



Rev November 1, 2011

## **Sankofa Farmers Market Rules and Regulations**

**Mission:** The Sankofa Farmers Market serves as a community anchor for the New Orleans Ninth Ward, empowers the New Orleans community with information about and access to healthy local foods, stimulates economic activity, and provides health and wellness education resources.

The Sankofa Farmers Market operates on Saturdays from 10AM to 2PM in the parking lot of Holy Angels Convent, 3500 St. Claude Avenue at Gallier Street the New Orleans' Ninth Ward.

The Sankofa Farmers Market has established a series of rules and regulations that guide vendors in understanding what their responsibilities are as members of the market community. Understanding and complying with these guidelines creates a market that operates smoothly and efficiently so that all participants may benefit.

### **Basic Tenants of the Sankofa Farmers Market:**

**Producer Only Market-** The Sankofa Farmers Market is a producer-only market. This means you may only sell things that you grow or produce. You may not purchase and resell any products

**Set Up on Time and Stay for Entire Market-** You must be set up and ready to sell by 9:45am and may not take down your table until 2pm. If you sell out of product before the end of the market put up a sold out sign.

**No sales before 10am-** There are no customer sales before the opening bell (10am) or after the closing bell (2pm). Vendors and Market Staff may purchase or trade for products before and after the market bells.

**No Surprises-** Alert the Market Manager before bringing any new products to sell. Alert the Market Manager before missing a market for which you are scheduled.

**All Prices Must be Posted-** There must be a clear price posted for all products. This may be on one board or attached to each product/group of products.

**Packaged Products Must be Labeled-** Any prepared food or product with more than one ingredient must be labeled with the Business name, phone number, and list of ingredients.

**Clean your space after the market-** Do not leave any trash or other evidence of the market at the market site.



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When in doubt, contact the Market Manager.

## **I. Criteria for Acceptance as a Market Vendor:**

All persons who produce food and agricultural products that they intend to sell at the Sankofa Farmers Market are eligible. All persons intending to sell in the Sankofa Farmers Market must, prior to participation in the Market, file an application with [managemymarket.com](http://managemymarket.com) which verifies that they are the actual grower or producer of the specific items which they intend to sell in the market. All vendors shall allow Sankofa Farmers Market representatives to inspect their production facilities at any time, with or without notice, so as to maintain the integrity of a producers' market. If you are unable to complete the online application or would prefer a paper application, please contact the Market Manager at 504-872-9214.

### ***A. Definition of Vendor and Farm/Production Facility***

All products sold must be grown or produced by the vendor as we are a producer only food market. "Vendor" shall be defined as the producer of goods sold and shall include the spouse, siblings, children, parents and employees of the applicant who assist in the cultivation of the same property listed in the application under the "name of the farm/production facility." The term "employee" is also constructed to include part-time or seasonal contract labor and/or contract services as long as the labor or services are performed under the "responsible charge" and oversight of the vendor.

Produce grown or produced at a location not listed on the application is not eligible to be sold. The resale of items purchased by the vendor shall not be permitted. The Market's objective is to assist small entrepreneurs to break into the market, therefore vendors who sell strictly at direct markets will be given priority over vendors who already maintain retail operations in New Orleans. Farmers may sell limited amounts of products from neighboring farms on a temporary basis at the discretion of the Market Manager.

Cooperatives: The participation of true grower cooperatives is encouraged but proof of cooperative membership and organization (by-laws, articles of incorporation, etc.) is mandatory. In this case, the address of each farm participating in the cooperative and the name of each farmer should be included in the application. For more information on cooperatives see <http://cooperativeassociations.uslegal.com/>.

### ***B. Permitted Items for Sale***

**Items allowed for sale** shall include raw vegetables and fruits; edible plants; eggs; honey; shelled peas and beans; cut, washed and unwashed, bagged vegetables; nuts;

garlic; spices; grains; herbs; bedding plants; native wines, herbal vinegars, pastries, cookies, cakes, cheesecakes, chocolates, fruit syrups, jellies, jams, herbal and vegetable spreads, vegetarian focaccias and sandwiches, pies, stuffed breads, fresh pasta, fresh juice and cider; raw and frozen meats (beef, lamb, mutton, pork, goat); raw and frozen small poultry; raw and frozen game bird and rabbit; raw and frozen fish and seafood (crustaceans, fish, turtle, alligator); live seafood (shellfish, crustaceans, oysters); fluid milk and fresh dairy products; cheese; canned and pickled products; cured sausage and meat.

### **Products not permitted**

- prepared frozen entrees and appetizers
- fresh or frozen soups
- fresh or frozen meat pies
- canned or frozen meat stews
- crafts

New vendors' products are reviewed by the Sankofa Farmers Market Advisory Committee. **Vendors are only permitted to sell items that have been approved by the Advisory Committee.**

### ***C. Product Regulations according to Category***

Products for sale at the Sankofa Farmers Market are reviewed and placed into one of three categories: Category 1, Category 2, Category 3. The Market seeks to achieve a balance of products. The Market's ideal balance is 60% Category 1 (majority fresh produce), 20% Category 2 (value added products), 20% Category 3 (dairy, meats, seafood). All new vendors' farms, production facilities, or boats will be visited for inspection prior to entering the market.

**Category 1:** Products in Category 1 include foods that historically have not been identified as sources of food-borne illness: raw vegetables and fruits; edible plants; eggs; honey; shelled peas and beans; cut, washed and unwashed, bagged vegetables; nuts; garlic; spices; grains; herbs; bedding plants. Applications submitted by producers in Category 1 are verified through Alabama, Louisiana and Mississippi Cooperative Extension Services to confirm if they are genuine growers in the region.

**Category 2:** Products in Category 2 have been identified as the sources of few outbreaks of food-borne illness. They utilize two primary packaging formats: plastic bags or glass/plastic containers. Category 2 products include native wines, herbal vinegars, pastries, cookies, cakes, cheesecakes, chocolates, fruit syrups, jellies, jams, herbal and vegetable spreads, vegetarian focaccias, sandwiches, pies, stuffed breads, fresh pasta, fresh juice and cider.

**Category 3:** Products in Category 3 have been the sources of most food-borne illness, some of which are life threatening. All Category 3 products require clean processing, transportation, and storage environments. Category 3 products include raw and frozen meats (beef, lamb, mutton, pork, goats); raw and frozen small poultry; raw and frozen game bird and rabbit; raw and frozen fin fish and seafood (crustaceans, fish, turtles, alligators); live seafood (shellfish, crustaceans, oysters); fluid milk and fresh dairy products; canned and pickled products; cured sausages and meats; and cheeses.

New **Category 2** and **Category 3** producers must submit samples of their products for tasting at scheduled meetings of the Sankofa Farmers Market Advisory Committee. Potential new market items to be sampled for consideration for sale should follow the following guidelines:

1. Include at least one locally grown ingredient and/or demonstrate a linkage to the cultural heritage of the Greater New Orleans region.
2. Be a product that can be marketed during more than one season.
3. Be submitted to the Advisory Committee in the exact form in which they will be offered for sale.
4. Be packaged, labeled with ingredients, company name, address and telephone.
5. Be labeled with the intended price for sale.

**REMEMBER:** You are only allowed to market the products that you have indicated on your vendor interest form and that you have been approved to sell. This measure is not meant to stifle creativity on your part, but rather to ensure a sustainable product mix in a small market and the authenticity of its mission as a growers' market. Should you wish to expand your line of products, please contact the Market Manager about new additions for approval and submit your product to the next scheduled Advisory Committee meeting.

If your product is not invited into the Sankofa Farmers Market, it may not reflect upon the quality of your product. Items are selected based upon the Market's stated criteria and specific needs for a balanced product mix. Although some products are delicious, they may not lend themselves to this forum. We appreciate any and all interest from potential vendors and their creative talent and entrepreneurial drive within our region. We hope that the Sankofa Farmers Market will be a useful outlet for your talents.

**Regulation of Items by Non-Vendors:** No sale or distribution of goods, food, flyers, literature or presentation of performance will be allowed without prior consent of the Sankofa Farmers Market Advisory Committee. There will be not be any solicitation or

materials for solicitation allowed in the Farmers Market during Market hours without prior approval of the Sankofa Farmers Market Advisory Committee.

## **II. General Rules and Guidelines**

### ***A. Health regulations***

All vendors participating in the Sankofa Farmers Market must comply with the sanitary rules and regulations of the Parish and State Health Departments. All seafood, fish, meat, poultry and dairy products must be raised, harvested, raised for sale, packaged and displayed in accordance with current local, state, and federal guidelines. Farmers must follow state and federal pesticide control laws.

Value added products must be produced in accordance with state health regulations, which in some cases may require preparation in state-approved commercial kitchens. See the *Field to the Table* food handling guide for requirements by Category and product.

Food samples, if offered, must be provided to the public in appropriate containers, maintained at an appropriate temperature and handled in accordance with health regulations.

### ***B. Hold Harmless Clause and Insurance***

All authorized vendors participating in the Sankofa Farmers Market shall be individually and severally responsible to Sankofa Community Development Corporation (Sankofa CDC) for any loss, personal injury, deaths, and/or any other damage that may occur as a result of the vendors' negligence or that of its servants, agents, and employees, and all vendors hereby agree to indemnify and save Sankofa CDC harmless from any loss, cost, damages, and other expenses, including attorneys' fees, suffered or incurred by Sankofa CDC by reason of the vendors' negligence or that of its servants, agents and employees; provided that the vendors shall not be responsible nor required to indemnify Sankofa CDC for negligence, its servants, agents and employees. Because no insurance is provided to participants in the Sankofa Farmers Market, each vendor must carry his/her own product liability insurance and must be prepared to present it in the Market.

### ***C. Market Booths***

#### **Rent**

All approved applicants who sell goods in the market are required to pay rent for the space which they use. The rent is \$20/day for a 10 foot booth or \$ 35)/day for two contiguous 10 foot booths by the same vendor. Vendors may pay weekly or monthly. A

\$10.00 discount will be given to vendors who pay for a month at a time. Monthly rent is due on the first Saturday of the month to receive the \$10.00 discount. This rent shall be paid to Sankofa CDC. The Market Manager shall deposit all payments into the Sankofa CDC account. The Market Manager's records of rent due and rent paid shall be open for inspection at all times at the Sankofa CDC office.

### **Booth Sharing**

Booth sharing up to 2 vendors per booth space is permitted at the Sankofa Farmers Market. Vendors will be charged \$15 each per day to share a 10 foot booth. Shared booths may not expand to two 10 foot spaces without becoming two separate booths.

Vendors seeking to share a booth space are required to apply and be accepted separately. The two vendors seeking to share a booth must submit a statement with the application that explains why they would like to share a space and how the products will complement each other. Shared booths are approved by the Market Manager.

### **Space Assignment**

The Market Manager shall assign spaces on a rotating basis on or before Market day. Vendors can display produce on tables facing the public or on back bar or truck bed (if needed), but not on the ground. E-Z Up Tents and umbrellas are allowed. Fees are determined by square footage.

### ***E. Time for Set-up***

The set-up of the Market is from 8:00AM to 9:45AM. **All booths must be set up by 9:45AM and ready for selling.** All vendors need to arrive at the market no later than 9:30AM. No driving into the market is allowed after 9:00AM. Vendors who are not set up by the opening bell at 10am will be charged a \$10 late fee which is due by the end of the market.

### ***F. Selling Times***

- No selling to the general public shall begin before opening bell
- Selling shall cease after the closing bell (2PM).
- Vendors may sell to other market vendors and market staff before and after the bell

### ***G. Clean Up***

**All vendors shall clean up their areas at the end of each Market.** All vendors shall load up their vehicles and shall be clear of the parking lot within 1 hour of the closing

bell. Vendors shall be responsible for the cleanliness of their selling areas. All vendors agree to bring a broom and trash can and keep the Market area free of any debris generated by the Market activity. Vendors shall not use public trash receptacles for disposal of produce boxes and unsold produce.

### ***H. Sales Taxes***

Each vendor is responsible for collecting his/her own sales taxes, where it is applicable. Farmers and fishers are exempt from collecting sales taxes. Value added producers (for example, bakers) are required to collect sales taxes and submit to the City of New Orleans. Vendors are responsible to report their income pay their taxes according to local, state and federal guidelines.

### ***I. Permits and Licenses***

#### **Category 1 Products:**

The following permits are required vendors selling applicable products. Vendors are responsible for acquiring and updating applicable permits and licenses according to current agency guidelines. The Louisiana Department of Agriculture and Forestry may periodically visit the market to check vendor permits.

**Flowers:** Growers selling flowers need one of the following depending on how the flowers will be arranged: Retail Florist License, Cut Flower Dealer Permit, Nursery Certificate Permit.

<http://www.ldaf.state.la.us/portal/Offices/AgriculturalEnvironmentalSciences/HorticultureQuarantinePrograms/tabid/120/Default.aspx>

**Plants:** Vendors are required to have one of the following permits depending on the products: Nursery Certificate Permit, Landscape Horticulturist License, Nursery Stock Dealer Permit.

<http://www.ldaf.state.la.us/portal/Offices/AgriculturalEnvironmentalSciences/HorticultureQuarantinePrograms/tabid/120/Default.aspx>

**Weighed Products:** Any products that are sold buy weight must be inspected yearly by the Louisiana Department of Agriculture and Forestry weights and Measures Division. New Orleans Office: 504-286-1125.

<http://www.ldaf.state.la.us/portal/Offices/AgroConsumerServices/WeightsMeasures/tabid/123/Default.aspx>

The enforcement agencies (Department of Wildlife and Fisheries) may periodically visit the market to check vendor permits.

**Seafood:** Seafood vendors are required to have (and display) a current Commercial Fishermen License. <http://www.wlf.louisiana.gov/>

### ***J. Miscellaneous***

- No firearms. No alcoholic beverages. No drugs. No smoking on Market grounds.
- All vendors must have signage indicating the name and location of their farm as well as the types of produce, baked goods, etc. that they are selling.
- All vendors must display a "sold out" sign once items are no longer available.

### **III. Violations:**

Any complaint against any vendor regarding the origination of their produce or goods, or any other matter, must be directed to the attention of the Market Manager in writing. Complaint resolution of matters of this nature is the responsibility of the Market Manager and the Sankofa Farmers Market Advisory Committee. Together they shall determine, in their sole discretion, what type of investigation, if any, shall be conducted in response to written complaints; whether or not the written complaints shall be provided to the vendor against whom the complaint is directed; what type of response (written and oral) a vendor against whom a complaint is made shall be entitled to make; and the time frame in which such a response shall be made.

It is within the sole discretion of the Market Manager to determine if a vendor has violated any provision that undermines the smooth operations of the Market. Such violations may include, but are not limited to:

1. Arriving late: After the opening bell rings (Saturdays 10AM.) Vendors must be at their table prepared to sell, so as to prevent disruptive carrying of products across the Market. The Market lot opens at 8:00 AM. Vendors will be charged a \$10 late fee if they are not set up and ready to sell by the opening bell at 10AM. The \$10 late fee will be due by the end of the market.
2. Not showing up: Defined as not notifying the Market Manager (at least 24 hours prior to Market) that vendor is not coming to Market. The Market allows for "acts of God" (flat tire, equipment failure, weather, etc.). In those cases, the Market Manager's voice mail can be reached 24 hours at 904-557-6493.
3. Selling before the opening bell or after the closing bell.
4. Leaving before the closing bell.

5. Failing to pay for table rent. Vendors cannot return to the Market until payment is made.
6. Selling produce not grown by the vendor.

Whether a first time or repeat vendor, the Sankofa Farmers Market reserves the right to cancel the approval of any vendor's application at any time if and when it finds said vendor in violation of any of the aforementioned guidelines and eligibility requirements. The Market protects its brand integrity as a place of quality products offered by the producer themselves. If a vendor continues to prove that s/he cannot operate as a member of the Market community in good faith, then s/he will be asked to leave the Market.

## **IV. Finances**

### ***A. Rent Schedule***

Rent from each approved vendor is reserved on a monthly basis and due to the Market Manager by the first Saturday of each month (in order to get the \$10 discount). All reservations received after the first Saturday of the month fall into the day rate and process. The Market needs a stable group of vendors to sell each and every Market. Vendors who pay weekly will be required to pay the \$20/day rent before the closing bell at 2pm. Most vendors pay rent in the Market's wooden tokens. Each stall is \$20/day.

### ***B. Cancellation Policy***

Vendors who consistently fail to show up for reserved/paid Market stalls, will be asked to reconsider whether the Market is for them.

### ***C. Token System***

The Sankofa Farmers Market uses a wooden token system to facilitate digital card use of SNAP benefit, debit, and credit card transactions and generate more wealth for our local farmers and fishers. For consistency and convenience of our shoppers, all vendors at the Sankofa Farmers Market are required to accept all wooden tokens. The SNAP benefit, credit, and debit card currencies are accepted at the Welcome Table and converted into wooden tokens. Market goers can use then use the wooden tokens to purchase goods from the vendors.

The SNAP benefit tokens work almost like the credit and debit card market tokens, with a few exceptions due to government regulations: no change, no hot food, no cut flowers and no inedible plants. Tokens will be collected weekly and reimbursements will be sent



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by check to each vendor by Sankofa CDC. Training on restrictions and the rules and regulations of the tokens occurs at orientation.

Only Sankofa Farmers Market Tokens will be accepted for reimbursement. Vendors will not be reimbursed for tokens from other farmers markets.

#### ***D. Farmers Market Nutrition Program***

The United States Department of Agriculture manages several programs that benefit local farmers including the Supplemental Nutrition Assistance Program (SNAP) and the Farmers Market Nutrition Program (FMNP) for Seniors and recipients of the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC). The Sankofa Farmers Market works to facilitate these programs for the benefit of both vendors and shoppers. Eligible vendors are encouraged to apply to the USDA's Farmers Market Nutrition Program.

#### **Modifications:**

The Sankofa Farmers Market Advisory Committee of Sankofa CDC reserves the right to revise the Sankofa Farmers Market rules and regulations at any time they deem appropriate.