



“Real Farmers, Real Local” Certified Farmers’ Market Rules & Regulations - 2009

Mission Statement

Our certified farmers’ market concept offers the local Ontario producer easy access to an urban, diverse marketplace and a level playing field, where resellers are neither welcome nor permitted. Our markets will be bona-fide producer-based and will champion the cause of real farmers and producers across the province. **We are firm believers in building community through the connection of the real farmer to the urban marketplace!**

1. Background

Research shows that customers come to farmers’ markets believing that they are purchasing “farm fresh” fruit and vegetables from the farmer that grew them.

During the summer of 2006, it became very clear to Farmers’ Markets Ontario (FMO), that something needed to be done to combat the growing number of resellers or hucksters that had infiltrated and in some cases, were dominating, some of the markets in the Greater Toronto area. Farmers were being literally squeezed out of existing markets by resellers who continued to glut the market with food terminal sell-offs and in some cases, told there was no room for them to sell at market. Recognizing that most market operators would not soon purge their markets of resellers, hucksters and “produce-jockeys”, FMO studied the Greenmarket program in New York City and the State of California Certification program where all farmers are certified and where all vendors at market are “the real thing”.

Discussions were held with industry leaders and the decision was taken to invest significant time and money in authenticating our market farmers. FMO is hopeful that we will start a trend where only real farmers with their own products will be found at markets across Ontario. Once discriminating shoppers recognize the goodness and value of the “real

thing” and once word spreads, it is hoped that all markets will do what’s right and that they will rid themselves of vendors who don’t have a dime invested in a farm.

2. Market Objectives

Our concept supports and nurtures the real farmer by facilitating access and a direct link to the health-conscious, environmentally-aware consumer resulting in economic prosperity for bona-fide farmers and producers.

As well, the market will provide a venue for regular, weekly social interaction between neighbours, service groups and local business people leading to stronger community bonds and local community economic development.

3. Governance & Market Management

Our certified farmers’ markets will be overseen by a Market Steering Committee comprised of market stakeholders including market vendors, community representatives, FMO executive members, staff and FMO board members. The Committee is responsible for establishing market policy, vendor rules and regulations and a comprehensive marketing & promotions campaign, including signage. A market manager will be responsible for the implementation of such programs and the day-to-day operations of the market. The Committee will organize and host meetings with vendors as needed. This will allow vendors to discuss market issues and make recommendations to the committee. The Committee encourages vendors to get involved!

4. Who Can Sell at Our Certified Markets?

All Ontario bona-fide, conventional and organic growers and producers may apply. As part of the initial application, all prospective vendors will be required to submit a full list of the produce/products to be sold and indicate when these items will be available for market. As a general rule, a first come - first served process will apply. We also reserve the right to choose vendors based on the right product mix to ensure a good balance of products, therefore, while every effort will be made to accommodate you at our markets this season, not all applicants will necessarily be accepted.

All farms will be inspected by an independent farm inspector, hired by FMO. There is **zero tolerance** for the reselling of products that have not been grown by the vendor.

5. Farm Inspections & Certification

All vendors who wish to sell at our markets will be subject to farm inspections and certification. There will be **no** exceptions. These farm inspections will be conducted yearly and will form an integral part of your application process and documentation.

The Certified Farmers' Market Application Form includes farm identity through the Farm Business Registration (FBR) system, the number of acres proposed for each crop, the land base verified by municipal tax assessments and/or rental agreements, and expenses related to farm supply purchases (fertilizer, seed, nursery stock, etc.). This documentation will establish that the farm is a bona-fide operation and will enable a reasonability test – that is to say that the items sold are consistent in quantity with the number of acres proposed. Where a farm has certification with an organization such as Local Food Plus, OCPP or OCIA, that certification will be recognized by FMO.

6. Product Categories

Primary Products

Fresh/unprocessed fruit, vegetables, cut flowers, plants and nuts; honey and maple syrup; shell eggs; meat (fresh and frozen); fish (fresh and frozen); herbs; mushrooms.

Secondary Products

For certified markets, the secondary products must meet the following three conditions:

- The “defining ingredient” must be from (produced on) the farmer’s own farm
- The value must be added from the farm (the case of meat products was discussed, where the value might be added at a site off-the-farm)
- The product must be in compliance with all regulations and there must be evidence of appropriate inspection (by health and/or other authorities)

Ready-to-eat “Fast Food”

The following are considered to be permissible, depending on agreement with host partners.

- Coffee and tea sold by the market or a concession for community fund-raising obtained on a wholesale basis from an established business
- Unique sandwiches such as venison on a bun provided that the principal ingredient (in this example, the venison) conforms to the requirements of secondary products previously described

7. Stall Rental and Membership Fees

Stall rental and membership fees will be set by the Market Steering Committee to cover necessary market expenses as determined by the Committee. Vendors are required to pay an annual membership fee, in addition to a stall rental fee. There will be no daily vendors, however, consideration will be given to vendors requesting a half season; full season or a one month attendance, based on availability and product mix. Stall sub-letting and/or stall sharing will not be allowed.

- Membership fee – The membership fee for the 2009 season is \$50. This is a non-refundable fee.
- Stall rental fee – \$500 plus GST **per stall** for full season - \$300 plus GST **per stall** for half season; \$150 plus GST **per stall** for one month. There will be an additional \$100 plus GST fee for a corner stall...full season only. **Stall fees are not refundable if a vendor fails our farm inspection.**
- Each stall is **10** frontage feet and usually 30 feet in depth.
- There is either a three (3) stall limit or a two (2) stall limit for fruit and vegetable farmers and a two (2) stall limit or one (1) stall limit for all other producers – depending on market location.

8. Sales Information

Vendors will be expected to provide the market manager with approximate sales figures for each market day. This information is **absolutely** anonymous and will be used for market statistical purposes only. We cannot overstate the importance of this collective information as we negotiate with funders and corporate sponsors in the future. Everyone will benefit!

9. Stall Assignments

The market manager will be responsible for assigning stall spaces at the beginning of the season, taking into account product mix and the market's opportunity for effective, abundant and colourful display. While it is important that vendors remain in the same location from week to week, some adjustments to site layout might be done from day to day based on vendor absenteeism.

10. Stalls

Vendors must display their farm/business name prominently at their booth using FMO-approved signage that will include farmer and farm photos, farm location, acreage and crops grown.

Our market vendors will be required to use a standard, Caravan Canada Canopies-brand, 10' x 10' white tent for each of their stalls. **An order form with subsidized pricing will be available to vendors once they are approved.**

Please note that as a security measure, all canopies must be secured with weights at all times. Please speak to the market manager for guidance.

Prices preferably using FMO price cards **must** be displayed for all products. Price cards will be handed out by the market manager prior to the start of market each day, along with an appropriate pen.

Tables must be clean with an attractive, **abundant** display. It is in your best interests to personalize your stall by making it a reflection of you - create your "signature"! Customers will appreciate and **remember** you not only for your product but for the uniqueness that only you can bring to your market stall!

Finally, it is a condition of the use of this market site that we will leave it exactly as we find it every market day. Vendors must keep their own refuse in a suitable container at their stall and remove it when they leave for the day. Please note that any garbage cans located on-site are for the use of customers only. If you forget your broom, please don't hesitate to borrow one from the market manager.

11. Arrival & Departure Time

The market manager will arrive on-site 2 hours prior to market opening and will be available during the day at all times in the event of issues or emergencies. The market manager's first order of business will be to chalk the site to conform with the site plan.

All vendors are expected be on-site no less than 1 hour before market opening and **check in with the market manager before setting up.**

As a courtesy, if a vendor cannot attend a market day as planned, the vendor must notify the market manager **by 5:00 p.m. of the previous day.** In the event of emergency (i.e. truck breaking down, etc.), please call the market manager on-site as soon as you are able to do so **safely.** You will be provided with a cellular telephone number for the market manager prior to market start-up.

Vendors are expected to bring enough product to last **throughout a normal market day.** However, should a vendor sell out before the market closes, they may leave the market provided their departure does not interfere with regular market operations and they have notified the market manager. Please ensure that this is not a regular occurrence.

Booth set-up must be completed **15 minutes before** opening of market.

Sales will **not be allowed until 15 minutes before** the opening of market.

No vendor should begin packing up **until 15 minutes before** end of market.

All vendors must leave the market area **no later than one hour** after the market closes for the day. There will be no exceptions.

12. Pricing (remember...you are price makers, not price takers!)

Vendors are responsible for determining the price of their own products.

Vendors are not allowed to practice price undercutting. We should avoid "scavenger" shoppers at day's end at all costs! Research shows freshness of produce and support for local farmers are more important than price for farmers' market shoppers.

“Price-fixing” is unlawful, however, in the spirit of collaboration and ensuring top price for top quality products, vendors are encouraged to ensure they are getting fair prices for their products.

Vendors who have concerns about another vendor’s pricing are encouraged to bring the matter up for discussion with the other vendor **after** market hours. If a mutual agreement cannot be reached, the vendor should discuss the matter with the market manager.

Distress pricing will not be tolerated!

13. Food Quality and Safety

Farmers and producers will bring only **first-quality products** to be sold at market.

Prepared food vendors must have their kitchen inspected by a public health inspector and have completed the food handler’s certification program prior to market opening. Prepared food vendors must also list **all** of the ingredients on **all** products sold at market. New and unified (2007), provincial regulations are in place and it is the responsibility of the individual vendor to understand and comply with all government regulations regarding food safety.

An excellent food safety guide is available from the Ontario Ministry of Health and Long-Term Care. Please ask us for a copy.

Vendors are responsible for ensuring that any food samples are prepared hygienically. A hand washing station will be available to you – please use it! All items on display for sampling must be individually portioned (i.e. toothpicks or disposable paper cups). Please keep the sample offering area clean at all times!

14. Infractions & Grievance Procedure

Infractions to any of the above rules may result in verbal or written warning from the market manager. Any vendor who continuously breaches the rules & regulations will be instructed to meet with the executive director and chair of FMO to explain why he or she should be allowed to continue to sell at our market(s).

15. Disclaimer

Although the market does carry liability insurance, the market does not assume responsibility for loss or damage to the stall area, product, vehicle and any other property of the market vendor. The vendor accepts all reasonable risks associated with the use of the market stall and will exercise sound loss prevention measures at all times. The vendor shall not make claim or take any legal action against FMO or its representatives for any loss, damage or injury caused to the vendor, agents and/or property, including vehicles.

By signing a compliance agreement with FMO where guarantees are provided as to the vendor's authenticity as a farmer, the vendor acknowledges that false or misleading statements shall constitute fraud and subject to the appropriate legal ramifications and/or remedies.

Anyone who does not qualify but knowingly applies, causing an unnecessary farm inspection visit, will be expected to pay for the cost of the failed inspection, set at \$250.

February 2009



*Supported by the Pick Ontario Freshness -
Ontario Farmers' Markets Strategy*



54 Bayshore Road, Presqu'île Point, Brighton, Ontario K0K 1H0
Tel: (613) 475-GROW (4769) • 1-800-387-FARM (3276) • Fax: (613) 475-2913
e-mail: fmo@farmersmarketsontario.com • www.farmersmarketsontario.com