

# Matthews Community Farmers' Market Rules

These rules are intended to be fair and to uphold the purpose of the market. Matthews Community Farmers' Market Inc. (a non-profit organization run by farmer members) oversees the operation of the market. Its board of directors may modify or add to these rules at any time to better serve the market's interests.

**TIME AND PLACE:** Saturdays year-round. Early April through November: 8 am till noon. December through early April: 8am to 10am. Exact dates are set each year by the farmers involved. Market operates on the green spaces on North Trade Street and Cotton Gin Alley in Matthews, NC.

## WHO CAN SELL AT MARKET

1. Vendors are permitted at the discretion of the board of directors.
2. Farmers (growers)
3. Fishermen/watermen
4. Bakers
5. Makers of specialty consumable products, including value-added cheese makers
6. Food truck or cart operators approved by the market management
7. Makers of old-fashioned, handmade and/or farm crafts. Jewelry-making is not considered a farm craft.
8. All sellers must reside and produce items they sell within a 50-mile radius of Matthews, except for North Carolina fishermen who must meet specific standards set out in these rules.
9. Sellers must be the **original producers (or family members of producers)** of all items being sold. However, circumstances may arise that necessitate a seller to send an employee to market on limited occasions to sell instead. This employee should have a basic knowledge and understanding of the products in order to advise customers on a temporary basis. Vendors must get permission from the market manager in advance to be granted an exception. Exceptions will be granted on a limited basis. Definition of "Original Producer":
  - i. The primary business owner/s.
  - ii. A well-established employee or minor co-owner who is sufficiently involved in the production process and who has the required knowledge to properly advise customers.
10. No buying or reselling of any products is allowed. The sale of any product not grown or produced by any member will result in immediate termination of membership. Market management reserves the right to inspect any member's farm or business to determine whether the member is, in fact, producing all that he or she is selling at the market.
11. Market management reserves the right to prohibit anyone from selling at the market.

## PRODUCTS WHICH CAN BE SOLD AT MARKET:

1. All products are reviewed on a case-by-case basis at the discretion of the board of directors.
2. Vegetables grown by the seller from seeds, sets or seedlings
3. Fruits, nuts or berries grown by the seller from trees, bushes or vines on the seller's farm
4. Seeds harvested by the seller from plants grown on the vendor's premises.
5. Fresh cut or dried flowers and herbs grown by the seller from seeds or seedlings
6. Mushrooms grown on the seller's property.
7. Dried vegetables, fruits or mushrooms grown by the seller on the seller's farm or purchased from a market grower.
8. Plants grown by seller from seed, seedling, transplant or cutting that are well established in their current container.
9. Bulbs propagated by the seller.
10. Eggs produced by the seller's poultry.
11. Honey and bee products produced by the seller's bees.
12. Meat (frozen or fresh) from animals raised on the vendor's premises.
13. Compost produced by the seller that was produced on the seller's farm.
14. Fresh hand-caught salt water fish landed in NC by the appropriately licensed seller who caught them.
15. Value-added farm products:  
Products which are made primarily from ingredient/s sourced from the vendor's own farm/property. Including, but not limited to:

- Meat products made from raw ingredients e.g. cured meats processed by an inspected facility with the proper permits, e.g. salami
  - Frozen fruit or dairy-based products e.g gelato
  - Cheese
  - Stock and bone broth
  - Preserves, pickles, relishes, jams and jellies – these vendors may be granted “farmer” status at the discretion of the board members. .
16. Fresh (never frozen) baked goods, candies and confections made by the seller.
17. Prepared Foods:  
Products made primarily from ingredients not grown/raised by the vendor. Every effort should be made to use ingredients that are sourced locally or purchased from MCFM vendors. Including, but not limited to:
- Artisanal cheeses made from milk purchased from small North Carolina dairy farms.
  - Chef-Prepared foods
  - Fresh and frozen pastas
  - Preserves, pickles, relishes, chutneys
  - Jams and jellies
  - Sauces
  - Salsas, pesto, dips, salad dressings
  - Stock and bone broth (frozen)
  - Freshly prepared food and beverages made in inspected and permitted food trucks or carts
18. Unpasteurized and fermented beverages.
19. MCFM considers Kombucha to be a natural, fermented product that should meet the following standards:
- i. Should undergo a minimum 21 day fermentation process.
  - ii. Should only contain the following sweeteners: plain white sugar, evaporated cane juice, brown sugar, honey, agave.
  - iii. Should not contain artificial colors, preservatives, artificial ingredients, including certain “natural flavorings”, food stabilizers or artificial sweeteners, as determined by the board. High fructose corn syrup and Stevia are not permitted.
  - iv. It is highly recommended to use fresh, pressed, local fruit and vegetable juices when possible and to avoid fruit powders.
  - v. Glass bottles are recommended but not required.
20. Old-fashioned farm crafts or old-fashioned handmade crafts.
21. A vendor may sell their own branded merchandise, limited to no more than three separate branded items. Merchandise must be in appropriate proportion to their overall inventory.

**PRODUCTS WHICH CANNOT BE SOLD AT MARKET (includes, but not limited to)**

1. Sprouts
2. “Low acid” canned foods such as green beans, corn, peas, carrots etc.
3. Internal use medicines (i.e. tinctures)
4. Pet food
5. Water/Aquatic plants
6. Live animals (sold or given away)
7. Jewelry

**FARM OR BUSINESS INSPECTIONS**

The sale of any product not grown or produced by any member will result in immediate termination of membership. Market management reserves the right to inspect any member’s farm or business to determine whether the member is, in fact, producing all that he or she is selling at the market.

**MEAT, POULTRY, FISH, EGG AND FARMSTEAD CHEESE:**

See our separate Meat, Poultry, Eggs, Cheese and Fish Guidelines.

**REQUIREMENTS FOR VALUE ADDED PRODUCTS, BAKED GOODS AND PREPARED FOODS:**

1. Vendors of these products must abide by all applicable federal, state and local health regulations, including the required inspection of the seller's kitchen. Copies of pertinent inspection forms and permits must be filed with the market manager.
  - i. Baked goods, jams, jellies and preserves can be produced in a home-based kitchen which must pass an NCDA kitchen inspection. (<http://www.ncagr.gov/fooddrug/food/homebiz.html>)
  - ii. Products requiring refrigeration must be produced in a non-home based, inspected commercial facility. An FDA or USDA inspected commercial kitchen may be required in some cases.
  - iii. High acid or acidified foods (pickles, chow chow, relishes, tomato products, etc.) may be sold if the seller has passed the FDA certification course.
  - iv. Unpasteurized and fermented beverages (including kombucha, juices and syrups): must be prepared in an NC inspected kitchen and submitted to quarterly laboratory testing for bacteria, alcohol and/or acidity levels, as prescribed by the NCDA.
  - v. Vendors who are South Carolina residents must meet SC state and local health regulations. Any food items made for public sale cannot be manufactured in a SC home kitchen. ([http://www.scsfa.org/getting\\_started.pdf](http://www.scsfa.org/getting_started.pdf)).
2. Raw meat must be frozen and stored in a cooler.
3. All baked goods must be fresh (made within 24 hours of market day) and be prepared from scratch (no commercially prepared dough mixes, crusts/shells or fillings).
4. All federal, state and local packaging and labelling regulations must be observed:
  - i. Fresh Value-Added Dairy: Must be packaged in individual containers and kept appropriately chilled at market. Container labeling must state that the fresh foods should be promptly refrigerated, have a limited shelf life, list ingredients, net weight, business name, address and phone number.
  - ii. Baked Goods: Self-service items must be individually wrapped and labelled with the producer's name, contact information and list of ingredients. If too warm to wrap, they must be covered and protected from the environment at all times.
  - iii. Unwrapped baked goods handed out directly to customers and sold from clean covered bulk containers are not required to be packaged and labelled, but an available list of ingredients is recommended. Clean tongs or other utensils, single-use gloves, or single-use wax paper sheets should be used to place the baked goods in a clean, unused bag or container, or handed directly to the customer. Consumers are not allowed to self-serve from covered bulk containers.
5. Samples:
  - i. Vendors may offer customers samples of their products, but safe food practices must be followed.
  - ii. Wash hands thoroughly before cutting samples or wear single-use gloves.
  - iii. Wash product, then cut samples with a clean knife.
  - iv. Product samples must be put on a container set in ice or on a cold pack and should be covered in some way. Hot samples must be kept hot. If these are heated at the market, any pans or other appliances should be kept behind the vendor and out of the reach of customers.
  - v. Use toothpicks, tongs or sample cups to serve individual samples.

## REQUIREMENTS FOR CRAFTS

1. Old-fashioned handmade *farm* crafts are those produced mostly from materials grown or harvested by the crafts person (dried flower wreaths, goats milk soap, etc.)
2. Old-fashioned *handmade* crafts are made from materials not produced or harvested on-farm (hand shaped pottery, baskets, forged items, carved wood items, etc.)
3. Must be a product of a home or cottage type industry, made by the vendor or a member of the vendor's family, be of excellent workmanship and reflect originality of design.
4. Unacceptable items would be, but are not limited to, jewelry, paintings, photographs, postcards, prints, printed materials, ceramics or pottery from commercial moulds, wood carvings using duplicating machines, kits of any form or any other items which clearly do not reflect originality of design.

## MISCELLANEOUS RULES:

1. The market maintains a ratio of **70% farmers to 30% bakers**. Fishermen, sellers of specialty consumable goods and sellers of homemade, farm-oriented crafts are excluded from the above ratio.
2. Farmers may sell baked goods and still be considered growers as long as at least 75% of their sales are from products they have grown.

3. Bakers who sell produce they have grown will still be considered bakers as long as 75% of their sales are from baked goods.
4. Farmers and bakers may sell a small percentage of other consumable products or homemade farm crafts (as defined under the "What Can Be Sold At Market").
5. All produce must be of top quality, to be determined by the market manager.
6. Market approval for one item does not grant approval for additional items. Market members wishing to sell a new category of product for which they were not originally approved must get their product approved by the board of directors before bringing it to market.
7. Only USDA certified organic growers may display signs using the word "organic."
8. Pre-ordered items being sold must also comply with market rules.
9. Vendors may not smoke on the market site.
10. No concealed or open carry firearms are allowed on market site.
11. Vendors are expected to conduct themselves in a courteous and respectful manner when dealing with customers and other vendors. No "hawking" of products, distraction of customers from another vendor's booth, or disparaging of another vendor's goods will be tolerated.
12. Each vendor is required to show proof of adequate liability insurance. In the event this would cause undue hardship, the issue would be considered subject to the board members' discretion..
13. Any injury suffered while on the premises is not the responsibility of the farmers' market.
14. Children must be supervised by an adult at the vendor's booth and may not wander the grounds. The market can take no responsibility for their safety or whereabouts.
15. Other than market-sanctioned community outreach programs, the market does not allow solicitations for products, services or charitable contributions on market grounds. The market also does not allow any local non-profit groups to use the market to promote their causes or activities. The market is not a forum for political, commercial or religious activities.
16. While the market does not offer exclusive rights to any one vendor to sell any one product, duplicate products can be denied entry into the market if the Board of Directors believes the number of vendors offering the same or similar products is excessive.
17. New Members: New vendors are accepted into the market on a temporary status, pending a second review and a second farm inspection conducted during the height of the growing season. Upon review, board members may revoke a grower's temporary membership, extend the probationary period or grant full acceptance as a market member.
18. Returning Members: Market management must know how many committed vendors it will have for the upcoming season to determine space available for new applicants. Returning members can renew their commitment to the market and secure booth space for the upcoming season with the timely payment of the annual membership fee and attendance at the market's annual vendor meeting in March. Attendance at this meeting is required.
19. Vendor Meetings: Adequate notice is given to every vendor of the meeting time, date and location.
20. Vendors whose fees are not received by the opening day market date will NOT be assured a selling space. Short-season vendors (selling between 1 and 10 weeks) must make arrangements with the market manager to reserve a selling space.
21. All regular season market rules are in force during the Winter Farmers' Market. Only vendors accepted to sell at the market's regular season market may sell at the Winter Farmers' Market.

## **MARKET MEMBERSHIP AND ATTENDANCE:**

### **Full-Time and Half Season Members:**

1. Sold at the market for 15 weeks or more during the previous season.
2. May reserve one or more permanent selling spaces for the season, as space permits, upon payment of their annual membership fee.
3. Are committed to the same booth space/s for the continuation of the main season.
4. Are responsible for booth fees pertaining to that period, irrespective of attendance. No refunds will be given for absences.
5. With respect to rules 3 and 4, the board members may, in their discretion, make an exception in unusual circumstances.
6. Are expected at market every week and must notify the market manager by 8 pm on Thursday if they **WILL NOT** attend the Saturday market.
7. Family emergencies and illnesses will be considered when cancellations are made. However, a telephone call to the market manager explaining the situation is still required.

8. Any vendor repeatedly absent will receive a written warning and placed on probation by the board of directors. Further infractions may result in loss of membership.
9. Winter market attendance is excluded from the above requirements.

### **Occasional Members**

1. Those who sold at the market for less than 15 weeks the previous season.
2. These members must reserve their space on a weekly basis by contacting the market manager by 8 pm on Thursday if they **WILL** attend the following Saturday so a space can be assigned and held for them.
3. If these vendors neglect to call, they will have to take whatever selling space remains, if any. Space assignments are for market day only and may vary from week to week.

Any market member who does not sell at market at least twice during the regular season must reapply as a new member applicant the following season. There will be no guarantee of reinstatement.

### **MARKET DAY RULES**

1. The market manager is responsible for all space assignments.
2. Please call the market manager at 704-488-4763 (cell) on market day if unavoidably delayed.
3. **Main market vendors** must arrive and be set up by the opening bell or their space may be reassigned. Sellers may drive their vehicles into the market site to unload between 6:30 and 7:30 am. The unloading process should take place as quickly as possible. Vendors arriving after 7:45 am must hand carry items to their booths. Sellers must provide their own tables, chairs, tablecloths, displays, signs, bags and all other necessary items for their booth. The market provides tent space only.
4. Vendors may not begin selling to customers until the market bell rings at 8 am. Items may be reserved but not paid for.
5. **Parking for main market vendors:** These vendors must park in the Town of Matthews public parking lot near the railroad tracks across North Trade Street or on any available spaces on Charles Street above N. Trade Street. No parking is permitted behind Renfrow Hardware or in spaces reserved for other businesses. These areas are for drop off and pick-up only. We also ask that vendors do not park on Charles Street between Cotton Gin Alley and N. Trade Street, as these spaces are needed for the businesses directly across. If a seller must pack up during market hours, the rear Renfrow parking lot or rear driveway into the market should be used to quickly load. Members may not move their vehicles in or out of the market when it would endanger people in the shopping area. Vendors must obtain permission from the market manager before moving a vehicle onto the market grounds before closing time.

### **SIGNS AND DISPLAYS:**

1. Market sellers must display an attractive, easy-to-read sign with their farm or business name and location. This sign must be brought to market by the member each week and displayed in a prominent location at the member's selling space.
2. Members must post prices for all items. Prices should be fair market value. Cooperation, not competition, is encouraged in pricing.
3. Each grower may post the growing practices used for his or her produce. Certified organic growers are responsible for clearly labeling themselves as such and must have a copy of their current certificate available for inspection.
4. A seller may not post any sign that advertises for sale a product that the given seller cannot legitimately sell at market.
5. Displays and signs must allow clear visibility to adjoining booths. Display and selling techniques must not impair other vendors' ability to sell, nor create a hazardous situation for customers.
6. Vendors may display printed promotional materials for enterprises or events related to their farm or business.
7. Vendors may not solicit donations for any fund-raising project, including their own.

### **TAILGATE AREA:**

All regular market rules are in effect. In addition, these tailgate market rules apply:

1. Tailgate spaces will be assigned at the beginning of the season. Vendors will be asked to cooperate if adjustments are needed to accommodate any absences. Tailgate vendors must arrive no later than 7:30am.

2. Vendors' vehicles are limited to pick-up trucks, vans and cars, which must be operated in a safe and responsible manner. The market is not liable if vehicle damage is incurred for any reason.
3. Vendors will not be permitted to turn on vehicle radios or audio systems during market hours.
4. Each selling space shall be 10' x 10', with a vehicle no more than 25 feet long parked at the rear.
5. Each tailgate market member is required to bring his or her own white 10' x 10' pop up tent, table, displays, signs, etc. Vendor company name or logo will be allowed on tents, but no other name or advertising will be allowed. Tents should be clean and attractive
6. Tailgate vendors may not leave early during market without informing market management. The market manager will oversee vendor early departures so they are conducted in a safe manner.
7. All vendor property (tent, signs, tables, etc.) must be removed in a timely manner, including any litter, after each market.

#### **FOOD TRUCKS:**

1. Food truck parking is limited to a designated area.
2. A portion of food ingredients must be sourced from market vendors.
3. Coffee sold from carts or trucks should be locally roasted.
4. At least one trash can must be provided for paper and food waste and must be removed at the end of each market session.
5. Vendors should be truck or cart owners if possible.
6. Food trucks may not stay on site after market hours

**Failure to comply with market rules may result in termination of membership with no refund of fees.**

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