

# **Sweet Home/Lebanon Downtown Farmers' Market**

## **Market Guidelines 2020**

**Chris Bayne: Sweet Home & Lebanon Downtown Market Manager 541-921-0181**

**Belinda Bayne: Market Director 541-418-2603**

The Lebanon Downtown Farmers' Market and the Sweet Home Farmers' Market operate together to create a way for local farmers and producers to sell local products directly to customers in Lebanon and Sweet Home.

Our mission is to facilitate the provision of healthy, locally-grown fresh foods and horticultural products to residents of Sweet Home, Lebanon, and surrounding areas, to diversify and strengthen the economy of the Sweet Home and Lebanon area, and to enrich the communities of Sweet Home and Lebanon. Producers and vendors of locally-grown produce and value-added food items will find a supportive outlet for the sale of their goods.

The decision to accept vendors for the markets is based on a consideration of the needs of the market and includes prioritization of high-quality, healthy farm products, an appropriate product balance for each market, and to support established, reliable vendors.

Vendors must follow the following Guidelines in order to participate in this market. The coordinators of the market reserve the right to refuse participation or dismiss accepted vendors upon issuance of two verbal warnings for non-adherence to the Market Guidelines.

### **Lebanon Downtown Farmers' Market**

The Lebanon Farmers' Market starts on Thursday, May 21, 2020, and runs through Thursday, October 15, 2020 from 2pm to 6pm. The Market is at the corner of Grant & Main in Lebanon.

Setup begins at 12:30pm. Vendors with large trailers are recommended to come at the beginning of setup; vendors with only a single vehicle should come slightly later so the larger trailers have time to unload and drive out. Vendors should check in no later than 1:30 to be assigned their space and set up. All vehicles must be out of the market area by 1:45pm, and all vendors must be prepared for operation by 2pm. No sales shall be made before the market starts, including pickup of preordered items. Vehicles are not permitted into the market area until 15 minutes after market closes. Vendors must park at least 2 blocks from the market during market hours, to allow customers to use convenient parking spaces.

Non-profit educational booths are encouraged, and the space is provided without charge, if space is available. Non-profit booths that make sales of over \$12 are

expected to pay the regular booth fee. All non-profit booths must be approved by the market manager in advance.

There is a \$20, non-refundable application fee for the Lebanon Market and \$20 application fee for Sweet Home Market. Vendor spaces are \$15 per week, or \$12 per week if paid in advance for the full season (22 weeks, \$264 + \$20.00 application fee. Spaces are 10'x10', and there are limited spaces available (25). A vendor may reserve more than one space.

To reserve a weekly space, contact the market manager by the Monday before the Thursday they wish to sell. Non-prepaid booth fees are due in full the day of the market and will be picked up after 5pm by the (Market Manager).

### **Sweet Home Farmer's Market**

The Sweet Home Farmers' Market starts on Tuesday, June 2, 2020, and runs through Tuesday, September 28, 2020 from 2pm to 6pm. The market is across from the library at 12th and Kalima, in Sweet Home.

Setup begins at 12:30pm. Vendors should check in no later than 1:30 to be assigned their space and set up. All vehicles must be out of the market area by 1:45pm, and all vendors must be prepared for operation by 2pm. No sales shall be made before the market starts, including pickup of preordered items.

There is a \$20, non-refundable application fee. Vendor spaces are \$15 per week, or \$12 per week if paid in advance for the full season (18 weeks, \$216 + \$20 application fee. Spaces are 10'x10'.

To reserve a weekly space, contact the market manager by the Friday before the Tuesday you wish to sell. Non-prepaid booth fees are due in full the day of the market and should be given to Chris Bayne (Market Manager).

### **Market Guidelines**

There is one application form, on which you may apply for Lebanon Downtown, Sweet Home, or both markets. The application fee is due with the application and should be given or mailed to Belinda Bayne (Market Director).

There will be no refunds of application or booth fees. If you are prepaid and need to cancel, we will attempt to find a replacement vendor and reimburse you if possible.

A “vendor” is defined as the producer of the goods sold and shall include the family and employees of the applicant who assist in the cultivation and creation on the same property listed in the application under the name “Farm/Production facility”.

“Local” is defined as the mid-Willamette Valley region that includes Lane, Linn, Benton, Lincoln, Marion, and Polk counties.

### **Products**

The primary focus of the Farmers' Market is on local edible products, particularly fresh produce from local farmers. Fresh farm products may include, but not limited to: raw fruits vegetables; mushrooms; eggs; honey; nuts; grains; garlic; fresh herbs; herb,

vegetable, and fruiting plants; fresh and frozen meats and fish. These products must originate from the vendor's own land. Wild products such as mushrooms and fish must be collected by the vendor from within Oregon and Washington. Produce grown or produced at a location not listed on the application is not to be sold. Resale of purchased or wholesale items is prohibited. Vendors must allow and assist with farm visits/inspections.

Value-added farm products may include but are not limited to: juices and cider; canned, preserved, and pickled fruits and vegetables; jellies and jams; syrups; dried herbs and teas; jerky and sausage; dairy products; and vinegar. These products must be produced by the vendor using a significant percentage of raw materials produced by the vendor.

The market will allow a limited number of vendors with prepared foods made using purchased raw materials. Prepared foods and specialty products may include, but are not limited to, breads and baked goods and ready to eat foods. These products are accepted for the market on a case-by-case basis. They must be produced by the vendor from quality fresh raw ingredients. We strongly encourage but do not require use of locally produced raw materials.

Non-edible items may be permitted if they are determined to meet the goals of the market, on a case-by-case basis. This may include raw or processed wool and fiber products, feathers, fresh or dried flowers and plants, soaps, candles, and other items that can be made with significant value coming from locally grown materials, particularly materials originating from the vendor's own land. The resale of items purchased by the vendor is prohibited. Items not made with locally grown materials, or that are prohibited by law, are not allowed. Special consideration will be given to items made with reuse, recycling, repair, or restore in mind.

Exceptions may be made for specific vendors and products that have been sold at the market for at least five consecutive years. Such exceptions must be approved by the board of directors.

### **Consignment**

State law provides a definition of consignment, and the market may allow vendors to sell products from other farms on consignment, according to the needs of the market. Note that resale remains prohibited.

Products that can be consigned are limited to fresh fruits and vegetables; no dried products other than things like garlic, potatoes, and nuts that are cured as part of normal post-harvest handling.

Each grower who will sell products on consignment must submit a full application form with specific products to be sold and including the \$20 application fee. Consignment growers must be approved by the market manager to ensure the products will add to the variety available at the market, and not compete with established vendors.

Consignment growers must comply with applicable market guidelines and are subject to farms inspections.

The vendor may have up to 20% by value of the products in their booth produced by other approved grower/s. Licenses and insurance are the responsibility of the vendor. By state law, the vendor must keep sales logs with grow contact information and details of items sold on consignment. The vendor must have signs indicating which products are sold on consignment, with farm name and nearest city.

## **Conduct**

All participants are to treat other vendors, customers, and staff with respect.

Producers must comply with all laws, ordinances, and regulations of the United States, the State of Oregon, ODA, Linn County and the City of Lebanon and/or Sweet Home.

There will be no smoking, alcoholic beverage consumption, or illegal drug use or possession within the designated Market area or a 20' radius around the perimeter. Animals and pets must be 20' or more away from any food items.

Vendors will supply their own tables and canopies. Vendors are responsible for securing canopies and umbrellas against any weather hazard. Each leg of vendor's canopy must always be secured with **at least** 20 lbs. of weight to keep them anchored to the ground. Booth components should remain within the booth space, leaving walkways clear. Vehicles may be used in spaces, if arranged with the market manager.

Vendors must have signs identifying their farm/personal/business name, and nearest city. Vendors are responsible for keeping their space clean and attractive, and for leaving the area clean and free from trash at the end of each market. All trash must be removed by the vendor.

All products offered for sale must comply with state and federal standards governing weight, packaging, display, and labeling. Licensed scales are required if items are sold by weight.

Vendors must learn and follow all food safety guidelines applicable to their products and practices. Vendors are responsible for obtaining all necessary licenses, permits and certifications, which must be available upon request.

***Vendors who accept SNAP (food stamp) tokens or benefits provided by other programs must be aware of and follow all regulations regarding their use.***

Vendors are expected to set fair and reasonable prices, with these prices clearly posted to customers. Giving products away for free, selling at below cost, or giving the appearance of a "loss leader" are strongly discouraged, as undercutting potential sales for other vendors. This does not include sampling, which is allowed and encouraged. Vendors offering samples are required by state law to have a suitable handwashing station.

Vendors may not leave booths unattended, nor children under 16 remain unattended at a booth. If you are the only one at your booth and need a break, please let the Market manager know and we will have a volunteer tend to your booth. If you sell out and wish

to leave early, you may close up but may not remove booth, Sign or vehicle until the end of the market.

More information for market customers, vendors and managers/boards can be found at Oregon Farmers' Markets Association: [www.oregonfarmersmarkets.org](http://www.oregonfarmersmarkets.org)

## **Legalese**

Because no insurance is provided to participants in the Sweet Home/Lebanon Farmers' Market/s, each vendor must have a current Liability Insurance policy that names Sweet Home/Lebanon Farmers Market and all members and volunteers and the City of Lebanon/Sweet Home as named or additional named insured. Vendors must furnish proof if requested. If you need a referral to an insurance provider, please contact the market manager.

Hold Harmless Clause: All authorized vendors participating in the market shall be individually and severally responsible to the City Of Lebanon or the City of Sweet Home and the Sweet Home/Lebanon Farmers Market for any loss, personally injury, deaths, and or any other damage that may occur as a result of the vendor's negligence or that of its servants, agents, and employees and all other vendors hereby agree to indemnify and save the City of Lebanon and Sweet Home/Lebanon Farmers market harmless from any loss or damages and other expenses including attorneys' fees suffered or incurred by the City of Lebanon or the City of Sweet Home and the Sweet Home/Lebanon Farmers Market by reason of the vendor's negligence or that of servants, agents and employees; provided that the vendors shall not be responsible nor required to indemnify the City of Lebanon or the City of Sweet Home and Sweet Home/Lebanon Farmers Market for negligence its servants, agents and employees.

**We want to promote a clean and sustainable community and we are happy to provide this service. Please honor our location, volunteers, members, vendors and each other.**

**Licensing requirements as per the Farmers' market guidelines from the ODA: <http://www.oregon.gov/ODA/shared/Documents/Publications/FoodSafety/FarmersMarketsFoodSafety.pdf>.**

*The following points are based on these guidelines; you should read the official regulations for precise and up to date information and consult with individual regulatory departments to determine what regulations apply in specific cases.*

## **Fresh fruits and vegetables**

No food safety-related license is required, but vendors should review handling and sampling procedures. Device licenses issued by the Measurement Standards Division are required for sales by weight.

## **Processed foods**

The Farm Direct bill allows sales of pickles, sauerkraut, preserves, jams, jellies, syrups, and dried fruits and vegetables without a license, provided they raise the ingredients and sell a limited quantity direct to end users. Baked goods must be processed in a licensed facility, unless produced pursuant to the 2015 bakery bill. Dairy, meats and low-acid canned goods must be produced in a licensed facility.

Vendors should consult their ODA food safety specialist to make sure the products they plan to sell can be licensed in the facility they intend to use. Seafood Recreationally caught fish or shellfish cannot be sold at Farmers' Markets. Only fish caught by a licensed commercial fisherman may be sold at the markets.

## **Meat and poultry**

All vendors selling meat and poultry must have a license from ODA, and certain activities require USDA inspection. Processing in a USDA-licensed facility is required for beef, pork, lamb and certain quantities of poultry. Poultry processors of 20,000 or fewer birds per year are exempt from the USDA inspection requirements if they raise, slaughter and sell their own product. USDA inspection exemptions are complex, so producers should consult with ODA before starting such operations.

## **Eggs**

Eggs may be sold at market without an egg handler's license, but only by the farm that produces the eggs. All other eggs — even those produced by friends or relatives on neighboring farms — must come from licensed facilities and comply with labeling requirements.

## **Honey**

Licenses generally are required to extract honey, but an exception is made for operations with 20 or fewer hives. Honey in combs is not extracted and thus does not require a license.

## **Restaurant foods/food service**

Foods prepared and sold at markets require a temporary restaurant license from the county health department in the county where the food is served. This requirement does not include samples and demonstrations discussed in the section below. NOTE: Vendors who cook any product at a farmers' market must either make sure it qualifies as a sample or demonstration, or must obtain a temporary restaurant license. (In some counties the Field Services Unit of the State Office of Environmental Services & Consultation does the licensing on behalf of the county.) County health department jurisdiction applies even if vendors of such foods also sell products subject to licensing by ODA's Food Safety Division. Temporary restaurant vendors must have one person licensed as a food handler in the booth during hours of operation.

## **Chef/cooking demonstrations/other sampling**

Small samples of cooked foods (2-3oz) prepared at market may be offered free of charge to customers without obtaining a temporary restaurant license, for promotional and educational purposes. All handling and sampling guidelines must be followed. Sample portions must be small, since the purpose is not to circumvent laws governing food service. Similarly, vendors may offer samples of other market products without additional licensing but must follow all applicable procedures in these guidelines.

## **Other ODA licenses**

Other ODA divisions with duties outside the scope of these guidelines also issue licenses to farmers' market vendors. These include the Plant Division, which issues nursery licenses, and Measurement Standards Division, which regulates weighing devices.

## **Product labeling**

All packaged foods must be labeled, and ingredient information must be available for foods sold in bulk. Unpackaged single ingredient foods like fruits and vegetables do not need labels. Four pieces of information are required on labels: name of product, net weight, ingredients in descending order by weight, and name and address of the producer or distributor. Bulk foods do not have the same labeling requirements as packaged foods. Ingredient information needs to be available to customers. Vendors can post ingredients on bulk bins or display a sign saying the ingredients are available upon request. Ingredient information should be maintained in writing.

## **Handle with care**

Products at farmers' markets generally fall into three levels of handling care. At the strictest level are potentially hazardous foods, which require refrigeration and other special handling. In the middle are products that are not potentially hazardous but still require more care because they cannot be washed by consumers. The least restrictive level applies to fresh produce and in-shell nuts.

## **Potentially hazardous**

Even though market farmers consider their products to be the most wholesome foods available, some foods sold at farmers' markets are legally classified as potentially hazardous foods because they allow fast growth of germs that may cause food poisoning. This term includes common foods like eggs, meat, poultry, seafood, dairy products and many foods that contain those ingredients. Even foods that are not potentially hazardous can become potentially hazardous once water has been added and/or they have been cooked.

Please see the definition of potentially hazardous foods, which includes technical details concerning pH and water activity level. Certain baked goods are potentially hazardous foods. Cheesecake is one example, but some foods may not be as obvious. Vendors

should talk with their food safety specialist to determine whether the licensed foods they sell fall into this category.

Potentially hazardous foods in general must be stored, displayed and offered for sale packaged and refrigerated at or below 41 degrees F. Frozen products must stay frozen. Maintaining these foods at appropriate temperatures in an outdoor environment generally requires use of ice chests or other containers filled with ice or dry ice surrounding the product — except for eggs, which must be kept dry. Care should be taken to prevent accumulation of water from melted ice.

Other products sometimes used to keep food cold, such as blue ice packs, are often not effective enough because they do not surround food products. Vendors should carry a thermometer to monitor product temperatures of refrigerated foods. Live seafood is not subject to this temperature rule. Live shellfish, for example, may be held at 45 degrees F.

### **Packaging safely**

Food packages should be in good condition and protect contents so that food is not adulterated or contaminated.

### **Wrap or cover**

Some products are not potentially hazardous but need extra protection because customers cannot wash them. Baked goods are the most common example. Vendors have two options: prepackaging or selling from enclosed bulk containers. Those who choose to sell from covered bulk containers must set up and use a hand washing station and must follow procedures in these guidelines to avoid contamination. Acceptable methods to remove food from covered bulk containers include clean tongs or other utensils, single-use gloves, and wax paper sheets.

### **Off the ground**

Fresh fruits and vegetables and nuts in their shells can be displayed in open air.

The only caveat is that they must be stored off the ground. The only exception is for pumpkins or similarly large squash, which are often too bulky and irregular to display off the ground.

**Vendors** who sell products licensed by ODA should consult with a food safety specialist about proper handling procedures for each licensed product.