

# ATCHISON FARMERS MARKET RULES & REGULATIONS 2021

The Atchison Farmers' Market, Inc. (AFM) sponsors a community farmers' market, as a public service, to provide a place where local growers (Atchison and adjacent counties) can sell healthy, local produce and other foods directly to consumers.

AFM is a Kansas not-for-profit corporation that will provide organizational assistance to producers through its members, including providing advertising and general information, assigning stalls, collecting fees, procuring limited liability insurance (see below under "Insurance"), and acting as liaison with city government and other entities on an as-needed basis. The Market Manager will be available during the market hours to provide assistance and support to producers and customers.

**LOCATION:** On the south side of Main Street between 4th and 6<sup>th</sup> Streets.

## **VENDOR INFORMATION:**

- All vendors must apply to and be approved by the AFM Board.
- Vendors must directly produce at least 90% of the fresh produce they offer for sale at the market. At most, 10% of the fresh produce may be grown by family members or neighbors. Names of producers and a list of products must be submitted with the application form AND approved in advance by the AFM Board.
- Annual booth fees are paid by one business. Two or more vendors may not join together if they are not one business (i.e. name(s) on sales tax certificate, etc.).
- Vendors may be allowed to sell for another vendor who is sick or on vacation, on an occasional basis, with prior approval of the Market Manager. Substitute vendors who wish to continue as a market vendor upon expiration of their temporary substitution must file an application, receive Board approval, and pay the annual fee.
- Vendors may not purchase from wholesalers for retail sales at the Farmers' Market unless approved by the AFM Board in advance.
- Vendors will abide by current Atchison County Health Dept. regulations in regards to Covid-19.

**HOURS OF OPERATION:** First market day: May 15, 2021. Final market day: October 30, 2021. Wednesday markets are from 2:30 PM to 5:30 PM with no sales before 2:30 PM. Saturday markets are from 8 AM to Noon, with no sales before 8 AM. Note: Vendors may sell to each other before the opening market bell rings. The AFM Board reserves the right to change market days/schedules.

**STALL ASSIGNMENT:** Stalls will be assigned to returning season vendors based on their seniority status, as determined by the AFM Board, to those that pay the full season fee by May 1, 2021. All new full season vendors will be assigned stalls on a first come/first served basis who pay the full season fee by May 15, 2021. Completed registration materials and fee should be sent to the AFM address listed on the 2021 Vendor's Application & Agreement Form. Note: One (1) stall equals one (1) parking space. The Market Manager will have a list of reserved and available stalls.

**FEES:** Fees are used to pay for advertising, bookkeeping supplies, insurance, mailings, social media, and notices. At this time, the only fee is for stall reservation. Assessment of additional fees for advertising or other expenses

must be approved by the AFM Board and a majority of season vendors at an AFM Annual or Special meeting. Fees, once paid, will not be refunded for any reason, including loss of privilege.

Following are the AFM Fees for 2021:

- 1 covered stall for season: \$100.00, limit 2 per vendor. May be paid in installments.
- Uncovered stalls for season: \$50.00 each per vendor, limit 2 per vendor.
- 1 stall for single day: \$20.00. After 5 days, full season rate is paid.
- Additional stalls for single day (if available): \$20.00

**PRODUCTS:** Five categories allowed \*\*

<b>Fresh agricultural items</b> such as fruit, vegetables, edible grains, nuts, fresh plants, fresh flowers, eggs and government-inspected FROZEN meat.	<b>Processed foods</b> such as dried fruits and vegetables, honey, baked goods, tortillas, salsa, jams and jellies.	<b>Prepared foods</b> and beverages that can be consumed at the market such as coffee, tea, popcorn, and sandwiches.	<b>Value-added</b> versions of items already produced by vendors such as pepper and herb-infused vinegars (edibles) and goat milk products (non-edibles)	<b>Craft Items</b> No more than 25% of products can be craft items with majority of components from local farm (e.g., potpourri from farm-grown herbs)
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**\*\* It is the individual vendor’s responsibility to comply with *Food Safety for Kansas Farmers Market Vendors: Regulations and Best Practices* booklet for 2021.** The AFM Board reserves the right to disallow any product that may compromise the health, safety, or welfare of AFM vendors or its customers.

**Payment Methods: All Vendors must accept these forms of payment, unless it is an exception.\*\*this column is exception**

<b>SNAP/**DUFB</b>	<b>Chamber of Commerce Gift Card</b>	<b>AFM Gift Cards</b>	<b>Personal Checks Exchanged for \$5 Token</b>	<b>**Kansas Senior Farmers Market Nutrition Program Vouchers</b>
\$1 Tokens SNAP – wooden DUFB – purple plastic	Varying amounts; Redeem at Atchison Chamber of Commerce	\$10	Varying amounts in \$5 increments	<b>Must be trained &amp; authorized by KDHE</b>
Training & Signed Agreement Required No Tax & No Change	Treat as cash Taxed & change given	Treat as cash Taxed & change given	Treat as cash; tax & change given.	\$5 vouchers w/limitations on products they can buy.

The Market Manager uses the EBT card reader for Supplemental Nutrition Assistance Program (SNAP) cards. SNAP card users will participate in the Double Up Food Bucks (DUFB) program, whereby they receive DUFB tokens in the same amount of SNAP tokens, up to \$25 each market day. They will receive wooden \$1 tokens for approved items and purple \$1 tokens for fresh fruits and vegetables only. No tax or change given with SNAP/DUFB tokens.

The AFM Treasurer will collect AFM Gift Cards, EBT, DUFEB, and \$5 wooden tokens every 2<sup>nd</sup> & Last Saturday of the month, during Market Season, for reimbursement to vendors.

**WEIGHTS, MEASURES, AND PRICING:** Items may be sold by the piece, box, or bag. If sold by weight, items should be weighed on annually certified scales. Each vendor sets her/his own prices but is strongly encouraged to remain competitive with other vendors.

**SALES TAX:** Each vendor is responsible for obtaining their own tax registration form and paying their own taxes. Each vendor is **required** to have a Kansas retail sales tax certificate prior to selling at the market. Each vendor is responsible for collecting sales tax of 8.75% (city, county, and state tax) on products sold and paying it to the State of Kansas. Sales tax registration forms are available by contacting the Kansas Department of Revenue (915 SW Harrison, Topeka, KS 66612) at their website: <http://www.ksrevenue.org/forms-btsales.html> Complete form CR-16 and send in to the KDOR at the above address.

**INSURANCE:** AFM has limited general liability insurance to cover the vendors who have paid stall fees. This does not provide product liability insurance. Vendors are responsible for their own product liability insurance.

#### **GENERAL GUIDELINES:**

- Vendors should dress, speak and present themselves in a professional manner. They and any assistants are prohibited from smoking, vaping, and using any illegal substance or alcohol while at the market.
- Cleanliness: Vendor's personal and booth appearance are very important to the success of the market. Vendors are expected to keep their stalls neat and clean and produce should be clean and kept cool. Produce to be discarded should be placed in the city trash containers near the viaduct.
- No dumping of products: To show support to the community of AFM vendors, and to preserve the relationship of the market value to the high quality of produce offered at the AFM, the practice of "dumping" produce is prohibited. Dumping is defined as selling product for less than fair market value. Only products accurately labeled "seconds" or "Number 2" are permitted to be sold at a lower price than first quality produce. No damaged or spoiled items may be offered for sale.
- Out of respect for others, there shall be no hawking or badgering customers or visitors to the market by any vendor. Hawking shall be defined as shouting or other aggressive behavior exhibited by a vendor to attract traffic to that vendor's booth or products.

**ENFORCEMENT:** Vendors are expected to comply with AFM Market rules and regulations. AFM has the right to visit the growing or production location of any vendor. AFM retains the right to withdraw the privilege of selling at the market for serious violation of the above guidelines. In cases of minor violations, the Market Manager will give a verbal warning and a reoccurrence will result in loss of privilege to be a part of the AFM. If the vendor disagrees with this decision, they have the right to file a written notice (within 10 days) asking for an appeal hearing from the AFM Board. The Board shall hear this appeal within 15 days after receipt of the notice. However, *it is our hope and expectation that there will be a high level of cooperation among vendors*

Completion and signing of the Vendor's Application and Agreement Form 2021 signifies that the vendor has read and agrees to follow the above guidelines.

**Please keep these Rules and Regulations for your reference.**