

Operating Rules and Regulations For the Henderson County Tailgate Market 2019

1. **All vendors must be Henderson County residence.**
2. **All produce, plants, or made products must be grown/made in Henderson County grown/made by the vendor.**
*Validation by a local Cooperative Extension Agent or designated Board Member may be made at any time, in the form of a grower visit, to verify that a grower is indeed producing the crops or products being sold.
3. **No resale items are permitted without prior approval given by the Henderson County Tailgate Board.** No flea market items are to be sold at any time.
4. **A vender is defined as the grower/producer or family of the same no exceptions. No co-ops/agents allowed.**

Vendors and at-market vendor representatives must be involved in the production of products sold at market. An individual "involved in production" regularly grows, raises, or produces products sold at market. Examples include: soil preparation, planting, transplanting, maintenance (weeding, watering, pruning, etc.), harvesting, animal care, food production (cooking, processing ingredients, etc.), art/craft design or creation, etc. Operational or administrative tasks NOT considered as "involved in production" include: equipment maintenance, bookkeeping, staff supervision, packaging, etc.

Any exception or substitution for vendor absents needs prior approval from the Henderson County Tailgate Board Members.

5. **Each vendor will complete a Henderson County application each year.** This application will be used by the Henderson County Tailgate Market, Tailgate Board Members, and/or Cooperative Extension Agent to provide informational mailings.
6. **All liability falls on the vendor.** The Henderson County Tailgate Market holds NO liability regarding the vendors.
7. Each seller will be responsible for keeping the space he or she uses clean during Market hours and prior to leaving the parking lot.
8. Scales or units of measure should be of the type that is approved by the NC Department of Agriculture and Consumer Services (NCDA&CS). ***Each year scales need to be certified by the NC Department of Agriculture and Consumer Services (NCDA&CS) prior to selling at the market.***
9. Vendors must provide their own equipment, scales, bags, packaging, or any other related items.
10. All vendors must confine their presentation within the designated space. No permanent structure of any type can be affixed to the vendor space.
11. **All vendors must display the name of the vendor or farm and their business address (Required by FSMA).**
12. **All vendors must sign and agree to participate in the token redemption program for accepting debit, credit,**

and SNAP/EBT at the market. In addition, all vendors must clearly display prices (Required for SNAP/EBT sales).

13. All sales by vendors must be conducted in the vendor's own designated space.
14. No merchandise will be displayed in a manner that would obstruct the flow of either vehicular or pedestrian traffic. Aisles and lanes should be left open to insure the safety of both vendors and customers.
15. Vendor's **promotional items shall be restricted to one display item** unless vendor is given free promotional items to Tailgate customers.
16. Assigned parking spaces per decisions made by the Board Members. **Parking fees to be \$20.00 per season per parking space. Individuals with assigned spaces shall be in their space by 7:30 a.m. unless previous arrangements are made with one of the Board Members prior to that Saturday or their space will be made available for other vendors for that morning. Each vendor/family will be allowed two parking spaces max. Family defined as immediate family members.**

If a vendor is not in their space after 7:30 a.m. the vendor to either side may take that vendors space that Saturday ONLY.

17. No vendor parking in the entrances way areas after 7:30 a.m.
18. Vehicular traffic by buyers through market area will be restricted by parking cones or other devices.
19. **NO LEAVING the Market prior to 12 p.m. (noon) unless prior arrangements have been made with a Board Member or in the case of an emergency.**

20. Products that can be sold are by:

- Vegetables grown from seeds, sets, or seedlings.
- Fruits, nuts, or berries grown on land owned or leased by the seller.
- Plants grown by the seller from seed, seedling, transplant or cutting, subject to NC Nursery Licensing laws. *Contact Susan Dial, NCDA Plant Inspector at 828-877-3275.*
- Plants collected from the property of the seller as meets state and federal guidelines as to collection of protected species.
- Bulbs propagated by the seller
- Eggs produced from the seller's hens. Eggs must be properly harvested for sell in strict accordance with the NC & USDA Food Safety guidelines).
- Meats from animals raised by the seller certified by USDA guidelines. Vendor must have a meat handler's license.
- Dairy products from animals raised by and made by the seller, must follow the USDA guidelines.
- Honey produced from the seller's bees, when properly packaged
- Cut or dried flowers grown by the seller
- Firewood cut by the seller
- Straw/hay/corn stocks baled by the seller
- Preserves, pickles, relishes, jams and jellies made by the seller or baked goods baked by the seller meeting – to meet NCDA&CS Food Safety guidelines including proper labeling and kitchen certification.

- No more than 10% of the vendors shall sell baked goods exclusively.
- **All baked or canned items must be cooked in the vendors Henderson County certified residential kitchen. Blue Ridge Food Venture is the only exception approved by the Henderson County Tailgate Market (vendor must provide Board Members with a letter of their kitchen facility)**
- Crafts shall be handmade items that reflect our Henderson County, Mountain Heritage, however **at least 50% of the booth's products must be Henderson County farm produce.**
- All product added herb items (teas, etc.), creams, balms, lotions, oils, soaps, misc. beauty products, household cleaning item, etc. must be grown and created at the vendors Henderson County residence.
 - No more than 10% of the vendors shall sell value added goods exclusively (examples include soap, jams and jellies, ready-to-eat foods)

21. **No LIVE ANIMALS** may be **sold** by the vendor.

22. **No PERSONAL PETS** of vendors will be allowed at the market.

23. No low-acid canned foods such as green beans, corn, peas, carrots, etc., may be sold. In addition, no canned tomato products may be sold. To be able to sell these items the proper canning classes have to be completed and product is processed in a residential kitchen certified by NCDA & CS or Blue Ridge Food Ventures.

24. Each vendor will be responsible for their own records, taxes, vendor licenses, or any compliance requirements to the local health department and/or NCDA&CS.

Federal & NC State Taxes: Vendors are responsible for meeting their own taxation requirements.

25. All alcoholic beverages or illegal drugs shall be prohibited on the Market premises. Any breach of this rule will result in expulsion from the market.

26. No tobacco products can be used on the Market premises per state law.

27. Courtesy and respect by all vendors for each other and the customers is expected at all times. No profanity or foul language is allowed. ***Any weapon(s) or harassment used in a confrontation at the market will not be tolerated and local Law Enforcement will be called immediately.***

Respect other vendors by not cutting prices for customer gain unless the vendor is having a certain special for that day on a specific item.

28. Safety and Security: Vendors are responsible for the security and safety of their products while at the Market. The Henderson County Tailgate Market is not responsible for any loss, theft or damage to vendor merchandise, displays or products at any time while at the Market.

29. **A 6 member Board will be elected by the member vendors, with 3 year rotations. This Board will appoint a Chairman and Treasurer. Board Member elects must be at least a 3 years veteran of the Henderson County Tailgate Market. Election will be held at the pre-season Market meeting.**

Any Board Member can resign at any time during their term on the Board. If a Board Member resigns that current year's Board Members will assign a new Board Member to take the resign member space.

Board Member Responsibilities:

- Provide new vendors copies of rules and guidelines upon their first visit.
- Assign vendor parking spaces.

- Authority to review issues related to conflicts related to the Market's rules.
- Perform a grower visit, to verify that a grower is indeed producing the crops or products being sold and are in fact Henderson Co. grown/made.
- Board Chairman organizes board and vendor meetings, sets meeting agenda, and is point of contact for the market.
- Board Members will designate the following duties among them: Advertising, Event Planning, and Festival Coordinator. See current Board Member Attachment for duty designations.