

2023 BENNET FARMERS' MARKET

RULES AND REGULATIONS



Sponsored by the **Bennet Community Builders Association**

3/20/23

Mission Statement:

The mission of the Bennet Farmers' Market (BFM) is to promote opportunities for Nebraska fruit, vegetable and meat producers to market and sell fresh, high-quality products direct to the consumer, and for Nebraska-based bakers and for crafters to display and sell their value-added and created products direct to the consumer. The goal of the BFM is to foster a sense of community and fulfill an expressed desire of community citizens for local, fresh, nutritious food products.

Vendors: Please read the following information carefully before you agree to follow the rules and regulations as stated. If you agree, you must sign the enclosed application. Your signature on the application verifies that you have carefully read, understand, and agree to all provisions of these rules and regulations.

Dates & Location:

The BFM is held each Wednesday, 4 p.m. to 7 p.m. for a period of 22 weeks, May 3 to September 27, 2023, at the City Park, 675 Elm Street. The park is bordered by Elm, Harrison, Fir, and Van Buren streets, two blocks east of Highway 43. See park area aerial photo image page 6.

Public sales are not permitted before the start of the market. A bell will be rung to start the market sales.

Vendor precautions:

BFM will follow county and state guidelines for vendors. Lincoln-Lancaster Health Department guidelines are found on pages 7, 8, and 9.

Vendor Types:

There are two types of vendors:

1. Seasonal Vendors are vendors that pay a single stall fee for all market days throughout the full season. They are assigned a particular stall that they are permitted to set-up in each Wednesday of the Market. Season vendors are generally granted "first right of refusal" to reserve their stall from season to season. New season spaces may be available each year. Please call BFM Manager if you have any questions.

2. Weekly Vendors are scheduled week to week for stall space depending on availability, product mix and market management discretion. Weekly vendors should not expect to be at the same stall each week they are scheduled. Requesting a date on the Weekly Vendor Application form does NOT guarantee a stall space for that day. You should call or text the market manager to verify your attendance the day before the market, earlier if you wanted a product to be advertised. See page 6 for contact information. Make sure all of your contact information is accurate on your application.

Vendors must reside in Nebraska and cultivated produce should originate in Nebraska.

Stall Space Details:

Stall sites will be flagged on the lawn. On Harrison Street stall sites will have 12 ft. spacing and vendor vehicles will back to stall. On Elm Street stall sites will be 24 ft. with parallel parking of vendor vehicles. Stall sites will be honored on first come basis. Do not drive a vehicle on the park lawn at any time, especially if the ground is wet. Please be courteous to your neighbors and remember to allow space for your customers! Subletting or sharing spaces is not allowed. If a season vendor is absent from the market, BFM management has the right to fill the space with another vendor. Please let us know by phone or text if you are going to be absent. This policy allows us to keep our vendor fees low and it helps us to keep the market full and energized.

Vendors are provided an empty space, and are responsible for bringing their own items for set-up including, but not limited to: tables, chairs, tents/umbrellas and necessary weights, signage, banners, and cash boxes. The Market does NOT have storage available.

Vendors are required to post a sign with their name and location of production (town or village). Vendors must also list prices on products indicating the: 1. Product, 2. Method of sale, and 3. Price. Signs must be prominently displayed each week.

Payments, Billing and Fees:

Please see the Vendor Application for a description of fees. Season vendors are required to pay the entire season fee, no exceptions and no discounts if you are absent.

Returned checks:

First occurrence--the vendor will be charged an additional \$20 fee and must pay the entire amount in cash to the market manager.

Second occurrence--the vendor must pay in cash for the rest of the season.

General Policies:

It is the responsibility of a vendor to be familiar with the local, state and federal regulations and permits that govern the products that they plan to sell. The notes and guidelines included in this document are included as a courtesy, but do not take precedence over governmental policy. A copy of the Lincoln-Lancaster County Health Department "Food Safety Guidelines for Farmers Markets" is shown on pages 8 and 9.

There are three categories for vendors:

1. Fresh Farm/Garden & Nursery Products, eggs, honey, and nuts
2. Processed Farm/Garden Products, or Value Added Food
3. Artisan and Craft Items.

The BFM strives to be a "green market" and priority will be given to product categories 1 and 2 listed above.

Products that **can** be sold include the following:

Baked products	Bedding plants	Cut and dried flowers
Cut flowers	Dried beans	Eggs
Fresh flowers	Fresh fruits	Fresh garden produce
Grains	Honey	House plants/potted plants
Jams and Jellies	Meat and fish	Original art
Original crafts	Shrubs and trees	Nuts

Products that **cannot** be sold include the following:

Cream pies	Flea market/garage sale type items	Foods from non-approved sources
Garlic vinegar, oil or spreads	Herb vinegar or oil	Home canned low acid foods including pickles and salsa
Live animals	Purchased products with no added value by vendor	Products not grown, baked, or created and produced by the vendor
Raw milk, cheese, yogurt		

Food and drink concessions will be permitted, but the vendor must obtain a one-time "State Food Establishment Permit Application"

All vendors (seasonal and weekly) must complete the application process before being allowed at the Market and must make payment at that time. An application is on the last page, or it can be downloaded from the market website.

It is the responsibility of the vendor to maintain liability insurance for off-farm and outside home sales to the public for a minimum of \$ 1 million. Proof of liability insurance must be provided with the vendor application. Vendors should refer to their insurance carriers for this coverage. Contact BFM Manager regarding questions.

The Market is scheduled to be held rain or shine. If there is a severe storm warning issued by the National Weather Service that includes Bennet during the Market period, the market will close at the discretion of the Manager. In this case, refunds will only be considered for Weekly Vendors. Call Manager for market status during storm warning situations before the opening time.

The BFM on-site Manager arrives at 3 p.m. each market day. All vendors **MUST** be on site by 4 p.m. without exception or BFM Manager may reassign stall to waiting vendors. Vendors are not allowed to leave the Market before 7 p.m. even if they sell out of product. Use this time to converse with potential customers to promote your products at the next market time. For an emergency, contact the on-site Manager. See page 6 for contact information.

No items offered for sale may be jobbed or commercially made. All products must be the original work or produce of the vendor.

Definition of "Vendor": Vendor shall be defined as the producer of goods sold and shall include spouse, siblings, children, parents and applicant's employees who assist in the cultivation on the same property or assist in the production of items available for sale.

No smoking in vendor stalls or in the Farmers' Market area.

Vendors are responsible for collecting, reporting and paying sales tax. The current tax rate for Bennet is 6.5%. Generally only ready to eat food products are sales tax exempt. Please display your tax number at your booth.

Vendors selling woody plant material or perennials must be licensed with the Nebraska Department of Agriculture, without exception.

Discourage market shopper's pets from being too close to vendor products. Vendors should not pet or handle pets during market period.

BFM Management reserves the right to conduct on-site inspections of farms, kitchens or other workshops or spaces.

Additional Rules:

Vendors pay fees in the name of the Bennet Community Builders Assoc. (BCBA) to the Market Manager. All paperwork must be completed and received by the Market Manager with the payment before 5 p.m. Tuesday of the market week. The fees that you pay to participate in the BFM will not cover you for any other events or markets.

Trash, including produce debris and discarded food items, must be picked up and disposed of after each market. Vendors are responsible for cleaning their own area before leaving. A trash receptacle will be available.

Food Displays and Packaging:

All food items must be free from harmful pesticide residues and free from insects and spoilage. All produce must be clean and attractive. All food items, including produce, must be stored and displayed off the ground (at least 6 inches according to Nebraska Department of Agriculture, NDA). Prepackaged produce must be in NEW food-grade plastic bags or plastic food wrap. Produce sold by piece or per quantity may be sold in NEW paper or plastic bags.

Only legal scales with state permit stickers will be allowed. Vendors without legal scales must sell by the piece or per quantity. If you wish to sell produce by weight, but do not have a legal scale, consider weighing and packaging items at home, but sell 'by the bag' or 'by the package'.

Only products in compliance with the regulations of the Nebraska Health Department may be sold at the Market. Vendor is responsible for securing all necessary permits and approvals. Vendors selling meat products must display proof of USDA inspection and a current manufacturer's license/permit on-site during the market each week.

Perishable produce and other food items must be maintained at appropriate temperatures with heating and cooling devices. Eggs must be kept in an insulated container at 45 degrees F or cooler.

Vendors selling approved products prepared in a non-regulated, non-inspected kitchen must clearly display a sign at their stand indicating such. The sign must be clearly visible and clearly worded. A sample of acceptable wording is: "Food items were prepared in a kitchen that is not subject to regulation or inspection by the Foods Division of the Nebraska Department of Agriculture". Only certain items (mainly baked goods) are eligible for this option, please contact the Nebraska Department of Agriculture for details. (4)

We cannot prevent the Lincoln-Lancaster County Health Department from prohibiting you from participating at the Market if you do not follow their rules.

Vendors selling items produced in a regulated kitchen must display their license at the Market. Only water-processed jams and jellies are allowed--no paraffin-topped.

Product sampling by Market customers must meet Health Department code. Contact Bryan Hurst at (402) 441-6712 for additional information. The BFM provides a hand wash station.

Your local Extension office can provide publications on home food preservation and horticultural topics.

Vendors are encouraged to display signage of name and location.

On-site Manager & Other Amenities:

The on-site manager is available to help vendors and customers with lost and found, vendor locations, and other Market-related questions.

Public restrooms are available at City Park Shelter

No electrical service is available to vendors.

Resources:

Lincoln-Lancaster County Department of Health, Bryan Hurst (402) 441-6712

Nebraska Department of Agriculture, Food Safety and Consumer Protection (402) 471-3422

Nebraska Department of Agriculture, Weights & Measures (402) 471-3422

Nebraska Department of Agriculture, Nursery Stock, Julie Van Meter (402) 471-2351

Nebraska Department of Agriculture, SFMNP, WIC-FMNP, Markets Directory, Casey Foster, (402) 471-4876

State of Nebraska Department of Revenue (402) 471-5729

BFM strongly encourages qualifying vendors to accept Senior Farmers' Market Nutrition Program (SFMNP) and Women, Infant and Children Farmers' Market Nutrition, (WIC-FMNP) coupons for qualifying purchases. For more information on becoming a participating vendor in these programs please contact Casey Foster, at the phone number listed above.

Rule Violation Policy:

Violation of any of the Rules and Regulations or policies laid out in this or future notices will be handled as follows:

1st violation results in a verbal warning, which may be issued by any member of the BFM Management Committee as well as the on-site Manager.

2nd violation results in expulsion from the Market without refund for that day.

3rd violation results in expulsion without refund for the remainder of the Market season.

Bennet Farmers' Market Contact Information:

Web: www.bennetfarmersmarket.com

Market Manager
Larry Kramer
895 Cottonwood St.
Bennet, NE 68317

C (402) 326-6485
call or text
H (402)-782-2167

Email: kramerlarry@earthlink.net

Other Market Advisory Committee Members: Vicky Desh, Pam Goodrich, and Martin Neal

City Park, two blocks east of Highway 43

North



Vendor areas indicated by areas 1 and 2



Food Safety Guidelines for Farmer's Markets and Cottage Food Operations

These guidelines are for Farmer's Markets and Cottage Food Operations which are permitted by the Lincoln-Lancaster County Health Department (LLCHD)

Ingredients for food preparation must be purchased from an **approved source** such as a grocery store, or homegrown by the vendor. Store ingredients away from chemicals such as cleaners and pesticides.

Time/temperature Control for Safety Foods (TCS) - previously referred to as "potentially hazardous foods" require special care in storing, cooking, refrigerating, and reheating. These are foods that consist, in whole or part of: milk, milk products, eggs, meat, poultry, fish, cooked rice, processed or cooked beans, vinegar/oil with garlic, or similar products. This would not apply to a fully cooked, dry product such as in cakes, bread, or fully dried pasta. TCS foods cannot be sold by a farmers' market vendor or a Cottage Food Operator.

Protect food from potential contamination at all times, including during transporting or while being stored, prepared, displayed, or dispensed. Food prep surfaces must be made of smooth, easily cleanable material and be sanitized before use. Potential contamination includes dust, insects, rodents, unclean equipment, utensils, and hands. Practice "no bare hand contact" of ready-to-eat food. Use fresh, disposable gloves or similar.

Wash hands with soap for 20 seconds and dry with a paper towel before handling and serving food, especially after using the toilet or handling pets or chemicals. A hand wash station is required for onsite sample prep at farmers' markets. This includes a container of warm water with a hands-free valve, liquid soap, dispensed paper towels, and a vessel to collect wastewater. Do not dispose of wastewater in the street or storm drain, only in a sanitary sewer.

Keep kitchen area clean and work surfaces sanitized. A sanitizer solution can be made by using regular Chlorine bleach (**NO** "scented" or "splash less" bleach) and water. One teaspoon of bleach per gallon of room temperature water. Prepared fresh as needed. No **pets** are allowed in the kitchen during preparation or at a market booth.

Clean clothing and effective hair restraints (hair nets or other hair restraints) should be worn while preparing the food. Long hair must be tied up. Always maintain good personal hygiene.

Do not eat or smoke while preparing food, or at your booth. If you have a drink, use a cup with a lid, a straw, and a handle to minimize hand-to-mouth contact.

Do not prepare or sell food **when you are sick** with a fever, coughing, sneezing, vomiting, or diarrhea. Food preparers must be symptom-free at least 48 hours after having vomiting or diarrhea before preparing food.

Keep food separated from non-food items such as chemicals during preparation, storage, transportation, and display. Dogs and other pets must not come in contact with food or booth with food for sale.

Package and label all food for sale before it is sold or transported to the market site. The label must truthfully identify the type and amount of food along with the vendor's name and the complete street address of the vendor, Cottage Food Operator, or market. Weights and Measures 402-471-3422.

Prepared food must be safe at room temperature (non-TCS) and must be made by the person selling the product.

FOOD PRODUCTS

Produce: Cultivated produce may be sold without a permit or placard. No wild harvested produce or punctured fruit on a stick. Wild Fungi vendor must be approved by LLCHD.

Eggs: Fresh eggs must be from your own flock, candled, graded, properly labeled, and kept refrigerated at 45° F. or less. If reusing egg cartons, all names, dates, US inspection labels must be removed. You must have an egg# from NDA.

Baked goods: Fruit pies, cookies, muffins, bread, cakes, brownies, traditional lemon bars, and similar products can be sold. Cheesecakes, cream pies (those containing egg or dairy products, including pumpkin, pecan, custard, lemon meringue...etc.) may **not** be sold. Low sugar or no sugar pies are **not** permitted.

Home Canned Products: Home canned products cannot be sold or used in the preparation of food for sale unless your product is approved by the food processing authority (UNL) and permitted by the Nebraska Department of Agriculture (NDA). The only exception is (jams and jellies made with Pectin, not gelatin) apple butter, chutneys, and syrups made with sugar. **No** low sugar/sugar-free products or low acid fruit/vegetable kinds of butter/spreads are allowed. Pepper, tomato jellies, etc.... must be clear without chunks and seeds.

Noodles: Can be sold if they are fully dried. Egg noodles should have a consumer advisory posted.

Honey: Can be sold but must be from your own hives. Honey cannot be sold to retail markets or restaurants unless licensed as a processor by NDA. Flavored honey may be sold if honey has come from an approved source.

Herb Vinegars, Oils, Mustards, Salsa, or Dressing: Cannot be sold unless approved by the food processing authority (UNL) and permitted by NDA.

Meat: Including dried and or cured cannot be sold unless slaughtered and packaged in a USDA inspected facility and permitted as an Itinerant food establishment.

Raw Milk: Cannot be sold by a Cottage Food Operation or at a farmer's market in Nebraska.

Advertising: Including "Facebook" or other online-based advertising is not permitted unless you are a licensed Cottage Food Operation.

Drinks: Drinks must be non-TCS, made with water from an approved source, and prepared ahead of the market by the person selling the product. You must have a state temporary permit and a Lincoln placard to prepare and sell drinks. No "sun teas" allowed.

For questions contact the LLCHD Food Safety Program Office: 3131 O Street (402) 441-6280.

Updated February 1, 2022