



FRESHFARM

FARMERS MARKETS

2017 Rules & Procedures Product Guidelines

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Statement of Purpose

FRESHFARM is a non-profit that promotes sustainable agriculture and improves food access and equity in the Mid-Atlantic Region. We do this by operating producer-only farmers markets that provide vital economic opportunities to local farmers and food producers and through innovative philanthropic outreach programs that educate the public about food and related environmental issues.

The organization is dedicated to building a sustainable, regional foodshed in the Mid-Atlantic region and to educating people about the benefits of sustainable agriculture. FRESHFARM (FFM) emphasizes the direct connection between local food choices and the quality and health of our environment and daily lives. In addition to our Farmers Markets, we operate programming in Farmer Support, Food Access, and Education & Outreach. You can learn more about this work at freshfarm.org.

FRESHFARM favors farmers who cultivate the land using sustainable agricultural practices or raise livestock using humane and sustainable practices. By providing these farmers with direct markets for their products, FRESHFARM helps sustain the regional farm economy and helps ensure the future of farming in the Mid-Atlantic. FRESHFARM also selects a limited number of value-added producers that use local agricultural products. The Rules & Procedures and Product Guidelines are used to ensure the integrity of all products sold at FRESHFARM Markets. All business selling at our markets must adhere to these rules.

Eligibility

FRESHFARM only admits businesses that abide by our producer-only and local requirements, and that meet our standards of quality, sustainability, and appropriateness for our farmers markets. Those that fail to meet these requirements and standards will not be admitted to sell at markets, or may be expelled from markets if they fail to maintain compliance.

Producer-Only Requirement

All businesses selling at FRESHFARM Markets must exclusively sell products that they have grown or produced. Absolutely NO resales or third-party sales are allowed. Such sales will be cause for immediate expulsion from market.

Local Requirement

FRESHFARM works to support local agriculture and improve the quality of life in Washington, D.C., Maryland and Virginia. Participation in the farmers markets is only for regional farmers who sell what they grow, raise or produce on their farm, and for local producers who make products featuring agricultural foods from the Mid-Atlantic region, including Delaware, Maryland, Pennsylvania, Virginia and West Virginia, and preferably within a 200-mile radius of Washington, D.C.

Sourcing Verification

FRESHFARM is committed to verifying that products sold at our farmers markets are local in origin.

All farms are visited to verify that they are growing/raising what they sell. All producers selling value-added food products or concessions of any kind must demonstrate to FRESHFARM that they are sourcing as many ingredients locally as is feasible. Producers are required to submit documentation to FRESHFARM that shows their sourcing relationships (i.e.: receipts or invoices), including contact information for the farms selling the ingredients. FRESHFARM will contact sources to verify the relationship and the amount of product sold. While a minimum of one source is required, it is to your benefit to offer proof of as many as you use; preference will be given to producers using as much local product as possible. If you are working to improve your local sourcing,

we are happy to work with you to that end.

Product Eligibility & Guidelines

Overview

If you are NOT a Farmer, you may be considered eligible to sell at FRESHFARM Markets as a Producer in one of the categories listed below. You will be required to document your local sourcing, including contact information, and FRESHFARM will verify your sourcing.

Products not specifically listed under the FRESHFARM Markets Product Guidelines will be reviewed on a case-by-case basis and admitted at the discretion of the market team. If a farmer or producer wishes to add product(s) to their market offerings during the market season they must inform market management and have the product approved to sell. If non-approved products are brought to markets, management will request they be removed from markets.

FRESHFARM strives to maintain a high level of quality at all markets, and any new producers of prepared foods, baked goods or value-added products must supply samples upon request prior to acceptance to any FRESHFARM Markets.

FRESHFARM **requires the maximum use of local ingredients** (produce, meat, butter, honey and eggs, for example) in prepared foods sold at market. FRESHFARM reserves the right to restrict the products a farmer or producer sells at market should the sourcing or quality of the product fail to meet our standards. We will verify sourcing; see Eligibility on page 4.

Baker: makes freshly baked goods from scratch, using seasonal ingredients from the region as much as possible. Since 2015, FFM has required bakers to begin to integrate local grains in breads and baked goods sold at FRESHFARM Markets. No commercial mixes, crusts, or flavored fillings may be used. Baked goods to be sold at market should highlight regional produce and seasonal ingredients. Bakers who use local eggs, grain, butter and dairy are given preference over those who source nationally. At least 60% of ingredients in the fillings of fruit or vegetable pies and tarts must be from the farmer or producers' own production or purchased from regional farmers and integrate locally sourced grains.

Brewed and Fermented Beverages: Beer, hard cider and mead should follow the same guidelines as wine and use local fruits, grains and honey. Kombucha should be flavored with seasonal, locally sourced ingredients.

Canned Fruits and Vegetables: Canned fruits and vegetables must be from the farmer's own produce. If processed off-farm, the farmer must supply FFM with the name, address and telephone number for the facility where the produce is processed.

Community Supported Agriculture:

- If you plan on using a FRESHFARM Market as a pickup site for your CSA, you must inform FFM when you apply at the start of the market season. This includes all forms of CSA: fruit and vegetable, meat, dairy or egg, as well as farmstand CSA (wherein customers have a credit with the farmer and can select what they want each week).
- There is 6% fee for using a FRESHFARM Market as a pick up site. (See page 16 for fee structure).
- The Producer-Only rule applies to CSAs at market.

Cider (non-alcoholic): Cider must be produced from the farmer's own fruit, but may be processed

off-farm in a facility that ensures the cider is made with the local fruit. Contact information for the mill where the cider is pressed and processed must be provided to FFM management.

Coffee Roasters: FFM distinguishes coffee production as an entity exclusive to itself, exempt from the locally grown/produced restrictions otherwise outlined, as coffee is not a native crop in the region. To comply with FERSHFARM standard of operation, coffee producers must provide documentation to confirm that coffee beans are sustainably sourced by the supplier and locally roasted. Milk for coffee served at markets must be local. Facilities are subject to FFM site inspection as outlined on page 12.

Dairy:

- a.** Fresh Milk: Fresh milk, cream, or buttermilk must be 100% from the farmer's own herd. Exotic/out-of-region flavorings may be purchased and used minimally (e.g., chocolate for chocolate milk). On a case-by-case basis, and with prior approval and appropriate vetting, FRESHFARM permits dairy farmers in the off-season to process milk from another farmers' herd for sale at market.
- b.** Cheese and Butter: FFM accepts both farmstead (made from dairy from the farmer/producer's own herd) and artisanal (made from dairy purchased by the producer from a local farm) cheese and butters. For artisanal cheese or butter, all milk purchased must be from regional farmers. The cheese/butter maker must provide contact information for the farms from which the cheese maker is buying the milk. A dairy farmer selling farmstead cheese made from their milk by a regional cheese maker must provide contact information for the location where the cheese is made.
- c.** Yogurt and Frozen Dairy Products: Yogurt and frozen dairy products must be made with milk produced by the farmer or sourced from a regional farmer. Locally available flavoring agents (e.g. fruit or honey) must be sourced locally. Exotic/out-of-region flavorings (i.e., chocolate, avocado and pomegranate) may be purchased and used minimally. 75% of flavors must be local.

Dried Fruits and Vegetables: Dried fruits and vegetables must be from the farmer's own produce. If fruits/vegetables are dried off-farm, the farmer must supply information about location (name, address, and telephone number) where they are dried.

Eggs: Eggs must be from the farmer's own fowl. No re-sale of another farmer's eggs is allowed by any farmer or producer.

Farm-Related Merchandise: The intent of FRESHFARM is for farmers and producers to sell fresh food. On a case-by-case basis, we will allow farmers to sell farm-related merchandise (e.g., t-shirts, bags, cookbooks, etc.). This farm-related merchandise must constitute a small portion of the product mix. All farm-related merchandise must be approved by management before selling at any FRESHFARM Market.

Fish and Shellfish: Fish and shellfish must be raised or caught by the fisherman/waterman or aggregated from local waters. Farmed fish or shellfish will be considered on a case-by-case basis. Fisherman/waterman must hold a commercial fishing license and submit a copy of the license. Contact information for any facilities where fish and shellfish is processed must be provided to FRESHFARM Markets management.

Flavored Vinegars & Condiments: Flavored vinegars and condiments must be prepared by the

farmer using his/her own produce. A limited amount of out-of-region ingredients may be used in these products, provided that the vast majority of ingredients are from the farm.

Flowers, Plants and Trees: Flowers, plants, bedding plants, and trees must be from the farmer's own farm or greenhouse. Farmers/producers must start bedding, potted plants and flowers either from seed, cell pack, bulbs, cutting, or plugs or received dormant (e.g. azaleas, hydrangeas, and roses). Farmers must plant or re-pot all plant material.

Frozen Non-dairy Fruit Products: Frozen fruit products (e.g., sorbets and dairy-free ice pops) must be made by the farmer or producer. Flavoring agents (e.g., fruits) must be from the farmer's or producer's own production or purchased from regional or FFM farmer. Exotic/out-of-region, flavorings (such as vanilla, chocolate, and citrus) may be purchased and used minimally and only as necessary in the product. 75% of flavorings in total frozen, non-dairy fruit product offerings at market should be locally sourced. No commercial products or mixes may be used.

Grains and Grain Products: Locally grown grains that may be sold at market include but are not limited to barley, oats, rice, rye, corn, and wheat. Granola, baking mixes, meal, and flour prepared by the farmer or producer must be made from fresh and regional produce when available; exotic/out-of-region ingredients (such as olive oil) may be purchased and used minimally and only as necessary. No commercial products or mixes may be used. Dried fruit for granola must be produced by the farmer or producer or purchased from a regional farmer. If grains are not milled on-site, then farmer must provide contact information for the business that is milling the grains.

Honey: Honey must be from the farmer's own hives, but may be processed off-farm. The farmer must provide FRESHFARM with the name, address and telephone number of the facility where the honey is processed.

Meat:

Livestock Farmers: All meat products must be 100% from the animals raised from weaning by the farmer. Animals may be butchered and/or processed off-farm. The farmer must provide copies of any processing permits and contact information for any processing facilities used during the market season.

Meat Processors: All meats must be raised by farmers in the region defined by FRESHFARM (VA, WV, MD, DE, PA; preferably within a 200-mile radius of Washington, D.C). All meat sold at FRESHFARM Markets must be clearly labeled with the farm of origin (the farm that owned the livestock), regardless of whether it is the farmer's product or a processed product. All meat products sold must carry the identification of the individual farmer either on the label or on clearly visible signage at every market alongside Meat Processor identification. The names, addresses, and telephone numbers of all farmers for whom meat is processed must be provided as part of the FFM application process.

Cured Meat Processors: Producers making cured meat products (bacon, pancetta, dried sausage and salami) must use locally sourced and humanely raised meats. All cured meat products must be made in a USDA-inspected facility or in a retail store that operates legally under the retail exemption allowed by the USDA.

All meat sold at FRESHFARM Markets must be made, processed and packaged in USDA-inspected facilities except when federal or state and county exemptions allow legal sale of meat without inspection. Farmer must provide FFM with facility identification numbers and slaughter receipts when requested. FFM management may contact the facility by phone or make a site visit to verify the processing. All packaging must display USDA-required labeling except where there is a legal exemption

from such labeling.

Other Farm Products: Other farm products sold at the FRESHFARM Markets must be homemade of material grown, processed or gathered predominantly by the farmer. These products include compost, mulch and custom potting mix.

Pasta: Eggs for the pasta must be from the farmer's fowl or purchased from a local farmer. Preference is given to pasta makers who use local grains and potatoes, in the case of gnocchi. Fillings for the pastas must be from the farmer's own produce or purchased from a local farm. Exotic/out-of-region ingredients (such as olive oil and imported wine or cheese) may be purchased and used minimally and only as necessary.

Prepared Foods:

- a. Foods prepared off-site: Must follow the guidelines outlined in this document for the particular product. Locally available fruits, vegetables and meat in prepared foods should be from the farmer or producer's own production or sourced from regional farmer. Preference will be given to prepared foods that use local dairy, eggs, grains or other ingredients where applicable. Exotic/out-of-region ingredients may be purchased and used minimally and only as necessary.
- b. Food Concessions (foods prepared entirely or partially on-site): Please see "Food Concession Guidelines" on page 9.

Preserves, Pestos, Jams, Fruit Butters, Syrups, Salsas: Preference will be given to farmer making preserves, pestos, jams, fruit butters, syrups, and salsas from fresh fruits and vegetables grown on their farm. Products in this category will be reviewed on a case-by-case basis. Artisanal producers in this category must source the primary ingredients in these products from regional farmers. Exotic/out-of-region ingredients (e.g. olive oil and vinegar) may be purchased and used minimally.

Produce: All produce, defined as fruits, vegetables, mushrooms, herbs, grains, and beans/legumes, offered for sale at FRESHFARM Markets must be 100% grown by the farmer. The re-sale of produce is strictly prohibited.

Seasonal Farm Products and Crafts: Seasonal farm products and crafts produced from materials grown or gathered on the farm by the farmer, such as flower or herb bouquets or wreaths and foraged plant materials are allowed at the market team's discretion, on a case by case basis. Christmas trees sold at FRESHFARM Markets must be grown by the farmer.

Soaps, Skin Care, and Candles: Soaps, skin care, and herbal products include fresh and dried herbs, creams, spritzers, powders, lip balms, and scrubs. Soaps and herbal products must highlight regional produce. Candles using beeswax produced by one's own beehives may be sold only by farmers who also sell honey and other apiary products from their own beehives.

Specialty: Other regional agricultural products that are not currently available at market and is an important specialty crop in our region will be considered on a case-by-case basis.

Wine: Wine must be made at a local vineyard and exclusively from locally grown grapes or fruit, either grown at the vineyard itself or obtained locally. Wines made from or blended with grapes or fruit grown out-of-region may not be sold at market.

Wool: Wool must be from the farmer’s own sheep or purchased from regional farms, but may be carded, cleaned, or spun off-farm. No more than 25% of exotic, out-of-region, fibers may be added to the yarn during processing and spinning. For products made with the farmer’s wool, including blankets, socks, mittens, scarves and caps, the farmer must provide information on any processor that is involved in making these products (e.g., where are the blankets being made?) and which products the farmer is making or processing. Preference will be given to those selling wool or wool products from their own herd.

Food Concession Guidelines

Concessions are ready-to-eat foods that are prepared partially or entirely at market. FRESHFARM will consider admission of a limited number of concession stands on a case-by-case basis for specific markets.

Products must be made primarily from the farmer’s own produce, dairy, meats, and cheeses, or made by producers with ingredients purchased from local farmers. Exotic/out-of-region flavorings and ingredients (such as vanilla, chocolate, olive oil and citrus) may be purchased and used minimally and only as necessary in the product. All prepared, ready-to-eat concessions are required to adjust their offerings seasonally. Process and equipment must meet all standards set out by the city/county/state in which that specific market exists, and any permits required must be obtained and copies submitted to FRESHFARM Markets with the farmer’s or producer’s annual application.

Concessions must be served on compostable cutlery and plates. Styrofoam is strictly banned from all markets. Two good sources for compostables are www.worldcentric.org and www.acmepaper.com.

Application Procedures & Fees

All farmers and producers are admitted to each market for a one-season term, meaning all must reapply annually. Historic acceptance to a market does not guarantee future acceptance to that market. For more details about the application process, please see our application instructions online.

Application fees must be paid in advance of the market season. If you have not paid the application fee by your first day at market, it will be added to your invoice for market fees. Fees can be paid by check or money order payable to “FRESHFARM Markets.” Fees cover any and all markets to which you apply (including winter markets). First-time applicants pay a higher fee to cover the cost of farm/site visits.

Non-refundable fees are as follows:

- \$25 universal application fee, plus:
- \$50 fee upon acceptance, for RETURNING vendors, OR:
- \$125 site visit fee for NEW vendors. *This fee will only be charged to new vendors if FRESHFARM elects to conduct a farm/facility visit. If we schedule a visit, it means your application is approved, pending the visit. If you are not being strongly considered for a market, no visit will be conducted and no visit fee will be charged.*

Product Samples

Product samples must be furnished to the market team prior to admission to sell. FRESHFARM also reserves the right to request product samples for the purpose of assessing quality to approve new

products.

Insurance

All FRESHFARM farmers and producers must carry insurance for general liability and property damage, as well as product liability coverage, in an amount not less than \$1,000,000. The policy shall name FRESHFARM as additional insured, and shall maintain all other coverage as required by law. A copy of the Certificate of Insurance must be provided with the application. If insurance expires during the season, the farmer or producer must provide a copy of the renewed insurance policy at the time of policy expiration.

If you are a Meat Processor, all the farmers for whom you process foods that will be sold at FRESHFARM Markets must carry insurance for general liability and product liability of not less than \$1,000,000. If you as the Meat Processor are providing insurance coverage for these farmers, a copy of the policy naming those farmer must be provided with your application as proof of insurance coverage.

Farm Visits and Inspections

All farmer and producers are subject to periodic farm or business visits and inspections. **All new farmer and producers will be visited before being approved to sell at any FRESHFARM Market.** FFM representatives may visit any farm or establishment used by its farmer or producers during normal business hours (8:00 am-6:00 pm) to verify compliance with the producer-only requirement. *Such inspections may or may not be announced.*

The farmer or producer must provide any help necessary to thoroughly document the establishment or property being inspected and the products brought to market and/or listed in the annual application.

Failure to permit a farm visit or inspection of an establishment used for processing product(s) may result in suspension from FRESHFARM Markets. A farm map identifying locations of crops and directions to the farm and other establishments must be submitted with the application.

Leased Property

If you are a farmer or producer who leases property for products that will be brought to market, you must include a copy of the signed lease agreement(s) with the annual market application. You must also submit a crop plan and farm map for the leased property and be willing to provide, upon request, receipts for planting or labor on the leased property. Leased property is also subject to inspection by market management.

Farmer Certificates, Product Plans, and Labels

Farmers and producers must abide by all applicable federal, state and local health regulations in the harvest, preparation, labeling and safety of the product(s), s/he brings to market. Farmers and producers will be responsible for obtaining and paying for any permits and licenses required by the District of Columbia and the states and counties where markets are located in Maryland and Virginia. All permits and licenses must be kept current for the entire market season.

Producers must include a copy of all applicable permits for production and sale, including those from the health department of the state or county where the products originate, as described below in the “Producer Certificates/Licenses/Permits” section (see Page 12). AN APPLICATION IS NOT CONSIDERED COMPLETE WITHOUT THE INCLUSION OF ALL APPLICABLE PERMITS FOR ALL PRODUCTS. Farmers and producers must have submitted all required application materials before

attending markets.

A current product list must be submitted with the application. **First-time farmer applicants** to FRESHFARM Markets must provide the Farmer Certification Form, and it must be signed by your County Extension Agent or other third party inspector (i.e., USDA Organic, Food Alliance) as verification of your farmer status.

Only items listed in your completed application can be sold at FRESHFARM Markets. You must list all products that you plan to bring to market. Items not listed will be allowed for sale only with advance approval by FRESHFARM management.

If you want to bring additional or new products to market that are not on your original market application, you must let market management know in writing what those products are and get prior approval from market management before bringing these products to market. (See pages 4-5 for more information.)

Livestock farmers must submit product labels for at least (1) cut of meat they intend to sell at market. This label must adhere to the product labeling guidelines as mandated under the Federal Meat Inspections Act and should serve as a baseline for all meat products sold at a farmers market.

Poultry farmers must also submit product labels for at least (1) poultry product that they intend to sell at market to serve as a baseline for all products. These labels should adhere to the Poultry Products Inspection Act. The farmer must provide labels for each slaughtering process they intend to use, i.e. federal inspected facility, state inspected facility, or on-farm slaughter.

If poultry farmers are on-farm processing/slaughtering their poultry, they should submit any and all certificates needed to do so within their state.

Egg producers must submit (1) product label they intend to use on their product for each market they apply for admission. This will also serve as a baseline for all products for sale at each farmers market the producer has applied to. They must also submit any and all certifications required by their state to be an egg producer as well applicable certifications required in the state where the producer's market operates.

Licenses/Permits

All products must comply with local, state, and/or federal health ordinances and the farmers and producers must supply documentation of such compliance to FRESHFARM Markets. AN APPLICATION IS NOT CONSIDERED COMPLETE WITHOUT THE INCLUSION OF ALL APPLICABLE PERMITS FOR ALL PRODUCTS.

Farmers or producers who are fined by the District of Columbia, County or State officials for violations or non-compliance with health regulations are solely responsible for paying those fines. All fines must be settled before the farmer or producer can return to sell at FRESHFARM Markets.

Farmers/producers selling anything beyond whole uncut fruits and vegetables in Arlington County and Montgomery County must obtain a Farmers Market License from those respective counties before they can sell at our farmers markets in Crystal City, Ballston and Downtown Silver Spring.

For information on obtaining a license from Arlington County, please call 703-228-7400 or visit: <http://health.arlingtonva.us/environmental-health/farmers-markets/>

For more information on obtaining a license from Montgomery County, please contact Kenny Welch at 240-777-3840 or visit: <http://www3.montgomerycountymd.gov/311/Solutions.aspx?SolutionId=1-NZCEU>

The following is a basic summary of required permits. This information is provided for guidance only and is not all-inclusive. Farmers and producers are ultimately responsible for obtaining and providing copies of any and all necessary permits for sale and production, and including them in their application.

Bakers must provide certificate for approved baking facility.

Cheese Makers who makes artisanal cheese and other value-added products from milk that is purchased from regional dairy farms or who makes farmstead cheese using milk from his/her own herd must provide certificates for cheese making facility. A dairy farmer who supplies milk to a artisanal cheese maker whose cheese is to be sold at market must provide certificate for the cheese maker's processing facility and certificate for the dairy milking facility.

Fishermen/Watermen must provide fishing/shellfish licenses and certificates for processing facilities and a photograph of the fishing boat.

Concessions must provide any licenses that may be required by the city/state/county in which that specific market exists where they will be preparing food on-site. See "Food Concession Guidelines" on page 9-10 for additional information on permit requirements.

Livestock Farmers must provide documentation of the slaughterhouses they intend to utilize throughout the market season. The slaughterhouse(s) must be a USDA-inspected facility if the farmer intends to sell in interstate commerce. The farmer must also submit one product label they intend to use; this label will serve as a baseline for all livestock products to be sold at our markets.

Meat Producers who primarily operates a food processing facility that processes meat from regional farmer must provide state and federal (USDA) certificates for meat processing facility. Producer must also submit (1) product label they intend to use, this label will serve as a baseline for all products All cured meat products must be made in a USDA-inspected facility or in a retail store that operates legally under the retail exemption allowed by the USDA.

Pasta Maker must provide certificate for approved production facility.

Poultry Farmers must provide documentation of the slaughterhouses they intend to utilize throughout the market season. The slaughterhouse(s) must be a USDA-inspected facility if the farmer intends to sell in interstate commerce. If the farmer operates under any exemptions that allow on-farm processing they must submit applicable permits and certifications required by their state to operate such a facility on-farm. The farmer must also submit one product label for each slaughter method they intend to utilize during the market season. Please note that the USDA requires that all poultry that is sold across state lines be processed in a USDA inspected facility. For example, poultry from a Virginia farm and sold in a D.C. market must be USDA processed.

Soap Makers must provide documentation for processing facility.

Value-Added Food Producers must provide all local and state licensing, certificates & permits required to sell value added products. Value-added food products would include:

- Canned goods

- Dried products
- Fermented products
- Fruit butters, jellies and jams
- Soups
- Baked Goods
- Pickles

Winemakers must provide license to produce wine and engage in retail sales.

Beer and Fermented Beverage Producers must provide any local and state licensing certificates and permits to sell products at farmers markets. For more information on the required licensing please visit: <http://abra.dc.gov>.

Food Concession Rules by Jurisdiction

Guidelines which food concessions are required to abide by, and permits that must be obtained, are different for each market. The individuals that hold these specific permits must be present at all markets for the Concessionaire to sell at each specific market. The permits required are as follows:

DC markets:

Guidelines: DC Special Event Food Concession (NOTE: You are not required to submit the signed form to the DC Department of Health, only to abide by the guidelines.)

Permits Required: In the District of Columbia, at least one on-site staff member must be a certified Food Safety Manager. To obtain your Food Safety Manager certification you must register for the ServSafe Manager Class and exam. Once you pass the exam you must take your certificate of completion, along with two forms of identification, to DC's Food Safety and Hygiene Inspection Services Division, located on the 8th Floor of 825 North Capital Street NE. As of December 2014, the fee for a District Food Handlers permit is \$35, payable with a check or money order.

Silver Spring market:

Guidelines: Montgomery County Farmers Market Sampling Guidelines

Permits Required: Montgomery County Farmers Market License. Issued by the Montgomery County Department of Health and Human Services, Licensure and Regulatory Services (240-777-3986). Fees and license type vary depending on whether you are a farmer or a non-farmer so please consult with the county on which type of license is appropriate for you. Montgomery County Department of Health and Human Services, Licensure and Regulatory Services

(240) 777-3986

Crystal City and Ballston markets:

Guidelines: Guidelines for Vendors in Arlington County

Permits Required: Vendor's License & Certified Food Manager Certificate

Important Notes: Vendor must have a base of operation and must sell from a cart or conveyance.

Arlington County Public Health Division

(703) 228-7400

Market Operations

FRESHFARM's on-site Market Managers are responsible for administering and enforcing all FRESHFARM Markets Rules and Procedures as well as public safety, space assignments, market data

collection, EBT/SNAP redemption, matching incentives programs, and market public education programs. Market Managers are trained by FRESHFARM prior to the market season and are instructed to handle and resolve any issues that may arise during the markets. The FRESHFARM Markets' management has final authority in resolving issues in a civil and efficient manner.

Market Opening and Closing

Farmers and producers must arrive at least one hour before the market opens. No farmer or producer may drive into the market site after the market has opened without permission of FRESHFARM Markets' management. Latecomers may be denied admission, or admitted and located at the market management's discretion. If arriving more than two hours before market opens, farmers and producers should not expect to be able to park or set up. Market management will advise regarding specific logistics for individual market sites.

All markets will open and close with the ringing of a market bell. **No sales are allowed before the market opens ("don't sell before the bell")**. At the closing bell, all farmers and producers must begin packing up to leave the market site, but may continue to sell as they pack up. Farmers and producers must leave the market site as soon as possible or park their vehicles in accordance with traffic laws and any posted parking signage at the market site.

Parking

Consult your market's welcome packet and market management about where to park your vehicle. During market, you must place a FFM parking permit visibly in the front windshield dash of your vehicle. Without a visible permit, we are not liable for parking violation fines. If you receive a parking ticket during market hours with your permit displayed, please let market staff know, and we will provide you a letter which can be sent to adjudication services.

Inclement Weather Policy

Recognizing it is the mission of FRESHFARM to provide a venue for farmers and producers to sell their products, it is also our responsibility to ensure a safe market environment. The Markets team will make decisions to alter market times based on weather reports and on site market conditions. It is the authority of Market Managers and FRESHFARM senior staff to close a market early, open a market late, or cancel a market day due to severe or inclement weather. Farmers and producers will be notified in a timely way by email and telephone. During inclement weather events, it is up to the individual farmer or producer to weigh factors and make a decision about whether or not to attend market that day. Absences due to severely inclement weather (not just rain) will not count against market attendance record.

Market Tokens

FRESHFARM Markets employs a token system at all of our markets in order to allow the use of SNAP (EBT/food stamps) and our incentive program, Matching Dollars. Additionally, we use tokens to offer market promotions and gift certificates. **All farmers and producers are required to participate in the token system.** A detailed description of the token system will be provided in market welcome packets. Please review carefully and share with ALL of your staff who will work markets. Ask your Market Managers if you have questions about the tokens.

FFM will reimburse farmers/producers on a monthly basis for tokens accepted at markets. If you are unable to redeem your tokens during market, you can turn them in at the same market the following week. Do not bring tokens received at one market to another market because we need to track the

redemptions for each market separately. It is strictly prohibited to give shoppers the \$1 tokens as change, either for \$5 tokens or for bills.

Farmers' Market Nutrition Programs

All vegetable/fruit farmers are required to register to accept Farmers' Market Nutrition Program coupons for low-income Women, Infants and Children (WIC) and Seniors (SFMNP) from customers for qualifying purchases. This has always been strongly encouraged, and is mandated as of the 2017 season. Farmers that refuse to comply will not be admitted to market.

To apply to be eligible to accept coupons in DC and Maryland, please contact:

Sabrina Lewis, FMNP Coordinator, District of Columbia Department of Health at (202)-442-9367

Shelby Waston, Agricultural Marketing Specialist, Maryland Department of Agriculture (410)841-5776

Virginia does not offer WIC FMNP benefits. The Virginia Department of Aging does offer Senior FMNP benefits, but *only* Virginia farmers can accept them.

For more information please contact:

David Robishaw with the Virginia Department of Agriculture at (434)-984-0573.

Customers will spend these checks directly with you. They are valid exclusively for fresh fruits and vegetables (no dried, processed, frozen, canned, etc.), including herbs and mushrooms. No change can be given, so please help customers round out their purchase to reach the allotted amount (typically \$5 per check). FFM management will provide you with receipts to give WIC and SFMNP customers so that they can participate in our Matching Dollars program. If they are unfamiliar, please let them know that they can take receipts to the orange Market Info tent to receive Matching Dollars tokens.

Sales Tax

Farmers or producers selling non-edible products, such as flowers, plants, wreaths, yarn, wool blankets, soap/skin care, ready-to-eat foods or other items that are subject to sales tax, should comply with local and state tax regulations. Farmers or producers must provide their sales tax identification number and a copy of their sales tax card when applying. Also, applicants should be aware that the state of Virginia requires sales tax on all retail food sales. Applicants applying for Virginia markets will need to comply with these requirements as mandated by the state of Virginia. All ready-to-eat and food concessions in DC, Maryland and Virginia are subject to sales tax. Farmers and producers are solely responsible for compliance with local sales tax requirements. Farmers/producers who are subject to sales tax should report net sales (after deducting the sales tax) to FRESHFARM Markets.

Market Programs

Chef-at-Market Program: farmers or producers are encouraged, but not required, to provide market produce to the Chef at Market program that features fresh, seasonal recipes prepared by local, regional and nationally known chefs, home cooks, food educators, students, and nutritionists. We also encourage farmers and producers to share their recipes with us, or apply to participate in the Chef at Market program. Please contact Maddy Beckwith (maddy@freshfarm.org) if you wish to apply.

Matching Dollars: in order to lower economic barriers to fresh food, FRESHFARM has operated a farmers market incentive program called Matching Dollars since 2009. For shoppers using SNAP (EBT/food stamps, which we swipe at Market Info), WIC and Senior Farmers Market Nutrition Program benefits, we match what they spend at market dollar for dollar, up to \$10/customer/day. You'll see Matching Dollars as red wooden tokens for \$1 each. See Market Tokens in this document and the Token

Guide included in your welcome packet for more information.

Gleaning Program: farmers and producers are encouraged, but not required, to participate in the FRESHFARM Markets Gleaning Program by donating fresh, usable produce, bread, or other foods to the partner organizations that will pick up the products at the end of the market day. All Gleaning Partners are non-profit organizations which make advance arrangements to glean with FFM, sign an annual agreement, and use the gleaned food to provide meals or food bank services to people in need. The Gleaning Partner will provide a receipt for donated products upon request. The Bill Emerson Good Samaritan Act signed in 1996 protects you from liability on any good faith donation of food to a non-profit organization.

Market Space Assignments

The FRESHFARM Markets' management team retains control of all unassigned space openings. Such spaces will be available to current and new farmers or producers who wish to change the size or location of their space. Requests from current farmer or producers for space assignment changes will be considered before locating new farmers or producers in a market. Space assignments to new farmers or producers will be made at the market management's discretion to insure the viability of the markets and the diversity of the marketplace.

Stall Requirements

Market Canopies/Tents/Umbrellas

All canopies, tents, umbrellas, and other forms of stall cover must be sufficiently and safely secured to the ground with weights from the moment the canopy is erected until it is taken down. If tents are inadequately secured, Market Managers will ask the farmer or producer to take it down and sell without it.

Sufficiently means at least 24 pounds per leg for tents, and at least 50 pounds for umbrellas. Tents may be secured to vehicles, but require weights on the tent legs that are not tethered to the vehicle. For questions about types of tent weights and ways to secure them, please contact your Market Manager.

Safely means that the method used to secure the canopy does not create safety hazards. Tent weights:

- should not cause a tripping hazard.
- should be tethered with lines that are clearly visible.
- should have soft edges to avoid causing scrapes and cuts.
- should be securely attached to the canopy.
- should be on the ground and not hanging.

Failure to properly strap each tent leg will lead to mandatory tent weight rentals from FRESHFARM at the cost of \$25/market and potential expulsion if infractions continue.

In Montgomery County and, as a result, our Silver Spring market, tents are required by the department of health.

Failing to comply with market safety standards is a serious violation. After 3 infractions per market in one calendar market season, disciplinary action is subject to escalation to Market team for review and may result in suspension from FFM markets.

Maintenance and Appearance

Tables and other fixtures should be in good repair. All food must be kept off the ground. Market

products should be safe and in good condition. Products that do not meet this safety and quality criterion may be removed at the Market Managers' discretion. Farmers and producers who fail to comply with this requirement are subject to suspension or expulsion from the FRESHFARM Markets.

Sanitation

Farmers and producers must maintain their market stands and spaces in a clean and sanitary condition. Each farmer or producer is responsible for bringing a broom and trash bags and keeping the market area free of any debris. In snowy weather, farmer and producers should bring at least one shovel to market to help clear their space.

FFM will reserve the right to perform random health inspections to insure that all farmers/producers are keeping acceptable food temperatures, hand washing stations as needed, and adhering to other essential ServSafe guidelines.

Leave-no-waste trash policy

FRESHFARM is committed to a clean and environmentally friendly leave-no-waste trash policy. We require that all producers provide their own receptacles for all waste generated from the sale or sampling of their products. Farmers/producers are responsible for hauling away any trash collected and for leaving their booth area clean of debris. Farmers/producers may not leave trash for market staff to dispose of or overflowing in city trash containers. Those found in violation of our waste policy are subject to fines.

Market Food Samples

Food samples must be prepared behind the farmer's or producer's market stand and presented in a safe and sanitary manner, according to the state Department of Health code and the discretion of FRESHFARM Markets' management. The farmer or producer must provide trash receptacles for the disposal of any sampling materials such as cups, utensils or toothpicks.

Signage

All farmers/producers are required to post prices at all times. Each farmer is required to post a farm/business sign at their farm stand on every market day. The farm or business sign should be mounted on the farmer or producer's vehicle or on, or next to, the market tables/tent. The farm or business sign and lettering should be large enough to be easily read from a reasonable distance. Farmers must hang WIC/Senior FMNP signage if enrolled in the program.

Scales

Scales must be registered as legal for trade and meet local and/or state regulations for commercial scales. Scales must be placed so that they are clearly visible and legible to customers at all times. Scales may be checked annually for accuracy at the market site by officials in DC, Maryland or Virginia. All farmers and producers selling by weight in the District of Columbia must register their scales online through the following web link: <http://dcra.dc.gov/service/register-devices-weights-and-measures>

Shopping Bags

FFM requests that all farmers and producers use biodegradable or compostable bags (and/or paper bags) rather than plastic bags. Farmers/producers may also sell re-useable bags at market and are encouraged to incentivize shoppers to use reusable bags.

Market Sales & Fees

As you know, FRESHFARM exists to provide vital economic opportunities for regional farmers and to

ensure an ongoing supply of fresh, local produce for residents of DC, Virginia and Maryland. One way we act on this mission is through operating vibrant farmers' markets. We need your help in tracking and reporting market sales.

ALL farmers and producers are required to:

- REPORT gross market sales online within 48 hours of market (unless you have arranged a different schedule with Finance) by using www.managemymarket.com.

If the farmer or producer is selling in more than one FRESHFARM Market, s/he must indicate gross sales for each market. If farmers/ producers can not report through Manage My Market, they can report by emailing their market manager or calling 202-362-8889.

If farmers do not report market sales within 48 hours for more than 3 markets, they will be charged a fee of \$200. If, over the course of the season, they do not report for more than 3 markets, they will be suspended from market until all sales are reported.

- PAY a market fee based on a percentage of total gross sales (excluding any sales tax charged). This fee is paid either weekly or monthly, as you indicate on your Payment of Fees form as part of your application. Fees are as follows:
 - Farm 6%
At least 80% raw agricultural products sold.
 - Farm Producer 6%
More than 20% of products sold are value-added.
Includes farmstead alcohol.
 - Farm Concessionaire 6%
Farmer primarily selling prepared foods utilizing some/all of their own product.
 - Non-farm Producer 6%
Value-added products with majority of ingredients sourced from local farms.
 - Concessionaire 10%
Prepared foods with majority of ingredients sourced from local farms.
 - Farm-sourced Alcohol 10%
Non-farm Producer selling alcoholic beverages made with ingredients sourced from local farms.
 - Coffee/Exceptions 12%

You can pay your fees online at ffm.org/payfees . Alternatively, a check or money order payable to "FRESHFARM Markets" can be mailed to:

FRESHFARM
945 G Street NW
ATTN: Cory Jones
Washington, DC 20001

No cash payments will be accepted and no checks will be collected at the markets. If a fee payment check is returned for insufficient funds, the farmer or producer must re-send market fees by money order or cashier's check with a \$35 bank fee added.

In the event of an outstanding balance of 45 calendar days, a penalty of 3% of the outstanding

balance will be added to the account. Failure to pay outstanding balances in full after 60 calendar days may result in suspension from markets until the account is paid in its entirety. Farmers/producers who have outstanding debt to FFM at the end of the season will not be approved for the following season until the balance is paid in full.

Market fees pay for market permits and licenses, liability insurance, parking meter fees, market staffing, market signage and printed materials, marketing, market equipment, market educational programs and promotion of the market.

Inaccurate or fraudulent reporting jeopardizes the future of FRESHFARM and the individual success of every farmer and producer at the markets. Fraudulent reporting or failure to remit market fees may result in fines and suspension or expulsion from FRESHFARM Markets. **FRESHFARM reserves to the right to perform unannounced, third party sales audits at market.**

Market Conduct

FRESHFARM expects market farmers, producers, and their staff to conduct themselves in a manner that contributes to a positive shopping experience for our customers. This includes (but is not limited to): not idling your engine, not playing loud music, refraining from smoking, properly securing your tent/canopy/umbrella, rule compliance, and customer service. Your at-market staff should be well versed in the products they are selling, and provide positive customer service to ensure a pleasant shopping experience. We ask that farmers and producers not leave their booths unattended during market hours. If you are working alone and need a break, please ask a Market Manager to fill in for you.

Common courtesy and respect are essential to the success of FRESHFARM Markets. FFM management expects market participants to be honest and to conduct themselves in a courteous and friendly manner with other market participants, staff, and shoppers.

Market Attendance

A minimum attendance of 80% of market days is required for a full-time farmer or producer to be considered for admission to FRESHFARM Markets the following season. This minimum attendance requirement may be waived at the discretion of the market management.

All farmers and producers are required to arrive at least one hour before the market opens. Three late arrivals will be counted as one absence against your attendance record, and will negatively impact consideration for admission the following season.

If you know in advance that you will miss a market, please update your schedule in Manage My Market and contact your Market Managers, so the market setup can be modified and/or the space filled on a temporary basis. If you are delayed and will be arriving late to market, give Market Managers as much advance notice as you can.

Smoking

FRESHFARM Markets has a NO Smoking policy enforced on the market site during market hours. If you must leave the premise to smoke, please wash your hands before returning to market.

Harassment Free Workplace

The following is FRESHFARM Markets' harassment-free workplace policy as it pertains to FFM employees. We consider the same policy applicable at our farmers markets concerning all staff of

farmers/producers that work at the markets. Staff that experience harassment are encouraged to report incidents to FFM. Any farmer/producer/business that is found to be violating this policy is subject to penalties, including possible suspension or expulsion from market.

FRESHFARM Markets is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment.

Therefore, FFM expects that all relationships among persons in the office, schools and markets will be business-like and free of bias, prejudice and harassment. It is the policy of FFM to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, gender, sexual orientation, gender identity, national origin, immigration status, age, disability, genetic information, marital status, amnesty or status as a covered veteran. FFM prohibits any such discrimination or harassment.

FFM encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of FFM to promptly and thoroughly investigate such reports. FFM prohibits retaliation against any individual who reports discrimination or harassment or who participates in an investigation of such reports.

Definitions of Harassment

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, sexual orientation, gender identity, national origin, immigration status or citizenship, age, disability, marital status, genetic information, veteran status, or any other characteristic protected by law or that of his/her relatives, friends or associates, and that a) has the purpose or effect of creating an intimidating, hostile or offensive work environment; b) has the purpose or effect of unreasonably interfering with an individual's work performance; or c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on company time or using company equipment via e-mail, phone (including voice messages), text messages, tweets, blogs, social networking sites or other means.

Individuals and Conduct Covered

These policies apply to all applicants' employees and markets where FFM operate. Whether related to conduct engaged in by fellow employees or someone not directly connected to FFM (e.g., an outside vendor, consultant or customer). Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

Administration of Rules and Procedures

Producer-Only Violations

Complaints of a suspected violation of the producer-only rule must be submitted in writing to the FRESHFARM Markets' management. To file a complaint, or report a suspected rule violation, please send a letter or email to the Market Managers. The identity of the person complaining shall be kept confidential. The market management may notify the subject of the complaint in writing and confer with farmer or producer and others, if necessary, to determine what level of investigation is necessary, including a site visit. Farmers or producers refusing to cooperate with a site visit or audit may be permanently removed from the market.

Any farmer or producer who is found to have violated the producer-only rule will receive a warning, temporary suspension, or be permanently removed from the market, depending on the severity of the offense. Any subsequent violation of the producer-only rule will be grounds for removal from market.

Violations of Market Conduct, Operations, and/or Stall Requirements will result in citations by market management. Farmers/producers will receive two warnings regarding the violation. The third citation will result in a \$50 fine. Further violations may be grounds for suspension or expulsion from the market. Penalties for late sales reporting and/or late fee payments are outlined under Fee Structures.

Advisory Committee to FRESHFARM Markets for Rules, Procedures & Product Guidelines

In order to ensure that the farmers markets created and operated by FRESHFARM continue to promote the viability of agriculture in the region and to remain flexible for emerging situations related to all farmers and producers, an Advisory Committee was created in 2004. This Advisory Committee serves at the direction of FRESHFARM Board of Directors and recommends changes to the FRESHFARM "Rules, Procedures & Product Guidelines" on an annual basis or as needed for a specific market issue.