



TENINO FARMERS MARKET

2021 Vendor Agreement, Policies and Application

About Us

The Tenino Farmers Market (TFM) is a non-profit 501(c)(4) organization and a member of the Washington State Farmers Market Association (WSFMA). Our mission is to provide the community with a vibrant and sustainable community market that provides access to healthy, local foods, supports local farmers and vendors, and represents a gathering place that benefits and enriches the community. The TFM is overseen by a board responsible for the management of the market.

Our Rules

TFM is conducted according to the policies stated in this document. Each vendor is expected to read and understand these policies which includes compliance with all State, County, and City regulations and laws. A copy of all applicable licenses and permits must accompany the vendor application.

As a member of the Washington State Farmers Market Association (WSFMA) we comply with the guidelines provided by WSFMA; those guidelines are available for you to review at wafarmersmarkets.org.

The Thurston County Public Health & Social Services Food & Environmental Services Section describes regulatory requirements in Thurston County which must be complied with; that publication is available for you to review at co.thurston.wa.us/health/ehfood.

The Washington State Department of Agriculture Regulations and Strategies for Farm and Food Business is a great resource for regulations involving specific products along with tax, licensing, employment, and marketing information and resources. The WSDA publication is available at agr.wa.gov/fp/pubs/docs/056-smallFarmAndDirectMarketingHandbookComplete.pdf.

How to Find Us

The market is held at 213 Sussex Avenue West in Tenino. We start the market the first Saturday of May and continue every Saturday until the end of September. The market is open for business during the season from 10 AM to 3 PM, with the exception of Oregon Trail Days when we may extend our hours.

TFM mailing address is P.O. Box 554, Tenino WA 98589. We have an engaging Facebook presence at 'Tenino Farmers Market'. The TFM website is teninofarmersmarket.org and our e-mail is market@teninofarmersmarket.org.

Who Can Be A Vendor at TFM?

We are a *Farmers Market*, and that requires following guidelines regarding the types of items which can be sold. The Washington State Farmers Market Association Roots Guideline has a comprehensive description of products vendors may sell at TFM. In general, items for sale are to be produced, processed, or created in Washington State by the vendor. This section will briefly describe five types of vendors who may sell at TFM. Those five types are farmers, processors, resellers, artisan/crafters, and concessionaires. For a more thorough description review the Roots Guidelines. Vendors under the age of 18 will require a legal guardian present with them at all times.

Farmers who sell at TFM raise produce, plants/botanicals, or animals on land they own, lease, or rent in Washington State. This may include someone who processes produce, fruit, berries, botanicals, meats, and honey grown, raised, or harvested on their own, leased, or rented property in Washington State and then turned in to a value-added product like jam, cider, salsa, vinegar, essential oils or such. Farmers who raise the basic ingredients of a product but who send the product out for processing (in Washington) before creating the value-added product may qualify to sell at TFM.

A farmer for purposes of selling at TFM does not include a reseller. A farmer for purposes of selling at TFM does not include those who work on or manage a corporately owned farm and are selling surplus product.

A farmer may be a person selling seafood at TFM; that vendor must own, lease, or operate the fishing vessel or own, lease, or rent the land where the seafood is caught or harvested. A seafood vendor must be a resident of Washington State.

A **Processor** is one who sells food they have personally prepared or processed on property they own, lease, or rent in Washington State. The processor should use ingredients mostly from Washington State. Seafood vendors may use products originating from the greater Pacific Northwest which includes Washington, Oregon, Alaska, and British Columbia. All products sold by a processor must have their contact information per Washington State Farmers Market guidelines on a stamp or label on each item they sell.

A processor will be one who has not raised the ingredients for the product themselves but has done “hands-on” processing to add value to the product. The processing must occur in Washington State. Examples of products a processor may sell are hand-filleted fish, smoked or butchered meats, handmade candies or nuts, ciders, baked goods, jams, and such.

A processor may be one who sells alcoholic beverages. To be sold at TFM, alcoholic beverages must be made entirely from ingredients grown in Washington or from grapes grown in a recognized Washington appellation. Additives needed for processing which are not produced in Washington State may be used if they total no more than 5% of the total volume of the beverage.

A **Reseller** is one who buys produce from farmers in Washington State and transports the produce for sale at TFM, reselling it to the consumer. A reseller must work within these criteria:

1. The reseller is expected to be the only stop between the grower and the consumer. This means the product cannot be bought by the reseller from a shipper, warehouse, jobber, or wholesale distributor.
2. All produce must be grown in Washington State.
3. A reseller may also sell produce they grow themselves on their own property (in which instance the vendor is selling as a farmer).
4. A reseller should not offer for sale crops which compete with the crops of farmers at the TFM. Resellers are to have crops pre-approved by the TFM before delivering the crops to the market for sale. Reselling of crops which are produced by farmers at the TFM is permitted if the farmers are not able to offer the crop in sufficient quantity to meet consumer demands.
5. Products offered for resale must be labeled as such. The label is to be displayed in a manner so the consumer may easily read it and the label must include information identifying which farm produced the product.

An **Artisan/crafter** are persons or entities who craft with their own hands the products they offer for sale at the Tenino Farmers Market. To qualify as a crafter, a majority of the tools and equipment used by the crafter to produce their products must require skills, personal handling and/or guidance by the crafter. Crafters should incorporate materials produced in Washington as much as possible. Crafters must create their products in Washington. One who provides an on-site skilled service, such as knife sharpening or tool refurbishment, or uses the above-mentioned process to repurpose items (recycled into a new use) is considered an artisan/ crafter.

A **Concessionaire** offers food for immediate consumption on-site. The concessionaire should use ingredients produced in Washington State as much as possible. Concessionaires shall have available all required State, County, City, and local health department permits.

Who Cannot Sell at Tenino Farmers Market?

The farmers market promotes local farmers and vendors. An entity which cannot sell at TFM may still sponsor market events, participate in market activities, and have a booth presence; however, no selling or taking orders to sell can be permitted.

Prohibited at the TFM are items for sale which are commercial or imported items, second hand items (except those recycled into a new use), any franchises, any non-owner operated businesses, and items for sale processed outside Washington State or made by someone other than the vendor.

If You Want to Participate, How Often Will You Be There?

Some vendors want to sell every Saturday, 10 to 3, from May to the end of September. Those vendors are called “season” vendors. A **season** vendor must pay \$30.00 with the application. This \$30 is nonrefundable and will not be prorated. The \$30 and application is due one month before the market opens or your chosen start date. If you have not sold at the market in the past, your application will be reviewed for product approval. The season vendor has voting rights. For each day at the market, the season vendor will pay a daily fee of \$2.00 and may pay a daily gross sales fee. The daily gross sales fee applies when a vendor’s gross sales at a market is over \$50.00; 5% on the amount over \$50.00 will be charged as the daily gross sales fee. The stall size is 12’x12’.

A **trial** vendor is a vendor who attends the market one day. You cannot be a trial vendor for Oregon Trail Days. A trial vendor must submit an application and a nonrefundable fee of \$10.00 for a 12’x12’ space. The trial vendors application and fee are due one month prior to the vendors’ chosen market date. The application will be reviewed for product approval. A trial vendor will also pay the \$2 booth fee for the day and 5% on gross sales at market over \$50.00. If a trial vendor wants to return to the market, the \$20 balance of the season application fee is due prior to returning.

A **special event** vendor is a vendor who attends market only for the Oregon Trail Days event. The special event vendor must submit an application and a \$30.00 fee one month prior to the Oregon Trail Days event. The application will be reviewed for product approval. There is no 5% gross sales fee for the special event vendor.

A **community booth/non-profit** (Non-profit Must provide copy of 501(C)3 non-profit status), organization is a special booth designed to strengthen our community and provide information to market-goers. As such there is no charge for the space but we need to plan for you. A community booth/non-profit organization may reserve a booth space by completing a vendor application & agreement form and letting us know what day you would like a space for and the nature of your booth. No signature gathering, selling or taking of orders can occur.

What If You Can’t Make It to Market?

If you can’t make it to your scheduled market day you should notify the market manager or site manager 5 days prior to the market date. If you have an emergency and cannot provide 5 days’ notice of your absence, then explain your circumstances to the market manager and provide as much notice as possible. All absences where proper notice was not provided will result in a \$5.00 fee. The \$5.00 fee must be paid before the vendor can return to the market in good standing.

The market is open, rain or shine. Customers expect our consistent presence. If weather is unrelenting or dangerous the market may close early. Market may close any day under board discretion as vendor safety is paramount.

How Do You Pay Your Daily Space Fee and Gross Sales Fee?

Before market closes each Saturday, every vendor will be given an envelope with a Sales Tracker form inside. There will be a calculation sheet to help you compute the 5% fee for daily sales totaling \$50 or more. Put your daily sales report in the envelope along with your \$2.00 weekly space fee and any sales fees. Return the envelope to the market booth after the market has closed.

Other information may be in the envelope for the vendor. Leave the calculation sheet in your envelope when you turn it in with your sales report.

Other processes for market day fee collection may be utilized depending on circumstances.

What About Setting Up at The Market?

The site manager or market manager will tell you where you should set up. You may request a specific site, but keep in mind the assigning manager makes the setup decision based on market needs. The manager has the option to change the location of a vendor.

Your market site will be a 12'x12' space. If you would like an additional space, contact the assigning manager. If space is available and approved, there will be an additional \$2.00 space fee.

Different vendors may choose to share a single market space. The \$2.00 space fee is charged for the 12'x12' space. Each vendor must have submitted a separate application with application fee and each vendor must separately report and pay their daily gross sales fee.

Canopy and Umbrella Weights

All canopies and umbrellas must have weights attached to them at all times for safety reasons. All vendors who wish to erect canopies (including umbrellas) on the Farmers Market site, including the set up and break down process, are required to have their canopies sufficiently and safely anchored to the ground from the time their canopy is put up to the time it is taken down. Any vendor who fails to properly anchor his or her canopy will not be allowed to sell at the Farmers Market on that market day, unless that vendor chooses to take down and stow their canopy and sell without it.

Each canopy leg **MUST HAVE** no less than 24 pounds anchoring each leg, and 50 pounds anchoring a market umbrella. Alternatively, canopies may be secured on grass or unpacked soil by steel auger anchors or spiral tent stakes of at least 1/2" thickness and 12-15" length, properly installed and secured. Non-spiraled, straight tent stakes are not an acceptable canopy anchoring system. Holding capacity of auger anchor systems is dependent on soil conditions and density and may not be adequate in rocky soils.

If you have an emergency need for a canopy, the market has a limited number of canopies and weights which may be available to rent for \$20.00 per day. There is never a guarantee that the market will have a canopy available for rent. If available, the fee is to be paid **IN ADVANCE**. A receipt will be provided on request. The vendor is responsible to set up and take down the canopy, packing it as neatly as it was received. If a vendor violates any of these rules, no canopy will be available to that vendor for the remainder of the market season.

Set-Up, Break-Down and Vehicles

Anyone participating in the market must be present by 9:30 AM on market day and ready to sell by 10 AM when we open. No vehicles are allowed to enter the market site after 9:30 AM. If you are not present by 9:30 AM a market manager may reassign your space to another vendor or booth. Set

up starts at 8:00 AM. Market closes at 3 PM, but you may continue working if you have customers. Olympia Street reopens to traffic by 5 PM.

Each vendor must clean up their space. Any help you can give to the market site manager in clean up and break down is welcomed and appreciated.

If you feel parking at your assigned site is needed, speak to the market manager or the site manager. We have a limited number of spaces which will accommodate at-site parking. Priority is given to farmers.

Once your personal vehicle is unloaded you must move it to designated vendor parking areas. If you are unclear where to park your vehicle, ask any market representative.

Pets and Animals

No vendor may bring a pet to market. Service animals compliant with RCW 49.60.040 are excepted in accord with state law.

Poultry and livestock must be kept in cages, fenced, or on a leash under physical control of the owner. The area must be kept clean and fresh water available to the animals at all times. Poultry and livestock are not to be left unattended. The market is not responsible for any poultry or livestock related incident(s).

A vendor selling anything requiring refrigeration is not allowed to have poultry, or livestock in their selling booth.

Special Events

The market schedules multiple special events during market Saturdays. Refer to the market schedule for more information. Events are subject to cancellation due to weather, pandemics or other unforeseen circumstances. Vendors are encouraged to participate in the spirit of each special event.

Behavior at The Market/Code of Conduct

We ask all our customers, vendors and management to abide by the following code of conduct:

- No profanity or obscenity. This includes both verbally and written
- No intimidating or threatening behavior will be tolerated
- Respect the space and boundaries of those around you
- No person under the negative influence of alcohol or drugs
- Do not ride scooters, bikes, skateboards, or other such devices inside the market
- No audible music or loud singing except in designated busking locations with approval of Market staff. Personal electronic devices may be used with earphones/earbuds
- Smoking or vaping by vendors inside the market area is not permitted; you may smoke or vape outside of the market area, 25 feet from other vendors, doorways or businesses.
- We will not tolerate discrimination of any kind – including discrimination based on race, color, national origin, age, perceived or actual physical or mental disability, pregnancy, genetic information, sex, sexual orientation, gender identity, marital status, creed, religion, honorably discharged veteran or military status, or use of a trained dog guide or service animal

Vendors and their representatives must conduct themselves in a safe and courteous manner toward customers and other vendors.

The image of the market is important. All vendors are required to maintain their individual selling space in a clean, safe, and sanitary manner. Use the trash and recycling cans on site.

All items being sold or displayed inside the market space must be ‘**family friendly**’ in appearance, verbiage and presentation.

All TFM Board Members, Market Management Team members and volunteers will receive no personal benefit beyond what any vendor could expect to get from the market and must act in the interest of the market and not use their authority or status for personal gain.

If a vendor fails to adhere to significant policies set forth herein, the TFM Board has discretion to issue a verbal warning to the vendor and/or provide a written warning or remove the vendor from the market. A second offense will result in removal from the market for the season.

Signs

All vendors are expected to have signage identifying the name of their farm or business. Products should be clearly marked with prices. Use of the term “organic” is restricted to those who have been certified as organic.

Compliance with Regulations and Laws

You are expected to comply with all state, county, city, and governmental laws and regulations. You are expected to know and understand those laws and regulations as they pertain to you and your obligations under the law.

**KEEP THESE GUIDELINES FOR YOUR
REFERENCE.**

**IF YOU AGREE WITH THE TERMS OF THIS
AGREEMENT, SIGN THE ATTACHED
APPLICATION AND RETURN IT TO:**

TENINO FARMERS MARKET

PO Box 554

Tenino, WA 98589

Tenino Farmers Market Vendor Application

BUSINESS NAME _____

(Vendor/Farm/Business Name/Community Booth or Nonprofit Organization)

UBI #: *(not required to participate)* _____

Vendor Name: _____

Vendor Mailing Address: _____

Street Address: *(if different than mailing)* _____

City State Zip: _____

Vendor Phone Number: *(Indicate if Cell or Home):* _____

Vendor e-mail address: _____

Name(s) of those likely to be selling on-site:

For Community Booth/Nonprofit, provide the name(s) of those likely to be on site and give us a contact number for one of those persons:

Vendors, please describe your product. Feel free to use additional paper if needed. Community Booth/Nonprofits, please briefly describe the nature of your booth.

Vendors, put a check next to the vendor-type that best describes you based on the products you will be selling at TFM.

PLEASE NOTE – you are responsible for providing copies of any required licensing for your business:

- Farmer
- Processor
- Reseller
- Artisan/Crafter
- Concessionaire

If you checked “Farmer”, please list all addresses owned, leased, or rented where the product(s) you anticipate selling at TFM are raised.

Tell us how often you would like to be at the market by selecting one of the following options:

- Season Vendor (\$30 application fee due with application)
- Trial Vendor (\$10 application fee due with application)]
- Community Booth/Nonprofit (Must provide copy of 501(C)3 non-profit status), which date will you be attending the market:

If you are a TRIAL vendor or Non-Profit, which date will you be attending? _____.

- Oregon Trail Days ONLY/Special Event Vendor (\$30 application fee due with application)
- Community Booth/Nonprofit (no application fee, no selling allowed)

ALL applications and fees must be received one month prior to your chosen start date. If expedition is required and can be accommodated, a \$25 fee will be added.

Customers love to see what’s happening at TFM. May we post pictures on the TFM website, Facebook, or publications if you or your products are in them?

- Yes
- No

We may receive requests from outside sources for information about our vendors. May we share information about your products or your business to reputable inquiries?

- Yes
- No

Are you requesting to have your vehicle as part of your booth?– these spaces do NOT have electricity

Yes

No

Are you requesting space with electricity?* (these spaces do NOT have at-booth space parking)

Yes

No

**Generator use is at the discretion of the TFM Board.*

Do you have a canopy with the required weight for each leg?

Yes

No, I request to rent one from the market for \$20 per day, limited availability

AGREEMENT:

By signing this agreement on behalf of your enterprise, you confirm you **have read, understand, and agree** to this agreement and to the TFM Vendor Application, Agreement, & Policies. You understand that the TFM management reserves the right to exclude or remove vendors who do not comply with all rules, policies, and regulations, and may refuse or release a vendor based on poor attitude or inciting conflict. You acknowledge that selling at TFM is conditioned on the accuracy of information provided in this application, compliance with all State, County, City, and TFM regulatory requirements, and you agree to indemnify and hold harmless the Tenino Farmers Market from and against any and all claims and demands, regardless of the nature, on or off market premises, associated with any activity or product involving you and the TFM or your agents; you further agree that you shall defend, at your own expense, any action brought against the TFM which involves you or your agents.

IT IS SO AGREED:

Signature: _____

Date: _____