MARYVILLE FARMERS' MARKET
RULES AND PROCEDURES

** Please maintain this copy for your records. **

Rules and Procedures

1. Application fee is $20 non-refundable (see deadlines set out below):
   - February 28th for Processors; Prepared Food Vendors; Home Based Food Manufacturers; and Farmer's Market Food Units
   - April 30th for Farmers and Growers/Small Food Manufactures (a $40 nonrefundable fee until June 1st)

2. Maryville Farmers' Market Members' items for sale will be divided into three categories: Farmers and Growers; Small Food Manufactures; and Processors, Prepared Food Vendors and Artisans.

   Farmers and Growers Produce includes: Garden and orchard produce, meat, potted plants, cut flowers, eggs and like items. Farmers and Growers products must be grown by the member, on the member's farm, one's family farm, or on land leased or rented by the Member. No products can be re-sold. **All applicable certificates must be displayed at Member's booth.**

   Home Based Food Manufactures: (falling under the Tennessee Food Freedom Act effective 7/1/2022 and approved by the Maryville Farmer's Market Board of Directors) (items prepared in Home Based Kitchen) Dry Pasta; Dry Spice Blend; Canned fruit jams/jellies (non-vegetable based); Canned Salsa; Canned Pickled Vegetables; Canned BBQ Sauce; Fermented Foods (non-alcoholic ferments); Dried Products (air or freeze dried); Shelf Stable Salad Dressings, Candy, Chocolates and Fudge; Roasted Coffee; and Baked Goods (breads, cookies, pastries, muffins, cakes, brownies **without** custard or cream filling or frosting). **Home Based Food Manufacturers products are to be prepared in a home-based kitchen.**

   Items must be properly labeled as set out in the guidelines of the Tennessee Food Freedom Act effective 7/1/2022. You must comply with all state and/or federal regulations or you will not be permitted to sell.

   Items listed above are the **ONLY** items approved to be sold under the Tennessee Food Freedom Act at the Maryville Farmers' Market and are subject to change under the discretion of the Maryville Farmers' Market Board of Directors. All items must be non-TCS compliant and are subject to pH evaluation 3- 4 times per season and/or at the discretion of the Maryville Farmers' Market Board of Directors or Market Manager.

   Home Based Food Manufactures Products must be made by the Member, but are not required to be made with ingredients grown by the Member. However, every effort should be made to grow or use appropriate ingredients from fellow MFM members or the local community. No products can be re-sold, and the Member is subject to periodic inspection of his/her facility by a representative of the Board of Directors. All products are subject to review and approval by the Board of Directors. Members are allowed to sell both Grower Produce and Home Based Food Manufactures Products, but if the majority of items being offered are Home Based Food Manufactures Products, the Member will be deemed a Home Based Food Manufactures vendor.

***Processors, Prepared Food Vendors and Artisans**:* (Requires a Food Manufacturing License from TDA effective 7/1/2022 and approved by the Maryville Farmer's Market Board of Directors) (items prepared in Commercial Kitchen) Baked Goods (breads, cookies, pastries, muffins, cakes, brownies **with** custard or cream filling or frosting); Non-Alcoholic Beverages (shelf-stable only); Pimento Cheese; and Cooked Pasta.

Food production and sales must adhere to regulations detailed under the Tennessee Food Freedom Act. A current Food Manufacturing License from TDA and a copy of your last inspection must be attached to your application. The application is incomplete without these and will not be processed. You must comply with all state and/or federal regulations or you will not be permitted to sell.

Items requiring certificates: Potted plants, flowers, shrubs, or trees in pots, Poultry (i.e. chicken, duck), All Meats – beef, lamb, pork, buffalo, ostrich, etc., Processed Dairy products (cheese, milk, etc), Foods processed in a certified kitchen.

Processors; Prepared Food Vendors; Home Based Food Manufacturers; and Farmer's Market Food Units Vendors shall not number more than 33% of the total membership without MFM Board approval, rounded to the nearest number, whichever is greater.

All Vendors are subject to 5% commission of gross daily sales.

3. The Member of the Maryville Farmers' Market or their family or employee must sell all products.

4. Members must agree to allow a representative of the Board of Directors to inspect their farm/facility to ensure the Member is growing/producing all products offered for sale.

5. Only individuals may apply for active membership – not co-ops, partnerships, etc. A Member may not act as a broker for another farmer and thus sell another growers' produce.

6. A seller may lease land for crop production; however, if that land has an established crop on it at the time of the origin of the lease, the seller must perform all operations necessary to manage that crop for at least one full season prior to the season in which the fruits of that crop are harvested for sale at the market. Documentation of the lease may be required. Lessee and Lessor may not sell the same crop off the leased land.

7. The annual membership fee is $20.00 non-refundable. Deadlines shall be based on a season-to-season basis as deemed necessary by the Maryville Farmers' Market Board of Directors. Dates shall be identified on the seasonal application each year. This fee allows the Vendor to sell at any MFM sponsored event. Each member is allowed a maximum of one marked parking space for one vehicle per membership. If additional vehicle space is required, an additional parking fee will be assessed.

8. A commission of 5 percent (5%) based on gross sales for each sale day must be paid to the Market Manager or Board member on duty for that day. A completed Sales and Commission Form must be turned in at the time the commission is paid. The commission is to be paid immediately upon close of business the day of market.

9. Because the Pick Tennessee logo is featured, all products should come from East Tennessee, which is defined by all Tennessee counties in the Eastern Time zone. On rare occasions, the Board of Directors will accept applications for products grown outside the East Tennessee area (for

example, western North Carolina). All product shall fall under the "Grown Locally" umbrella which is defined as being within 150 miles of the market location.

10. The market does not offer exclusive rights to any one vendor or their products, however, if the Market Manager or Board deems any product saturated in the market, duplicate products may be denied entry.

11. At market close, members are responsible for cleaning up the immediate area around one's space, included but not limited to trash and debris. All vendors shall remove any trash they acquire during the market, as Maryville Farmer's Market does not provide trash service or receptacles. Failure to comply will result in exclusion from the Market.

12. No early sales will be permitted or tolerated. Sales can begin ONLY AFTER the opening bell sounds. (Vendors may purchase from other vendors prior to the opening of the market.)

13. The Market hours are: Saturdays, mid-April through mid-November from 8:30 am - 11:30 am, and December – March the 1st and 3rd Saturday9:00 am – 11:00 am. Seasonal opening and closing dates shall be determined by the Maryville Farmers' Market Board of Directors annually.

14. Setup may begin at 7 am on the day of the market. **DO NOT** arrive prior to 7 am, thus giving the Market Manager and the City time to safely clear and prepare the market area.

    Set up must be completed by 8:00. Anyone arriving after 8:00 must contact the Market Manager for direction and may potentially be turned away due to safety concerns for other Vendors and customers.

15. The location of the Saturday Market is in the 300 block of E. Broadway and E. Church Ave, in the Founder's Square parking lot.

16. It is the responsibility of the Member to adhere to all food safety rules and regulations, both on the state and federal level.

17. All produce should be clearly marked and priced (organic items should be clearly and truthfully identified) and free of dirt. Containers and produce should be attractive and clean. Weights should be accurate and overall weight should not include the container. Members should present displays of sound, healthful items in a clean atmosphere.

18. Processed and Prepared Foods shall be properly labeled set out within the guidelines of the Tennessee Food Freedom Act. Products shall be clearly marked and priced. Weights should be accurate and overall weight should not include the container. Members should present displays of sound, healthful items in a clean atmosphere.

19. Any sales tax collection is the responsibility of the Member.

20. Members understand that inclement weather may exist. Inclement weather does not close the Market. We will proceed with the event Rain, Shine, Frigid Temperatures or Snow; unless deemed unsafe.

21. Prices must be fair and similar to like products of other vendors.

22. Due to health and environmental concerns, smoking is not permitted at your booth or in the immediate market area. Please smoke in an area that is away from the public.

23. A copy of the MFM By-Laws may be obtained from any Board Member if desired.

24. Meat vendors who do not raise livestock from birth must adhere to the following guidelines of ownership prior to slaughter to be considered raised. Bovine species, at least 9 months, ovine species, at least 6 months, swine, at least 4 months and poultry must be owned on the 5th day after hatching.

Exclusions

Items listed below shall be excluded from all sales at the Maryville Farmers Market. The Board reserves the right to prohibit other items not stated at their discretion.

1. Alcohol
2. Hemp or hemp-based products
3. Tobacco or tobacco-based products.
4. Any product that the Maryville Farmer's Market Board deems unsafe or unsanitary.

The Maryville Farmers' Market is a not-for-profit organization whose purpose is to give small growers/farmers/producers a retail outlet for their products, including fruits, vegetables, ornamentals, flowers, plants, herbs, and other specialty crops and food products. Oversight is controlled by a Board of Directors, and revenue to support the Market is generated by fundraising, annual memberships, and sales commission. Members must agree to abide by the rules and requirements for membership and the bylaws of the Maryville Farmers' Market and to abide by the decisions of the organization and its Board of Directors. Failure to comply will result in exclusion from the membership.