

Poulsbo Farmers Market Policies (revised 12/15/14)

The PFM has two primary goals: to provide an outlet for Washington State's farming families to direct-sell their farm products and to provide farm-fresh food for consumers in a fun, safe, honest environment.

I. CONTACT INFORMATION

Poulsbo Farmers Market (PFM)
PO Box 465
Poulsbo, WA 98370
info@PoulsboFarmersMarket.org
www.PoulsboFarmersMarket.org
360.779.6720

II. LOCATION & OPERATION

The site of the Poulsbo Farmers Market ("Market" or "PFM") is the Poulsbo Village Medical and Dental Center parking lot located at the corner of 7th Avenue NE and NE Iverson St. in Poulsbo. This location is close to downtown Poulsbo and just 2 blocks off of Hwy 305. Ample parking is available within the Medical/Dental Center complex and there is additional parking across 7th Avenue.

Market operations are managed by a Market Manager and Market Staff. The PFM Board of Directors ("PFM Board") is responsible for the guidance of the market and provides oversight and direction as needed. The Market Manager has the responsibility of interpreting and enforcing PFM Rules and Policies and has the authority to grant exceptions on an individual basis for just cause. Decisions may be appealed to the PFM Board, in a timely manner, as per the PFM appeal process.

The PFM Bylaws, Policies and Rules are intended to provide clarity of mission and vision and are the guiding documents of the PFM.

III. DATES AND TIMES

The Poulsbo Farmers Market is open to the public on Saturdays from 9:00 am to 2:00 pm, beginning the 1st Saturday in April, through approximately the 3rd Saturday in December. See application for exact dates. Hours may be amended as needed.

IV. BOUNDARIES AND ELIGIBILITY

What is NOT Allowed at the PFM:

- No Second Hand Items (Exception: Those vendors who take a second hand item and recycle that item intended for a new use.)
- No Franchises: Those who have entered into an agreement or received a license to sell a company's products and/or use a company's packaging, logo, ingredients, and/or marketing tools under that license or any franchise agreement.
- No Non-Owner Operated Businesses: Only those businesses that are operated and controlled by their Washington State-based, or border county-based, owners are permitted.
- No Out-of-State Processing: All processed products sold must be processed within Washington State.
- Items that are made, grown, caught, produced or created outside of Washington State and/or its surrounding waters.
- Re-sale of pre-finished plants. Plants must be grown from seed, plug, cutting, bulbs or bare root- transplants must be established to the point where the roots fill the pot and hold fast when gently tested.

What Is Allowed at the PFM?

Farmers

One who raises produce, plants or botanicals, or animals on land they own, lease or rent, in the State of Washington or border counties. The definition of Farmer may also include someone who processes produce, fruit, berries, botanicals, meats, honey, etc., which is grown, raised, or harvested on their own, leased or rented property, in the State of Washington or border counties and then turned into value added product(s) such as jams, cider, salsa, vinegars, alcoholic beverages, essential oils or any other botanical use. It may also include Farmers who raise the basic ingredient(s) of a product, but who must send it out for fundamental processing, either within Washington State or border counties, before creating the value added product. Such Vendors might include those Farmers selling certain essential oils, smoked meats or fish, etc. This excludes Resellers or those who might work on, or manage a corporately owned farm and have permission to dispose of surplus product.

1. SEAFOODS: In the case of seafood, the vendor must own, lease, or operate the fishing vessel or own, lease or rent the parcel of land where

the seafood is caught or harvested.. The vendor must be a legal resident of the State of Washington.

2. **ALCOHOLIC BEVERAGES:** Alcoholic beverages must be made entirely from ingredients grown in Washington, or from grapes grown in a recognized Washington appellation, except for certain additives required for processing which cannot be produced in the State of Washington, not amounting to more than 5% of the total volume of the beverage .

Farmers receive highest priority in stall placement and participation at the market.

Processors

One who sells foods that they have personally prepared or processed on property that they own, lease, or rent in the State of Washington. Processors are persons offering fresh food products (such as meats, seafood, ciders, wines, baked goods, jams, nuts, etc.) that have added value to their product through some sort of “hands-on” processing (e.g., hand-filleted fish, smoked or butchered meats, handmade candies/nuts, etc.), but have not raised the ingredients themselves. All Processors must meet all Federal, State, County and local Health Department requirements. All appropriate permits and licenses must be submitted and filed with the Market Manager. Processors must produce their products in Washington State only.. Processed food producers should use ingredients from Washington State farms or waters as much as possible, and will be given stall preference.

1. **SEAFOODS:** In the case of seafood vendors, the product must originate from the greater Pacific Northwest, which includes Washington, Oregon, Alaska and British Columbia.
2. **ALCOHOLIC BEVERAGES:** Alcoholic beverages must be made entirely from ingredients grown in Washington, or from grapes grown in a recognized Washington appellation, except for certain additives required for processing, but which cannot be produced in the State of Washington, not amounting to more than 5% of the total volume of the beverage.

Prepared Food

Prepared Food vendors (Concessionaires) offer freshly made foods, available for sale and immediate consumption on-site at the PFM. Prepared Food vendors shall submit and also possess and maintain all required State, County, and local Health Department permits. All appropriate permits and licenses shall be filed with the management of the market. Prepared Food vendors should use ingredients produced in Washington State as much as possible. Further, when selecting Prepared Food vendors, the PFM encourages a good variety of

healthy foods and gives preference to those vendors using ingredients produced in Washington State only.

Artisans/Crafters

One who creates with their own hands the products they offer for sale.. To qualify as an Artisan/Crafter, a majority of the tools and equipment used to produce their products must require skill, personal handling and/or manipulation. Artisans/Crafters should incorporate materials grown or produced in Washington State as much as possible and create their products in Washington State only.

A maximum of 20% of the actual and/or projected vendor count may be made up of artisan/crafter vendors in any given season.

Resellers

RESELLING IS CURRENTLY PROHIBITED.

Reselling product without approval or passing re-sold produce off as their own will result in expulsion from the Poulsbo Farmers Market.

The PFM Board and/or Market Staff has the discretion to limit the types and number of resellers and the products and amounts they offer for sale on each and any Market day.

One who buys produce from farmers in Washington State, transports it to market, and resells it to the consumer. Resellers have strict criteria to follow:

1. Resellers are expected to be the only stop between the grower and the consumer. The product they buy must not come from shippers, warehouses, jobbers or wholesale distributors.
2. They must not sell any produce not grown in Washington.
3. They may sell any produce they grow themselves on their own property (see Farmers).
4. Resellers are sellers of crops that cannot be grown reliably, or are not offered for sale in sufficient quantity.
5. Resellers must have all crops pre-approved by the Member Market's governing body before delivering the crops to market for sale. Approved, resold crops must be specifically limited, so as not to compete with the crops of Farmers within the geographic vendor boundaries of the PFM, as defined by the Market's policies and by-laws.

6. All Resellers, or Farmers, must label their products as being resold if they are not selling products which they have grown, raised, or harvested themselves on property that they own, lease, or rent .
7. All information declaring which products are resold must be available and displayed for the consumer to easily read. Signage must clearly state which farm(s) produced the products; other terms synonymous with “resold” may be substituted.
8. Resellers must be Washington residents.

Resellers are sellers of produce that cannot be grown reliably or offered for sale in sufficient quantity by farmers selling at the Market, as determined by the PFM Board. Resellers & resold crops always hold lowest rating in vendor selection and participation. Resellers must have each crop pre-approved by the Market Manager and PFM Board before delivering the crop to the Market for sale. Resellers must clearly label each re-sold item as being “re-sold” and with the following information: name of farm, location of farm and method of growing.

Community/Non-Profit

Community/Non-profits who are not selling are welcomed to join our market, free of charge, once a month, as space is available. Equipment rental may be available for a small fee.

Fundraising sales are allowed only once per year and must be approved in advance.

V. PARTICIPATION AND STALL ASSIGNMENTS

Participation in the Market is determined by the Market Manager and PFM Board and is based upon Market goals and operational realities. Each year, all potential vendors must apply and be accepted to vend by the PFM Board. All initially accepted member vendors are on a 4 week probationary trial and invited to vend up to four weeks before being reviewed for annual Vendor Member status at the following monthly PFM Board meeting. This policy helps promote honesty, integrity and quality.

Complete applications, which include copies of all required documents and appropriate fees, must be submitted to the PFM mailbox, listed above. Applications will be reviewed by market staff, the Vendor Jury and the PFM Board. A majority board vote at a regular meeting is required to vend at the PFM. All decisions will be communicated to each applicant in a timely manner.

Additional information may be required and all decisions are final. Applications will be kept and filed in a “waiting list” to be utilized as market needs dictate.

A variety of factors are considered when making decisions about vendor participation, product mix and stall assignments. These include, are not limited to and are in no particular order:

- Support of the local economic community.
- Location of the farm, vendor, supplier and / or processing facility in relation to the Market.
- Quality of product – fresh, local, high-quality goods
- Environmentally sustainable business practices
- Existing retail space or multiple markets
- Developing healthy competition among vendors and providing customer choice
- Maintaining a good mix of vendors and products
- Past participation, ability to abide by Market rules and customer service
- Ability to attract customers, as demonstrated by actual or potential sales figures

All decisions are on a case by case basis. The PFM Board reserves the right to deny, revoke or otherwise end vendor status, at any time.

Vendor Jury

The Vendor Jury is a committee appointed by the PFM Board to review the quality of the goods and services submitted and provided by applicant vendors.

The Vendor Jury compiles information prior to the Board Meeting and makes recommendations to the board based on this information for trial approval.

The PFM Board alone is responsible for determining the suitability and market fit of any potential vendor.

All items offered for sale must be included on all applications and must be reviewed by the Vendor Jury and approved by the PFM Board. Any additional, new or modified products to be sold must be submitted to the Vendor Jury and the PFM Board and approved PRIOR to selling.

The Vendor Jury will visit and observe all trial vendors during the trial period, report back to the PFM board and make a recommendation for annual membership.

Stall Assignments

The Market Manager has the authority to determine vendor location & spacing at the Market. Special events, vendor expansion and other circumstances may necessitate different site configurations as recommended by the PFM Board and implemented by Market staff and volunteers.

A standard stall space is 10' x 10'. Additional space may be used as approved by Market Staff. Additional charges may apply.

It is the intent of the PFM to give highest priority to returning vendors who were in good standing the previous season, who participated for the majority of the season and who were willing and able to abide by PFM Rules and Policies.

Vendor feedback is encouraged and welcomed. However, final market layout decisions are to be in the best interest of the market and are solely in the hands of market staff.

Participation Review

The PFM board maintains the right to perform periodic reviews of vendor performance, product quality & product saturation at the Market. Reviews may be used to determine whether continued participation will be offered to certain vendors. The PFM Board may discontinue participation by vendors with multiple rule violations, unacceptable behavior, poor product quality or consistently poor sales & consumer demand. These reviews may become more necessary as the market site reaches its capacity. Vendors with low sales may be asked to share stall space or to rotate market dates to continue participation at the PFM.

Disciplinary Guidelines

A comment procedure has been established by the PFM Board and will be used if a vendor or customer believes a rule violation has occurred or is occurring. See Market staff, volunteers or a PFM Board Member if available. Comment Forms are available at the market booth and online and may be submitted to the appropriate party.

Violation of Market rules is subject to disciplinary action at the discretion of the Market Staff, Vendor Relations Committee and PFM Board.

INITIAL VIOLATION: Verbal warning

SECOND VIOLATION: Verbal and written warning. \$5 fine.

THIRD VIOLATION: One week suspension.

FOURTH and final violation: depending on severity of action, response may consist of indefinite suspension or permanent expulsion from the Market.

Appeals

The PFM Board has the sole right to determine vendor and product mix at the Market. The PFM Board may prohibit a vendor from selling or deny any product from being sold. The PFM Board may also limit types of vendors in number and product in order to regulate operations and behavior as related to the Market.

The PFM Board supports the Market Manager's discretion in applying Market rules and policies and the Manager's decisions are considered final.

Any party who disagrees with Market Staff or PFM Board decisions may appeal to the PFM Board by filing a Comment Form with the Market and openly communicating with the Vendor Relations Committee.

All comments filed with the Vendor Relations Committee will be responded to by mail or email within 14 days. Challenges to disciplinary actions will be addressed at the next full PFM Board Meeting where complainant may be present, if so desired.

The appeal request should include information about the decision in question, why the party believes it to be inappropriate, and what action, if any, is requested. The Vendor Relations Committee will review the situation, seek additional information and make a recommendation to the PFM Board at the next regular meeting. The PFM Board will review and discuss the situation, decide the matter and make its findings available to the petitioner.

The PFM Board's decision is final and is not open to further review.

VI. VENDOR TYPES & FEE STRUCTURE

Categories:

Member Vendor –

Membership entitles the vendor to participate in all scheduled markets for the entire season and gives the vendor voting rights at the PFM general meetings.

One vote per member vendor is allowed regardless of the number of employees or owners of the business. Membership fees are NOT prorated. Applications are welcome throughout the season. Member Vendors may share stalls. Member Vendors take priority in stall assignments and other market day up-grades. The PFM Board will review all complete applications.

Guest Vendor –

The Guest Vendor category is for businesses that do not fit the requirements for membership or who wish to try the market out. Guest Vendors may vend once per month, as space is available.

Complete applications are required and include any required licenses, permits and fees.

See PFM Required Documents.

The PFM Board will review all complete applications.

Community Members - The Poulsbo Farmers Market encourages community members to participate in the Market as voting members through its Community Membership program. The nominal fee is used for market awareness purposes. Members are allowed one vote per membership, at general meetings.

Fee Structure (see current application and Required Documents)

Application fees are non-refundable and due with application.

Membership Fees are due the first day vending and are refundable only during probation.

Daily Stall Fees apply to each stall for each Market day.

Daily Percentage Fees apply to each vendor's gross revenue, less sales tax collected.

Gross Revenue (Total Sales) must be reported weekly including special orders or any other custom jobs sold, ordered or paid for at the Market. This does not include full season CSA shares or whole animal sales.

Additional fees may be required for special sales categories.

Additional fees may be required for vendors who use the PFM supplied power and water.

Additional fees may be required to receive checks for the token reimbursement program.

Member Vendors may share stall space, each vendor is responsible for half the stall fee.

No vendor may sell at the Market if any fees are overdue or unpaid.

Any returned checks must be paid in cash plus an insufficient funds fee.

Year-end sales reports are available for a \$5 service fee.

Weekly invoices are provided.

VII. REQUESTING AND CANCELING STALL SPACE

To request unscheduled space for market day, the member must notify the Market Manager no later than 5pm on the Thursday before Market Day. Failure to do so may result in forfeiture of vending rights for that week.

Other circumstances will be handled by the Market Manager on a case by case basis.

Vendors who cannot attend on a market day must contact the Market Staff as soon as possible to cancel. Email cancellations to info@poulsbofarmersmarket.org or call 360.779.6720 no later than 5pm on the Thursday before market day.

Vendors who fail to comply will be charged their scheduled stall fee(s) for that day.

Repeated no-call, no-shows by a vendor may lead to further disciplinary action.

The PFM Board may waive fees in emergency situations where proper notification was not possible, on a case by case basis. Documentation may be required.

The market may be cancelled in times of inclement weather at management's discretion.

VIII. LICENSES, PERMITS AND SPECIAL REQUIREMENTS

All appropriate permits and licenses must be on-site or displayed while vending.

Taxes: Retail sales taxes are the responsibility of the individual vendor.

City Business License: The City of Poulsbo has granted a special waiver for the Poulsbo Farmers Market allowing its vendors to work under one master license. Therefore, each individual Vendor is not required to obtain a City Business license.

State Business License: Vendors are required to obtain a Washington State UBI Number and must supply a copy of the corresponding Master Business License along with completed application.

Insurance: Liability insurance is not required to vend at the PFM, however, it is encouraged. Prepared Food (ready to eat) Vendors shall carry Product Liability and General Liability Insurance in the amount of \$1,000,000 and name the Poulsbo Farmers Market as an additional insured.

- Contact PFM staff for current insurance information.

Food Vendors: All foods must be prepared in a County Health District approved facility. USDA, WSDA and Kitsap County Health District requirements must be understood and met.

All food vendors are responsible for acquiring and displaying the appropriate licenses and permits.

Scales: Scales must be in good working order and certified annually by the WA State Department of Agriculture, Weights and Measures division.

Resellers: Must have a WA State Resellers' license.

Organic: If a product is labeled "organic" it must be certified as required by Washington State Law. Producers who use organic methods with \$5,000 or less in gross annual sales may use the term "organic". (Note: These producers may not use the term "certified"). Any violations will result in termination of the vendor's permit to sell. When an organic producer is also selling non-certified organic produce at the same stand, the non-organic produce must be physically separated from the organic produce and clearly labeled as to growing method.

Growing Method: Farm vendors are encouraged to clearly label all products grown with corresponding grow methods including, but not limited to unsprayed, pesticide-free, low-spray, IPM, conventional, etc. Growing methods must be clearly understood by the farm booth worker and queries regarding farming practices must be answered openly and honestly.

Labeling: Processed foods, including honey, are subject to Washington State labeling requirements. Labels on processed foods must meet Washington State requirements and include:

The name of the product
Company name
Address (if not found in the phonebook)
Net weight on bottom 1/3 of label
Ingredients listed in decreasing order by weight

Food Handler's Permits: All prepared food and unpackaged food vendors must have a current Washington State Health Department Food Handlers Permit.

Anyone giving out samples must have a current Food Handlers Permit and follow all Kitsap County Health District rules and regulations- including no bare-hand contact.

Sampling is only allowed with-in each vendor's stall, not allowed while roaming.

Vendor Contributions: Vendors may be asked to contribute product to the Market's promotional and educational events such as chef's demos, produce tasting, and special events. FISHLINE, our local food bank, may also solicit food contributions every week. Please consider contributing to these Market events. Also, please consider that our local Food Bank is the best resource for distributing your unsold product to the local community in need. No participation is required.

Communication: The PFM is attempting to stay as flexible as possible while trying to provide a fun, safe, honest environment. We ask for open, honest, timely communication and promise the same in return. Please change all email subject lines to read "Your Business Name".