



Market Rules

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GENERAL RULES:

PROVIDING A FRESH PRODUCT OF FINE QUALITY IS ALWAYS THE GOAL:

Intro

1. The Brookings Farmers Market is located in the south side of the City Plaza parking lot at the Sixth Street and Third Avenue intersection. Vendors may sell directly to the public in accordance with city and state regulations.
2. The City Plaza Management is in agreement with these rules and delegates the Brookings Farmers Market "Market Manager" to enforce these rules on their premises during Market hours.
3. The Market Manager has control over the Market area and activities taking place within it. The manager is to maintain order and cleanliness, start the market, and distribute information to the vendors.
4. Vendors will hold harmless the City Plaza owners, its sponsoring organizations, and its officers and agents. The Brookings Farmers Market carries liability insurance for the market. This insurance covers the sales vendors make, but not the product. It is encouraged that each vendor has their own policy.
5. Two or more board members will jury market items for sale, make booth assignments and meet regularly to address management issues of the market. Any questions should be directed to the Market Manager. Vendors will be invited to an annual vendor spring meeting.
6. Products may reach saturation. Applications will be reviewed by the Farmers Market Board.
7. All vendors must sign a marketing agreement and pay the seasonal fee to participate. Agreements and fees must be submitted by the annual vendors' spring meeting so stalls can be assigned. The Farmers Market Board will assign the market stalls. There will be no deviation on stall assignments.
8. Anyone found parking outside their assigned stall will be asked to leave. At the discretion of the Market Manager, stalls may be reassigned during the year.
9. If a vendor wishes to occupy a stall for only a portion of the selling season, they must notify the Market Manager. The vendor must pay the seasonal fee even if they don't intend to occupy the stall for the entire season.
10. No commercial vendors will be allowed. If vendors are unable to be at market they need to list, on the Vendor Agreement, any person(s) who are allowed to sell at their booth. This person(s) needs to be involved with the production of the product or is sufficiently well informed about the products that they can answer questions as if it were their product.

11. If a vendor sells out early, they may leave before closing, but should notify the Market Manager before leaving. If a vendor is to be absent from a market day they should notify the Market Manager.

Market Area

12. The Market is held from the first Wednesday or Saturday of May through the last Wednesday or Saturday of October. The times of market are: Wednesday from 3 p.m. to 6 p.m. and Saturday from 8 a.m. to noon. Vendors should be set up to start on time. The booths must be manned at all times during market hours. Participants should bring enough product to last until the end of the market day. No selling will be allowed before the start time.
13. Vendors must provide their own equipment, supplies and materials. This might include tables and boards from which to sell their products, supply sacks or other containers for product sales, tent, cashbox, extension cord etc.
14. Selling will be permitted from the back of pickup trucks or tailgates of cars in the parking lot as long as they do not interrupt walking traffic through the lot. Vehicles must be clean.
15. **All vendors must have and display sales tax permit.**
16. Vendors are encouraged to display their names and address at their market table during Market hours.
17. Vendors should provide a clean, hygienic personal appearance to reflect positively on the Market. Vendors should project a positive, friendly behavior during Market hours. Please take note that stall areas must be kept tidy throughout each market day and must be left clean at the end of the Market day.

Selling

18. Vendors may offer for sale articles for human consumption such as vegetables, fruits, nuts, berries, edible raisins, honey, eggs, meats, non-edible handicrafts, pottery, paintings, woodworking products, house plants, and cut flowers. All items sold by a local/seasonal vendor must have been raised, prepared or produced by that seller in Brookings County or South Dakota counties bordering Brookings County.
19. Specific items which may **NOT** be sold are homemade butter, cream, skim milk, open-faced pies and cream pies, home-canned low-acid fruits or vegetables (hermetically sealed containers), home-processed apple cider and other fruit juices, foods that require refrigeration, flavored oils and vinegars, or any potentially hazardous foods.
20. Selling beverages for individual on-site consumption will be the exclusive right of the Brookings Farmers Market. Exceptions to this rule may be made by the Market Board if they choose to allow nonprofit civic organizations to sell products for individual on-site consumption to benefit a community service project.
21. All items for sale must be visibly labeled with prices. Scales need to face the public. It is not our policy to dictate prices; however, it is in the interest of all vendors to price produce fairly. The Market Manager will have a current market price list for produce.
22. Fresh fruits, vegetables, and garden produce do not require approval or licensing by the Department of Health for sale at Farmers Markets.

23. If asked, vendors must be able to provide information regarding pesticides, herbicides and fertilizers used.
24. All prepared foods must be completely covered, wrapped, bagged or boxed. Baked goods must carry a label including the source, phone number and name of the product. Baked goods made in a home kitchen must carry a label that contains the following: the producer, phone number (or street address, website, email), name of product, date the product was made or processed, ingredients listed from the largest to the smallest in net weight or volume, and a disclaimer that states the following, "This product was not produced in a commercial kitchen. It has been home-processed in a kitchen that may also process common food allergens such as tree nuts, peanuts, eggs, soy, wheat, milk, fish, and crustacean shellfish." For labeling, use a print or type size that is prominent, conspicuous, and easy to read.
25. Prepackaged baked goods and two crust pies that do not require refrigeration may be sold. For the protection of the public, soft pies and bakery goods with a custard or cream type filling (pumpkin or pecan, for example) are not permitted.
26. All apiary products or any processed food must be labeled in accordance with state standards.
27. Vendors wishing to sell eggs, meat, raw milk, or other perishable products, must keep the products at an appropriate temperature in accordance with state standards.
28. Home processed acid and acidified foods that are shelf-stable in a hermetically sealed jar are allowed if they meet the following requirements:
 - Have a copy of the letter of verification for each item from an approved third party processor available at all times.
 - Have proper labeling (same as #24)Examples include acid foods - jams, jellies; acidified foods - pickled vegetables, salsas, chutneys, tomatoes (due to growing conditions and varieties, tomatoes have a pH that borderlines low acid, therefore acidification is required); and fermented foods – sauerkraut and pickles.

Management

29. Vendors are not permitted to bring pets, birds, or animals to the Market. Any blind or partially blind person shall have the right to be accompanied by a guide dog, under control and specially trained for the purpose, in any public place.
30. **The Farmers Market shall be a smoke-free and drug-free environment.**
31. No firearms, weapons, or alcoholic beverages or drugs will be allowed in the Market. Anyone disturbing the peace will be asked to leave.
32. No hawking, loud or abusive language is allowed in the Market area.
33. All vendors have the responsibility to notify the Market Manager of any rules violation.
34. **A first infringement of these rules will be handled by a verbal warning from the Market Manager. A second infringement will be handled by a written warning. In the case of a third infringement, the vendor will be asked to leave the market for the season. The vendor fee is nonrefundable.**
35. Questions regarding these rules or a request for other information on the Brookings Farmers Market should be directed to the Market Manager.