market must be licensed.

Signs:

- Producers must display a sign giving the name of the farm or business, nearest town, and state.
- Producers must have signs listing the price of every product offered for sale.
- All signs must be in place before sales begin.
- Products not produced by the Producer selling them must be clearly identified for the farm and farm location where they are produced.

Public Safety: Producer Responsibilities

- Producers must exercise caution in parking vehicles and unloading, reloading, and leaving.
- Producers must be sure that no objects belonging to them pose any danger to pedestrians, motorists, vehicles, or other property.
- Policy on Securing Tents
 - *Farm to City* requires all producers to secure each tent with weights or ropes immediately after the tent is set up to prevent accidents., Producers who do not come to market equipped with proper weights or ropes will not be allowed to set up any tent.
 - *Weights*: weights of at least 25 lbs must be secured to each single tent leg; two such weights must be attached to two adjacent tent legs.
 - Weights must be securely fastened to tent legs. Items loosely tied to tent legs or laid across the tent leg foot is not acceptable.

- *Ropes*: producers who choose to use ropes or straps to secure their tents must have the required weights on tent corners that are not secured by ropes or straps. Ropes and straps used to secure tents must be strong enough to withstand wind pressure without breaking.
- *High winds*: in the event of very high winds, *Farm to City* reserves the right to prohibit producers to set up tents or to require them to take down tents after they have been set up. We encourage producers to use their own discretion to operate without tents if they judge conditions to be too windy. In our experience, if the forecast calls for winds reaching speeds of 15 mph or higher, then we must consider working without tents.
- We strongly encourage each producer to speak with his or her insurance agent to find out if his or her current liability coverage is adequate to cover the liability of an accident involving a tent at market.
- In the event that any producer's tent is moved away from its original position or tipped over by the wind, and had not been secured as described above, that producer will be barred from any further participation in *Farm to City* markets.

Site Sanitation & Appearance:

- Each producer must have a trashcan and a broom at the market.
- Producers must keep their stand area clean and attractive: plain table coverings, boxes and other containers placed out of view, and stands kept free of product residuals and other litter.
- Producers must clean their stand and vehicle areas at the end of market and take all refuse with them.
- **Smoking** by any producer or their employees within sight of any market stand is prohibited.
- **Playing music** is only permitted during set-up before the market hours and during breakdown after the market hours. We reserve the right to ask producers to turn off the music if it is too loud or otherwise inappropriate.

Market Management:

- *Farm to City* is responsible for the operation, management, and administration of its farmers' markets. *Farm to City* employees are authorized to make operational and administrative decisions including application, interpretation, and enforcement of these rules.

Organic Certification:

- Any farm claiming that it offers certified organic products must submit a copy of its organic farm certification to *Farm to City* before its first day at market and thereafter when its certification is renewed.
- Organic and non-organic produce must be clearly separated and labeled accordingly if offered for sale by the same producer.

Inspections:

- *Farm to City* reserves the right to visit any farm or production facility with advance notice and to inspect the production of crops or products sold at its markets.

- In addition, we may request copies of all seed receipts for crops planted in 2019.

Sales Reports:

- All producers must submit monthly reports listing sales, by week and market. *Farm to City* provides sales report forms with monthly invoices, either electronically or by mail.

Market Fees:

- Starting market fee is \$35 per week per market for first-year producers and returning producers with average market day sales less than \$1,000 per day in the previous year.
- For producers with sales that average more than \$1,000 per market per day during the previous year, the market fee is 3.5% of that average market day sales, not to exceed \$80 per day.
- The Schedule for payment is as follows:
 - Seasonally - Payment must be received by June 30th. Season payments receive a 5% discount for the market days included in the payment.
 - Monthly – Payment must be received within 15 days of monthly invoice date. If payment is not received within 60 days, the full balance must be paid before attending the next market.
 - There is a \$5 late fee each month for market fees that are not paid on time. If we do not receive your payment within fifteen days of the date on market statements, we will add a \$5 late fee to your account.
 - Payment must be made by check and mailed to our office, or through PayPal. If using PayPal, use the “friends & family” option to avoid service fees. Payments will not be accepted at market sites.
- **Producers who owe market fees may lose their position at that market.**

Insurance Requirements:

- For your own protection and the protection of affected parties, *Farm to City* requires that your activities at farmers’ markets are covered by a general liability insurance policy for a minimum of \$2,000,000 annual claim aggregate and product liability insurance or equivalent for a minimum of \$2,000,000.
- *Farm to City* and any other entities specific to the market(s) you attend must be named as Additional Insured on Certificates of Insurance.
- We must receive the required insurance certificates from your insurance agent before your first market day. Producers whose certificates of insurance are not on file at the *Farm to City* office will not be allowed to start at market.

The following rules are specific to the municipalities where Farm to City markets are located:

City of Philadelphia

- Parking Violations. Producers are responsible for any parking violations received. If a producer receives a parking ticket within the time and space allowed by the applicable *Farm to City* street closure permit for the market, the producer must provide ticket details within two business days to *Farm to City* so that we can send a letter to the Philadelphia Parking Authority to *request* ticket rescission.

- **Farmers Market Producer License Requirements:**
 - *Farm to City* is the Philadelphia Farmers' Market Operator License holder. *Farm to City* submits to the Philadelphia Department of Public Health the list of participating producers, their business names, their contact information, their applicable food safety permits and licenses, and the license numbers and contact information for processing and butchering facilities where their value-added foods are prepared.
 - Producers who prepare food or who sell ready-to-eat/drink food on-site must have either a Permanent Special Event Permit or Mobile Vending License from the Office of Food Protection. For more information, call 215-685-7495 or visit: <https://business.phila.gov/media/SpecialEvents.pdf>.
 - The following types of producers are exempt from Office of Food Safety licenses: producers who sell whole, uncut fruits and vegetables, and other agricultural products; producers who sell potentially hazardous foods; producers who sell pre-packaged prepared foods that are not served ready-to-eat/drink. The Health Department honors the processed food licenses of these producers issued by itself or other jurisdictions via *Farm to City's* submission (see first bullet above)

Lower Merion Township (for the Bryn Mawr Market)

- **Parking Fees:**
 - Per an agreement between *Farm to City* and the Township of Lower Merion, in addition to the Market Fees described above, producers will be charged \$3 per day for each parking space dedicated for their market stand.
 - This parking fee is not considered when computing the seasonal payment with the 5% discount, as described above in the Market Fee section.
- **Farmers Market Producer License Requirements:**
 - Producers who sell non-packaged potentially hazardous foods or products that need to be refrigerated are required to obtain a Farmer's Market License from the Montgomery County Health Department. An inspection at market by Health Department agents is part of the licensing process.
 - Producers who sell whole, uncut produce and agricultural products or pre-packaged non-potentially hazardous foods are exempt from this license requirement.
 - For more information, visit: <https://www.montcopa.org/532/Farmers-Market-Producer>.
- **Business Privilege/Mercantile Tax Requirements:**
 - All producers selling value-added products must register for and pay the Lower Merion Township Business Privilege/Mercantile Tax. The forms to register your business and to calculate the tax based on your gross receipts can be found at this web address: <http://www.lowermerion.org/services/finance-department/business-tax-division>

Media Borough

- **Business Privilege/Mercantile Tax Registration:**
 - Producers must apply for a Media Borough Business Privilege/Mercantile Tax license. Producers are required to pay the \$50 license fee but not required to pay mercantile taxes. For more information, visit: <https://www.mediaborough.com/finance/business-privmercantile-tax-registration>

- Farmers' Market Health Inspection:
 - The Media Borough Health Officer will inspect all market producers. All producers, except those that sell only fruits and vegetables, must pay a \$30 Health Inspection fee to the Media Borough.

Borough of Ambler

- Lot Use Fees:
 - In addition to the Market Fees described above, producers will be charged \$1 per day for use of the SEPTA lot.
 - This Lot Use Fee is not considered when computing the seasonal payment with the 5% discount, as described above in the Market Fee section.
- Business Privilege License
 - Producers must obtain a Business Privilege License from the Borough of Ambler.
- Farmers Market Producer License Requirements:
 - Producers who sell non-packaged potentially hazardous foods or products that need to be refrigerated are required to obtain a Farmer's Market License from the Montgomery County Health Department. An inspection at market by Health Department agents is part of the licensing process.
 - Producers who sell whole, uncut produce and agricultural products or pre-packaged non-potentially hazardous foods are exempt from this license requirement.
 - For more information, visit:
<https://www.montcopa.org/532/Farmers-Market-Producer>.