



Lowell Farmers' Market Rules

OVERVIEW

All participating vendors are subject to the Operation Guidelines approved by the City Council. In addition, each vendor must agree to the following market rules, which may be changed time to time by the Farmers Market Committee.

The Lowell Farmers' Markets' primary mission is to encourage, support, and promote the entrepreneurial efforts of local, independent, and small-scale farmers seeking to sell farm products directly to the consumer and operating independently from large corporate or factory farms. Inherent in this mission is serving the community and the consumer who benefit from the availability of these farmers' products. Secondary goals are to educate the consumer about the many benefits to the individual, the community, and the environment of buying locally produced food, and to enhance and enrich the community and culture of Lowell.

1. TIME AND PLACE

The Lowell Farmers Market is open from 4:00 p.m. to 8:00 p.m. on Fridays, May through the Friday before Thanksgiving in November. (The precise dates may vary slightly each year, depending on other activities downtown and the availability of the space). Exact dates will be posted on the Lowell website at www.lowellinc.com. The Farmers' Market is located at Second Street beside the Masonic Lodge.

2. WHO CAN SELL: Market vendors are limited to those with approved applications from the Committee.

PLEASE NOTE: All sellers must reside and produce items they sell within a 100-mile radius of Lowell. Sellers must be the original producers (or family members of producers) of all items being sold. No buying and reselling of produce or other products are allowed.

3. WHAT CAN BE SOLD AT MARKET:

1. Vegetables grown by the seller from seeds, sets or seedlings
2. Fresh cut or dried flowers and herbs grown by the seller from seeds or seedlings
3. Fruits, nuts or berries grown by the seller from trees, bushes or vines on the seller's farm
4. Plant grown by the seller from seed, seedling, transplant or cutting
5. Bulbs propagated by the seller
6. Eggs produced by the seller's poultry
7. Meat (frozen) from animals raised on the vendors' premises.
8. Cheese (farmstead or artisanal) made on the seller's property all or partly made from animals raised on the seller's premises.
9. Honey produced by the seller's bees
10. Fresh (never frozen) baked goods made by the seller.
11. Candies or confections made by the seller.
12. Preserves, pickles, relishes, sauces, vinegars, jams or jellies made by the seller.
13. Fresh prepared foods (i.e. salsas, pesto) must be made largely from ingredients grown by the seller.
14. Frozen dairy products.

15. Crafts that are handmade and made by the vendor selling them and are not items from kits.

The City of Lowell may designate certain Fridays as a Carrier Market. On those days designated as a Carrier Market, vendors will be allowed to sell produce without limitation as to where such produce was grown. Reservations for the carrier market must be made by 8:00 am the day of the market with the Market Operator. The Carrier Market shall be called the Carrier Market.

4. *WHAT CANNOT BE SOLD AT MARKET:*

1. Fish
2. Cooked or preserved meats
3. Dairy-based fresh foods not made from animals raised on seller's premises.
4. "Low acid" canned foods such as green beans, corn, peas, carrots etc.
5. No internal use medicines (i.e. tinctures)
6. Pet food

5. OTHER GENERAL OPERATING RULES

No animals may be sold or given away at the market.

All produce must be of top quality, to be determined by the market operator. Only USDA certified organic growers may display signs using the word "organic."

Any vendor selling meat or dairy products regulated by the NCDA and/or USDA are responsible for satisfying any regulatory requirements before selling that product. Meat sellers must have a meat handler's license obtained from the NCDA Division of Meat and Poultry. Vendors must file a copy of NCDA Form MP-2 (Registration of Poultry and Meat Handlers) with the market operator and keep a copy of this license with them at all times while selling at the market. Vendors must inform the market of any change in licensing status immediately.

Meat must be kept frozen in a cooler equipped with a thermometer. Product labels must include product name, statement of ingredients, inspection legend applied by the processor, net weight, farm name and address and a safe handling statement applied by the processor. Meat handlers may not open packages, re-label products, repackage products or apply net weights. No water or ice that comes in contact with meat may be deposited or allowed to drain onto the market premises.

No cooked or preserved meats may be sold. Additionally, vendors may not offer cooked meat products for sampling.

Cheese vendors must comply with state dairy ordinances. Cheese sellers must have proper certification and the producer must supply the market manager with documentation of such compliance. Cheese must be made on the seller's premises and must include milk from animals raised by the seller. Cheeses must be kept properly chilled on the market premises.

All prepared food items, baked goods, meat and cheese sold must meet state and local health regulations.

Fresh prepared foods must be packaged in individual containers and kept appropriately chilled at market. Container labeling must make it clear these fresh foods should be promptly refrigerated and have a limited shelf life. Labeling must list ingredients, farm name and phone number.

Baked goods must be fresh (i.e., made within 24 hours of market day). Baked goods must be prepared from scratch (no commercially prepared dough mixes, crusts/shells or fillings). Baked goods must be individually wrapped or, if warm, must be covered and protected from the environment at all times.

It is recommended that each vendor carry liability insurance and provide an insurance certificate to the City when insurance is obtained.

The market will seek to maintain a ratio of 70% farmers to 30% bakers. Sellers of specialty consumable goods are excluded from the above ratio. Farmers and gardeners may sell baked goods and still be considered produce growers as long as at least 75% of their sales are from farm produce. Bakers who sell produce they have grown will still be considered bakers as long as 75% of their sales are from baked goods. Farmers and bakers also may sell a small percentage of other consumable products or homemade farm crafts (defined below under the “What Can Be Sold At Market”)

While the market does not offer exclusive rights to any one vendor to sell any one product, duplicate products can be denied applications for the market if the Committee in its discretion believes the number of vendors offering the same or similar products is excessive.

No reselling of any products is allowed. The sale of any product not grown or produced by any member will result in immediate termination of Lowell Farmers’ Market participation. The City reserves the right to inspect any member’s farm or business at anytime to determine whether the member is, in fact, producing all that he or she is selling at the market.

There will be an annual vendor meeting in late March. Attendance at this meeting is required. Adequate notice will be given to every vendor of the meeting time, date and location. Vendors whose fees are not received by the annual meeting date will NOT be assured a selling space. Short-season vendors (selling between 1 and 10 weeks) must make arrangements with the market operator to reserve a selling space.

6. FEES: Participation

Annual Market Fee - \$25 (\$15 for Lowell residents). This fee is due and payable at or before the market’s annual vendor meeting in late March. Each regular vendor must pay this fee to assure a selling space in the market for the upcoming season. (Individuals may share booth space and business name but must pay individual participation fees.)

Refundable Workday Fee - \$10. This fee is due and payable at or before the annual vendor meeting. The fee will be refunded if the seller participates in the designated spring workday to prepare the market site for the upcoming season.

Fees can be paid prior to the meeting by mailing a check (payable to the City of Lowell) to City Hall.

Weekly Booth Fee - \$10 (\$5 for Lowell residents) for a single-space booth (1/3 of a permanent tent) if paid on a weekly basis.

Regular vendors can get a lower booth fee rate in exchange for prepaying in full at the beginning of the season. **All prepaid booth fees must be paid on or before the market’s opening day to qualify.** Prepaying for one space for **30 weeks earns a 20% discount (\$8 x 30 = \$240).**
Prepaying for one space for **15 weeks earns a 10% discount (\$9 x 15 is \$135).**

Short season (occasional) vendors who sell less than 10 weeks per season pay a **\$15 fee** per booth space

each Friday they sell, but pay no membership or workday fees.

7. SET UP ON MARKET DAY:

Vendors must arrive at market and be set up by 4:00 pm or their space may be reassigned. Please call the operator between 3:00pm and 4:00pm on market day if unavoidably delayed. The market operator is responsible for all space assignments.

Sellers may drive their vehicles into the market to unload. The unloading process should take place as quickly as possible because of the large number of vendors needing access to the site. **All member vehicles must be moved to the designated parking area before the market opens at 4:00pm.** Sellers must provide their own chairs, tablecloths, displays, signs, bags and all other necessary items for their booth. The City will provide tables and tents.

Vendors may not begin selling to customers until the market opens at 4:00pm.

8. MARKET ETIQUETTE:

All vendors are expected to conduct themselves in a courteous and respectful manner in 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. Each seller is responsible for cleaning up the area around his or her booth. No smoking, please.

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.

9. SIGNS:

Members 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 vendor each week and displayed in a prominent location at the vendor’s selling space. Vendors must post prices for all items. Prices should be fair market value. Cooperation, not competition, is encouraged in pricing. Each grower may post the growing practices used for his or her produce. Certified organic growers, however, are responsible for clearly labeling themselves as such and must have a copy of their current certificate available for inspection.

Anyone who fails to comply with the above rules may have his or her participation terminated with no refund of fees. The City reserves the right to prohibit anyone from selling at the market in its sound discretion.

Read, understood and agreed to this the _____ day of _____, 20_____.

Participating Vendor Signature

Participating Vendor Printed Name

Lowell Farmers' Market New Vendor Application

Thank you for your interest in Lowell Farmers' Market.

Please read the accompanying operating guidelines and market rules, completely fill out this application form and mail it along with a self-addressed, stamped, business-size envelope to the Lowell City Hall. You will be notified by mail using the envelope you include or e-mail regarding acceptance or rejection of your application. Your application will be reviewed by the Committee to determine if your product(s) comply with market rules and how your product(s) fits with the needs of the market.

Vendors must attend the market's annual participation meeting in late March and pay their annual membership and tent fees (make checks payable to the City of Lowell) at that time. Vendor's participating may begin selling at the first market of the season. *Questions? Call the Market Operator at 704-824-3519.*

Farm or Business Name _____

Names of owners _____

Home phone number _____ cell number _____ e-mail _____

Mailing Address _____

Physical Location of Farm Operations (Please Attach Directions):

Names of helpers who may assist you at market _____

When do you intend to start selling? _____ How many weeks do you plan to sell? _____

Briefly describe the produce or product (s) you plan to sell at the market

How much area do you have in production? _____

How long have you been gardening or farming? _____

Do you sell at other farmers' markets in the area? _____

How do you currently market your products? _____

How does Lowell Farmers' Market fit into your marketing plans?

I acknowledge I have been provided with a copy of the operating guidelines and market rules governing the operation of the Lowell Farmers' Market and I will abide by these guidelines and rules. I further agree to allow representatives of the market to visit the premises where the products I intend to sell are produced.

As a condition of participation, I agree to release and hold harmless the City of Lowell and its Directors, officers, employees, agents, contractors, and volunteers from all claims relating to property damage or personal injury arising from my participation in the market. I assume all risk of liability and will indemnify the City for any claims and damages.

Vendor Name

Printed Name

Signature of Vendor

Date

Please mail application along with a self-addressed, stamped, business-size envelope to:

**City of Lowell
Attention: Farmers Market
101 W. First Street
Lowell, NC 28098**

-----**For market use only**-----

Application received by _____ **Date** _____

Site visit made by _____ **Date** _____