



2022 Vendor Handbook

Lane County Farmers Market

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LANE COUNTY FARMERS MARKET

AT A GLANCE HANDBOOK CHANGES

There have been a few important changes to the Vendor Handbook for 2022. The information below reflects the changes in one place.

HANDBOOK CHANGES

1. COVID-19 clause updates (page 3)
2. Market Location Changes (page 4)
3. New Committee: Grand Opening Committee (page 8)
4. Update to policy on vendor category caps (pages 46 - 48)
5. Removal of 'no deep frying' rule (page 14)
6. New vendor evaluation tool (page 11)

REMINDERS

- Each canopy, tent, or umbrella leg now needs to have at least 25 lbs at all outdoor markets, (up from 15 lbs per leg).
- A portable fire extinguisher is required for any booth with any heating appliance or burner, whether it is powered with electricity or fuel. (See page 13 - 14)
- Vendors are not allowed to use tokens received from customers to purchase products from other vendors. (See page 20)
- Vendors are required to submit anonymous gross sales totals from the previous year. Your application will be considered incomplete until this information has been received. (See page 9)
- You have the ability to sign up for direct deposit to both pay your booth fees and receive payments for token redemptions. (See page 18 - 19)
- Each season, three to five vendors will be randomly selected to host a farm/ business visit, including inspection for LCFM staff. (See page 28)
- Vendors will continue to be randomly selected on market days for booth inspections throughout the season. (See page 28 - 29)
- Vendors are not allowed to park in free customer parking spaces.
- Cancellation deadlines – Wednesday by 3pm for Saturday's market, Saturday by 3pm for Tuesday's market - Vendor agrees to pay their booth fee if cancellation is received after this deadline.
- Vendors must be on site by 30 mins before market opening, or you forfeit your vending space for the day and will be subject to paying booth fees. (See page 12)
- We reserve the right to remove a prepared-food vendor from the market based on booth appearance, quality, perceived food safety risks, and/or customer feedback. (See page 41)

COVID-19 CLAUSE

During all or any part of the year when COVID-19 guidelines are issued by ODA/OHA for the operation of Farmers Markets all vendors and staff must follow them. Any additional guidelines set forth by the LCFM board or staff must also be followed.

- All vendors, vendor employees, and market staff should not attend the market if they are feeling sick, are experiencing symptoms indicative of COVID-19, or have been exposed to a person infected by COVID-19.
- All vendors and vendor staff are encouraged to wear face coverings/masks during the market hours of operation. Market staff are required to wear face coverings/masks. Customers are encouraged to wear face coverings/masks. The LCFM Info Booth will have masks available for anyone needing one.
- All Booths should bring sanitizer and regularly use it on high touch areas. Vendors should segregate workers that handle products from ones that handle money if at all possible. Workers handling money should regularly wash or sanitize their hands.

During the 2022 market year these guidelines could change either by relaxing or expanding them according to ODA/OHA guidelines. Every vendor and vendor employee should stay current on the likely changing guidelines. Email notification of any changes will be issued by our Market Manager as a stand-alone email notification. The entire current guidelines will also be posted at the bottom of every weekly market site map email that is sent out.

AT A GLANCE 2022 MARKET SEASON IMPORTANT DATES

- January 17:** Deadline for Winter Farmers Market confirmation (to vend Feb 5)
- February 1:** Deadline for all vendors to submit application and 2022 vending dates.
- February 1:** Deadline for early bird price for membership dues (\$100)
- February 5:** Opening day for Winter Farmers Market
- February 27:** Annual Member Meeting (held on Zoom)
- March 26:** Last day of Winter Farmers Market
- April 2:** Opening day for Main Season Saturday Farmers Market
- May 3:** Opening day for Tuesday Farmers Market
- October 1:** Application deadline for Holiday Farmers Market
- October 25:** Last day of Tuesday Farmers Market
- November 12:** Last day of Saturday Farmers Market
- November 19:** First day of Holiday Farmers Market (runs for five weekends)
- December 17:** Last day of Holiday Farmers Market

AT A GLANCE 2022 MARKET LOCATIONS AND HOURS

The Market will operate on 5th Ave, between High and Oak Streets, during the 2022 season until the Farmers Market Plaza on 8th Ave and Oak St. is completed and ready to be occupied. The estimated date of completion is mid-April, 2022.

- **Winter Farmers Market**, 5th Ave, 10am – 2pm
- **Saturday Farmers Market**, 5th Ave (until mid-April, exact date TBD) 9am – 3pm
- **Tuesday Farmers Market**, Farmers Market Plaza at 8th and Oak, 10am – 3pm
- **Holiday Farmers Market**, Farmers Market Plaza at 8th and Oak, 9am – 3pm

AT A GLANCE DAY OF MARKET OPERATIONS INFO

| Market | Cancellation Deadline | Set Up | Deadline for Vehicles Off Site | Sales Begin | Market Hours | Token Redemption Hours | Vehicles Allowed Back On Site |
|-----------------|-----------------------|-------------------------|---------------------------------|-------------|-------------------|-------------------------|-------------------------------|
| Winter | Wednesday by 3pm | Staff on site by 8am | All vehicles off site by 9:30am | 9:45am | 10:00am to 2:00pm | 9:00am to 1:00pm | 2:15pm |
| Saturday | Wednesday by 3pm | Staff on site by 6:30am | All vehicles off site by 8:30am | 8:45am | 9:00am to 3:00pm | 8:00am to 2:30pm | 3:15pm |
| Tuesday | Saturday by 3pm | Staff on site by 7:30am | All vehicles off site by 9:30am | 9:45am | 10:00am to 3:00pm | 9:00am to 2:30pm | 3:15pm |
| Holiday | Wednesday by 3pm | Staff on site by 6:30am | All vehicles off site by 8:30am | 8:45am | 9:00am to 3:00pm | 8:00am to 2:30pm | 3:15pm |

SPACE ASSIGNMENTS

Space assignments will be finalized the day before each market. A link to the site map, with space assignments listed, as well as announcements and updates will be emailed on Fridays. An email with information for Tuesday Market will be sent on Saturday, as the office is closed on Mondays. The site map is also available in the 'For Vendors' section of the LCFM website.

WATER

Water is available for vendors; please see Site Manager for needs.

ELECTRICITY

Electricity is available depending on your location within the site. Please list your electricity needs on your application.

TRASH SERVICE

We do not have trash service available at the market. Vendors are required to pack out all trash, recyclables, and compostable items.

VENDOR PARKING

5th Ave: Free vendor parking is available in the County Lot at 6th and Pearl/6th and Oak. Vendors should park in Lot C with the "Permit Only Parking" sign (Pearl and High) if the County Lot is full. Please **DO NOT** park in the Oregon Electric Station parking lot, you will get ticketed if you do so.

Farmers Market Plaza at 8th and Oak: Free vendor parking is available at the Parcade on 8th and Willamette and the Overpark lot on 10th and Oak St; Please be aware that both these lots may pose clearance issues for larger vehicles.

Saturdays: Large vehicles ONLY are allowed to park in the lot north of the Farmers Market Plaza. Regular sized vendor vehicles should be parked in the free city garages/lots nearby.

Tuesdays: Vendor parking will be available in the lot north of the Farmers Market Plaza for all vendors.

CUSTOMER PARKING

Vendors are not allowed to park in free customer parking spaces.

5th Ave: Free 3-hour customer parking is available in any of the 5th Street Public Market parking lots.

Farmers Market Pavilion and Plaza at 8th and Oak: Free customer parking is available at the Parcade on 8th and Willamette and at the Overpark lot on 10th and Oak St. on Saturdays. There are also free parallel parking spaces on 8th Ave and Oak Street around the Park Blocks.

RESTROOMS

Porta-poties are available at the 5th Ave location (February through April) and restrooms are available in the Farmers Market Pavilion.

ABOUT THE LANE COUNTY FARMERS MARKET

The Lane County Farmers Market (LCFM) can trace its beginnings back to the first public market in the southern Willamette Valley, the Eugene Producers Market, which first opened in 1915. In fact, that market was located precisely where the new Farmers Market Pavilion and Plaza is being constructed, at 8th Ave and Oak St. in downtown Eugene.

Today, LCFM is comprised of over 90 vendors. Whether you are a new or returning vendor we welcome your participation in our organization. Indeed, the success of our organization depends in large part on your success and the support of our loyal customers. Membership is open to anyone who grows or produces in Oregon and complies with LCFM policies, rules, and regulations in this handbook.

LCFM currently operates four farmers markets in downtown Eugene: Winter, Saturday, Tuesday, and Holiday Farmers Market.

Since reorganizing in 1979, LCFM has grown at a robust pace and continues to thrive on the support of those in our community who cherish the values we embody. LCFM is the place where paths cross and community happens—our common ground.

OUR MISSION

The mission of the Lane County Farmers Market is to preserve and strengthen the local farm and food economy by providing vibrant public marketplaces for farmers, food artisans and our community.

LCFM provides an opportunity for the community to purchase fresh, in-season, locally grown farm products and value-added products in both outdoor and indoor settings, while interacting directly with the growers and producers. Through these activities LCFM helps the community understand that they are strengthening the local economy by purchasing locally grown food and agricultural products.

OUR ASSOCIATION

LCFM is organized as a C corporation, Oregon Non-Profit, for the Mutual Benefit of the Members. The organization does not have tax-exempt status.

The Board of Directors is a nine-member council consisting of five (5) Member Directors and four (4) Community Directors. The Board of Directors' meetings are held on the third Thursday of every month at 6:00 p.m. (April-October) and 5:00 p.m. (November-March) in the LCFM office or via Zoom when necessary. Members are welcome and encouraged to attend all open meetings.

Several committees are formed as needed throughout the year to operate in conjunction with LCFM Board. (See list of committees below.) Committee recommendations/actions are governed by LCFM Bylaws and, thus, require approval of the Board of Directors. Committee members are appointed by and serve at the discretion of the Board of Directors. According to LCFM Bylaws, a Board Director must be on each committee; however, the chair of a committee does not have to be a Board Director.

Members are awarded seniority points for participation on a committee. (See the seniority section on page 16.) An LCFM member may not concurrently serve on more than two committees unless approved by the Board of Directors.

Committee meetings will be assembled as needed; meeting times and dates can be acquired by contacting the Market Manager or the Committee Chair. If you are interested in serving on a committee, please contact the Market Manager or the Committee Chair.

CURRENT COMMITTEES

- Site Expansion Committee – Meets as needed to discuss and plan site expansion efforts
- Standards Committee – Meets monthly to review new applications
- Handbooks Committee – Meets periodically to review and revise employee and vendor handbooks
- Budget Committee – Generally meets in the fall to create the budget for the following year
- Grand opening Committee - Meet as needed to plan and execute the Grand Opening event at the new Farmers Market Plaza. Date of event TBD.

MEMBERSHIP MEETINGS

The market currently has around 95 members. The market membership has one general meeting at the beginning of each year prior to the start of the regular season. All members are highly encouraged to attend.

A listing of all Board of Directors, LCFM staff, and a timeline of all meetings can be acquired by checking the LCFM website (<http://lanecountyfarmersmarket.org>)

VOTING

A member must have accumulated the equivalent of at least five (5) vending markets (where two (2) co-selling markets are equivalent to one (1) vending market) in order to have voting rights. Prior seasons attendance and participation are taken into account when voting rights are considered.

MEMBERSHIP ELIGIBILITY

Vendors must meet the following requirements in order to be eligible for membership and vending at LCFM. The following items must be completed or agreed to before participating in any of LCFM's markets.

- Vendor products must be grown or produced in Oregon. LCFM reserves the right to inspect documents proving where production or processing occurs.
- Vendor products must adhere to product guidelines and criteria set by LCFM. (Refer to page 37-55 of this handbook.)
- It is required that the vendor will use 25% of raw ingredients that are grown locally (grown within Oregon).
- Vendors must complete an application, provide all applicable paperwork, pay the annual membership fee, and pay the market vending fees associated with the markets attended.
- Vendors agree to follow the rules and regulations of LCFM included in this handbook.
- Vendors agree that notices, newsletters, and other forms of communication to vendors from LCFM will be in a form chosen by LCFM (currently email).
- Vendors will obtain liability insurance suitable for their product and name LCFM as an additional insured on that policy. Vendors will indemnify and hold harmless LCFM for adverse events occurring at its markets.
- Vendors must agree to obtain all licenses and permits and to complete all inspections as required by various regulatory agencies, and provide documentation of licenses and permits to LCFM prior to vending.
- Vendors agree to recognize and accept all forms of currency approved by LCFM.
- Vendors agree to site visits by LCFM staff or its designee. LCFM also reserves the right to inspect pertinent documents of a vendor's business; for example, certification documents or lease agreements.
- Vendors agree that vendor acceptance to and placement in the markets is determined solely by LCFM.
- Vendors agree to abide by LCFM's policies on discrimination, sexual harassment, and workplace violence. (Refer to page 26-27 of this handbook.)
- Vendors agree to display positive vendor conduct towards customers, fellow vendors, market staff, volunteers, and the LCFM organization.
- Vendors are required to submit anonymous gross sales totals from the previous year with their application to the current market year. Your application will be considered incomplete until this information has been received.

ANNUAL MEMBERSHIP FEE AND APPLICATION PROCESS

The Annual Membership Fee is required and due at the time of application renewal for returning vendors, and at the time of application approval for new vendors. **Delinquent fees from previous seasons will be collected before participation in the current market will be allowed.**

For all Vendors By February 1st - \$100 Annual Membership Fee

After February 1st - \$125 Annual Membership Fee

DO NOT expect to sell on your first market day unless your application has been approved. Market management will review vendor applications and provide approval based upon satisfactory completion of the application, compliance with LCFM regulations, and submission of all copies of applicable licenses, certifications, etc. This process may include inspection of the market applicant's operations and/or confirmation of the applicant's compliance with regulatory agencies and applicable laws. The status of an application will be communicated to the vendor prior to the first market day.

Approval of an applicant's membership application does not necessarily mean a desired market has the capacity to accommodate that vendor. Market management will determine the availability of space with each given market on a continual basis throughout the year.

LCFM does not offer exclusive rights to any one vendor to sell any one product. Market customers generally benefit from having a choice. However, if LCFM believes the number of vendors offering the same or similar products is excessive, duplicate products may be denied entry.

LCFM will continue to accept and consider applications throughout the entirety of the market season. Acceptance and placement consideration will be dependent upon each individual market's capacity to accommodate the new vendor. It is the vendor's responsibility to keep his or her application current by making amendments as the season progresses. **Vendors who fail to update their file upon request of the market staff may lose the ability to vend.**

NEW TO LCFM

Once approved, **all new vendors will be required to undergo a Farm and/or Business Inspection within their first year at the market.** At LCFM's discretion, the inspection will be scheduled and performed by the market staff.

In addition, in order to acclimate new members with all of LCFM's policies, procedures, and rules outlined in the handbook, **all new members are required to participate in an orientation session prior to their first start date.**

New members are also required to complete an evaluation form during their first year of membership. The evaluation tool is designed to communicate the Market's operational standards and rules, as well as the expectations regarding membership with the organization. There are 4 evaluations throughout the first year of vending. The first evaluation will be within the first month of vending, and the remaining 3 will occur intermittently throughout the year. We hope this tool is useful and informative and aids in creating a successful and pleasant experience for new vendors.

CO-SELLING

LCFM rules allow a vendor to sell with only ONE other vendor. This is called co-selling. In this arrangement, each vendor will have their attendance recorded separately in order to accurately establish the total markets attended each year. Both vendors also need to be market members in good standing. Signage of both vendors needs to be posted in the booth and on the product(s) sign(s). All other rules apply. No interpretation of this rule results in allowing a vendor to purchase product from a supplier and sell it at the market as if the product(s) are from a co-seller.

When co-selling, each vendor will receive one (1) point toward seniority for every market attended.

To maintain that all vendors are growing and selling their own products, LCFM staff may tour your farm, facility or storage area to verify compliance with these rules.

RESELLING AND U-PICK

Reselling of product is strictly prohibited. The selling of U-pick products is considered a form of resale and is also prohibited. The sale of any goods **NOT** grown, wild-crafted, wild-foraged, or produced by the vendor **IS NOT PERMITTED.**

SAMPLING

Vendors may only hand out samples of products that have been approved by the Standards Committee. Vendors are not allowed to hand out samples of products that they are not allowed to sell at the farmers market. Chips or crackers may be used for sampling dips, condiments, salsas, etc.

SELLING OPTIONS

Vendors have two options for selling at the markets and should indicate how they intend to sell at each market on their membership application.

- Vend from a booth space: an area of about 10' x 10' or 100 square feet. A vendor may procure up to three contiguous 10' x 10' spaces. The cost of a 10' x10' space varies by market. (See fee details on page 20)
- Vend from a vehicle space: an area of about 10' x 20', as space allows. (NOTE: This is a very limited resource with priority to handicapped.

VENDING FROM A BOOTH

- Vendors must sell from within the assigned space provided.
- Vendors are not allowed to disassemble their booths before the market is closed, except for extenuating circumstances and with approval of the Market Manager.
- Vendors are responsible for keeping their space clean and attractive during market hours and must clean up their space after the market closes, including sweeping up any debris and removing trash.
- All vendors must be entirely finished setting up by the time the market opens.
- Vendors must be on site by 30 minutes before market opening, otherwise you forfeit your vending space for the day and will be subject to paying booth fees and cancellation fee. All booth infrastructure needs to be up by the soft opening of the market.

VENDING FROM A VEHICLE

- Space for vehicle vending on Park Street is extremely limited and not exclusively reserved for this use. LCFM will consider accommodating vendors who feel they must sell from their vehicles.
- Arrival time should be discussed with the Market Manager. Vendors must be situated by their given time, otherwise you forfeit your vending space for the day and will be subject to paying booth fees and cancellation fee.
- Vendors are responsible for keeping their space clean and attractive during market hours and must clean up their space after the market closes, including sweeping up any debris and removing trash.

BOOTH SIZES

Due to the physical restrictions and irregularities of our market sites, spaces for booths are often not uniform. LCFM attempts to provide a minimum of 100 square feet for each vendor. Minimum booth frontage averages about 8 linear feet. If a vendor can more efficiently utilize a smaller space with less frontage, we encourage them to do so.

The footprint of one's booth has a lot to do with the physical limitations of our market site; thus vendors may find very little or relatively large spaces behind or near their booths. LCFM has sole authority to make decisions regarding the allocation of equitable, appropriate, and marketable space at our markets. In certain circumstances, LCFM may determine that specific areas within the market site are "unmarketable" space for the purpose of vending. LCFM may allow these "unmarketable" spaces to be used for vendor back-stock, storage, or other LCFM approved purposes. These "unmarketable" spaces are to be shared by all interested vendors. In order to keep the customer aisle clear, vendors are not allowed to place chairs, products or umbrella bases in front of their booth. Umbrellas and canopies must clear the ground by at least 6' 8".

A vendor may find that they have "marketable" space around their booth that they would like to utilize, but would put them out of their designated footprint. At the discretion of the Market Manager or, a vendor may request to use this "marketable" space outside the perimeters of their footprint for an extra fee to be determined by the Market Manger. Any extra space approved and allotted by Market Management cannot exceed the maximum square footage allowed (300 sq. ft.).

MARKET ACCESS AND SAFETY

Access in and around the market and vendor booths must be maintained by creating secure and safe aisles for our customers, including those with strollers, etc. A vendor may be expected to modify his or her booth, even if they have made no changes in several years, if access issues develop.

ELECTRICAL EQUIPMENT

Electrical equipment must be compliant with all applicable electrical codes and regulations, including grounding of equipment requirements. Vendors may be asked to provide certificates of compliance/equipment inspection where applicable. Vendors requiring electrical power are responsible for providing their own outdoor extension cords and mats to cover all portions of the cord that lie in any area used by market customers. Splitters, power strips, and other electrical "access" equipment must comply with all applicable rules and regulations. **Any booth with any electrical heating appliance is required to have one 2A10BC portable fire extinguisher.**

Electricity is limited and should be requested on the application. LCFM **cannot guarantee** electricity to its vendors and is not responsible for loss of sales or damage to equipment resulting from a power outage.

PROPANE AND COMBUSTIBLE FUELS

Every cooking booth must have one 2A10BC portable fire extinguisher. Accompanying tents or canopies must be made from fire resistance materials or have proof of flame resistant treatment. Portable propane cylinders (omit less than 500 (water) gallons) must be at least 10 feet from canopy/structure.

GRILLS AND DEEP FRYERS

All open-flame grills must have a vented hood (so that smoke is directed up and away).

TABLES, CANOPIES AND WEIGHTS

Vendors must supply their own booths or tables. Booths and tables must not be a hazard to the public or other vendors.

Vendors with on-premise prepared foods and baked goods are required to have a full canopy covering their booth. An umbrella is satisfactory if it is sufficiently weighted and covers the entire table area.

During every outdoor market day, no matter what the weather, all canopies or other booth covers are required to have weights of at least **25 pounds on EACH leg**.

PARKING, UNLOADING, AND ON-SITE DRIVING

- To allow for customer parking, vendors should attempt to park as far away from the market site as practical or at the parking site designated for vendors.
- Vendors must off-load their packaged products and supplies in their space, park their vehicles, and then return to unpack their product and set up the booth space. The reverse is true for out-loading.
- Load in/load out specifics for the market on 5th Ave are as follows: All traffic must flow East to West. Vendors should enter 5th Ave from either High Street or Pearl Street, depending on their booth location. Load in/load out logistics are not yet established for the new site, and this information will be provided closer to opening day at the new site.
- Please follow any additional traffic instructions from the Market Manager.
- No reckless driving will be tolerated under any circumstances.
- Entrances will be barricaded to allow only vendor vehicles. Once on site, pull your vehicle into your assigned space, or unload any booth and vending items necessary for the day, find a place to park, and then return to set-up.
- All vehicles must be off-site 30 minutes prior to opening of market.
- All vendors must be entirely finished setting-up by the time the market opens.

- 30 minutes prior to opening of market, the site is closed to vehicles, and vendors should not leave until the market closes. This is to ensure the safety of our customers.
- Do not drive into the market until Market Staff has opened barricades. Vendors are not allowed to move barricades.
- Early departures may be allowed, if safety is not compromised, depending upon weather or other circumstances. See the Market Manager for permission and instruction.

FOOD SAFETY

- Adhere to the standards in safe food production and handling. (See the ODA Food Safety Guidelines for Farmers Markets on beginning on page 48)
- Vendors are encouraged to submit a “Food Safety Plan” to LCFM and display any certifications to customers.

VENDOR PLACEMENT PROCESS

Market management is responsible for weekly vendor placement. Multiple factors go into placement decisions.

- Reserved status
- Vendor type
- Seniority points
- Lane County residency
- Product uniqueness and/or quality
- Size of booth request vs. booth space available
- Adherence to market policies

The overall management needs of the market will guide the decisions with regard to space placement and may supersede the seniority of an individual vendor or other factors in particular circumstances.

- Space requirements are first requested through the application process.
- Vendors, who have their stall assignments, may occupy their spaces upon arrival.
- Vendors will not be allowed to open up a “second booth” (defined as a vending location not contiguous with vendor’s existing location) without specific LCFM approval; priority will be given to other vendors or new vendors over “second booth” applications.
- A sabbatical period of one year, whereby a reserved space can be maintained,

may be granted, under special circumstances (major life changes, illness, or a childbirth), if requested in writing to LCFM prior to the planned absence.

RESERVED SPACE REQUIREMENTS

When a reserved space opens up (i.e. a senior member quits or leaves the market), other vendors may have the opportunity to request the vacant spot at the beginning of the following year based on the criteria outlined below. The LCFM management reserves the right to convert a recently opened reserved space to unreserved.

- Reserved spaces will only be assigned to farm vendors.
- A vendor qualifies for a reserved space after they have completed five (5) consecutive years of membership with LCFM. Vendors requesting a reserved space must vend the entirety of the market season for any given market for which they are requesting a reserved space.
- Market Manager will reserve four (4) 10 x10 spaces for seasonal vendors; when these spaces are NOT being occupied by the seasonal vendor, another vendor may request the space for the time the space is not occupied by the seasonal vendor or management may choose to keep the space “open” for rotating vendors at any given market.
- Vendors will be allowed up to 4 “excused absences” during the season as long as they abide by the Cancellation Policy (page 20).
- The Market Manager using LCFM’s placement guidelines outlined in the handbook will assign reserved spaces.
- Reserve vendors may NOT sublet stall spaces to other vendors. The Market Manager will assign a reserved space according to the LCFM placement guidelines, in the event the reserved vendor cannot attend market.
- If a vendor sells his/her business, they may NOT transfer their market space to the new owner. The Market Manager will determine who will occupy the space after the business changes hands.

VENDOR TYPE AND LANE COUNTY PREFERENCE

We only accept farmers and producers who bring product to market that is 100% grown and harvested on farmland in Oregon that they own and/or operate.

- Farmers have priority over food artisans, bakeries and prepared food vendors.
- Lane County residents receive priority over non-Lane County residents.

SENIORITY POINTS

Seniority points are determined using the following guidelines. NOTE: The number of consecutive years a vendor is in the market is weighted. Details of point calculation and your own seniority may be discussed with the Market Manager.

- Number of seniority points the vendor has accumulated with LCFM.
- Attendance record; including consistency and reliability of attendance.
- Attendance at all markets contributes to the vendor's placement score. (Markets are not calculated separately)
- Calculations are done annually prior to the first market.
- 1 point per market from prior year's attendance.
- 1 point per year of consecutive membership with LCFM
- 1 point per attendance at LCFM Annual Membership meetings
- 1 point per committee participation with a maximum of 3 points per year

PRODUCT UNIQUENESS

- Duplicate products may be denied entry.
- Products that are unique or unusual may receive priority.
- Products not already represented in the market may receive priority.

CONDUCT, COMPLIANCE AND CUSTOMER SERVICE

- History of compliance with LCFM rules and federal, state, and local regulations.
- Positive vendor conduct toward customers, fellow vendors, market staff, and volunteers.
- Courteous, strong customer service and knowledgeable staff.
- Timely submissions of application, licenses, gross sales forms and other market correspondence.
- Billing and payment history according to fees and payment procedures.
- Adherence to LCFM's policies prohibiting workplace violence and workplace harassment.

BOOTH FEES AND PAYMENT PROCEDURES

Vendors who vend from booths, vehicles or displays on the site will be assessed a daily flat fee. The daily fee is meant to equally assess, across the entire membership, a portion of LCFM's expenses.

CANCELLATION POLICY

If a vendor CANNOT attend a market they must notify LCFM **by Wednesday at 3:00 p.m. for Saturday vending and Saturday by 3pm for Tuesday vending.** Failure to do so will result in the vendor accruing their daily space fee for the "no show" day, payable upon their return to market. If this occurs more than three times per season, it could result in a vendor's suspension or revocation of that vendor's seniority status, or a monetary fine. *Cancellation charge is waived if the cancellation is COVID-19 related. We ask vendors and staff to stay home if they feel sick or have been exposed to COVID-19.

FEE STRUCTURE

Winter Farmers Market

- \$40 for a 10' x 10' vendor booth
- \$80 for a 10 x 20 vendor booth
- \$120 for a 10 x 30 vendor booth

Saturday Farmers Market

- \$50 for a 10' x 10' vendor booth
- \$100 for a 10 x 20 vendor booth
- \$150 for a 10 x 30 vendor booth

Tuesday Farmers Market

- \$45 for a 10' x 10' vendor booth
- \$90 for a 10 x 20 vendor booth
- \$135 for a 10 x 30 vendor booth

Holiday Farmers Market

- \$50 for a 10' x 10' vendor booth
- \$100 for a 10 x 20 vendor booth
- \$150 for a 10 x 30 vendor booth
- Non-member vendors pay an additional \$10 per market day

BOOTH FEE PAYMENT PROCEDURES

Vendors now have the option to pay booth fees via ACH (direct deposit). There will be a section in the application if you wish to pay your booth fees electronically. Booth fees are expected to be paid prior to the end of each market day. LCFM will provide receipts for your booth fees at the end of each year or on a monthly basis upon request.

At the beginning of each market day LCFM Site Manager will disperse a Vendor Payment Envelope to every participating vendor. During the market day, the Site Manager will visit each booth to collect fees for that day. A vendor also has the option of dropping off their payment envelope at the Information Booth or paying electronically via ACH (Direct Deposit). If paying by cash, please **do not seal your envelope** until the Site Manager has verified that the correct amount has been placed in the envelope. This ensures accountability for everyone.

MARKET CURRENCY AND REDEMPTION PROCESS

LCFM uses several alternative currency programs at its markets. These programs are essential to creating greater access to the market and increasing sales for market vendors. These programs include:

USDA FOOD STAMP PROGRAM

LCFM is an approved participant in the USDA Food Stamp (S.N.A.P.). LCFM requires vendors to take snap tokens.

S.N.A.P. benefits are meant to be used for foods for human consumption and do not include alcoholic beverages, tobacco, hot foods, and fresh cut flowers. Seed and plant starts, which produce food, may be purchased using S.N.A.P. A complete listing of rules can be found on the reverse side of the official S.N.A.P. Food Stamp sign. Customers may purchase \$1 market tokens with their Oregon Trail Card from the Information Booth.

- Food stamp recipients receive their benefits electronically with a S.N.A.P. card. They can use their card to purchase tokens, which are good for food items, including fruits, vegetables, grains, meat, fish, poultry, dairy products, seeds, baked goods to be taken off site, and plants intended for growing food. These tokens must be accepted at face value.
- S.N.A.P. tokens cannot be used for nonfood items (e.g. merchandise), hot foods, alcohol, or flowers.
- Tokens of \$1 denomination can be purchased by customers with S.N.A.P. (food stamps) at the Information Booth and used to purchase allowed products at any booth in the market.
- Tokens are redeemable at face value only. **NO CHANGE can be given back.** The customer can add product to bring the purchase up to the dollar amount. If a customer pays both with tokens and cash, change can and should be given back to the customer for the cash portion of the transaction.

FARM DIRECT NUTRITION AND WIC PROGRAMS

All eligible LCFM Vendors are encouraged to participate in FDNP. For an FDNP application packet, please contact the ODA at (503) 872-6600 or go to www.oregon.gov/ODA/ADMD/farm_direct.shtml.

WIC has moved to a swiper card system and does not have a program for administering this program at farmers markets yet. LCFM is not able to distribute tokens for WIC cards at this time.

CREDIT/DEBIT TOKENS

Customers who would like to use their credit/debit cards at the market are first encouraged to use their cards directly with the vendors. If a vendor is unable to accept credit/debit cards, shoppers can purchase tokens at the Info Booth, which can then be used at **ANY** LCFM vendor booth at market.

- Tokens of \$5 denominations can be purchased at the Information Booth with a credit card, debit card, check or cash.
- Tokens of these denominations are treated the same as cash.
- These tokens can be used to purchase any product from a LCFM vendor.
- Vendors may give cash change when the \$5 tokens are tendered.
- **\$1 tokens cannot be given as change to a customer for any reason.**

DOUBLE UP FOOD BUCKS

Since 2016 LCFM has been able to run a SNAP-matching program called Double Up Food Bucks for a portion of the season. SNAP/EBT users receive Food Bucks when using their EBT card at the Info Booth. Food Bucks can be used to purchase any variety of fresh, dried, or frozen whole or cut fruits and vegetables without added sugars, fats, oils, or salt. Includes mushrooms, fresh herbs, nuts, dried beans, and edible plant starts. Food Bucks cannot be used to purchase grains, meat, eggs, cheese, baked goods, prepared foods, fermented foods, salsa, pickles, jams, jellies, honey, cider, juice, tea, or other foods that do not fit into the above guidelines; non-food items. **No change should be given on Double Up Food Bucks when accepting them as payment. No processing fee will be deducted upon redemption.**

GIFT CERTIFICATES

LCFM provides \$5 gift certificates for sale or donations. They are also given to market staff weekly as an added benefit. **No change should be given on gift certificates.** No processing fee will be deducted upon redemption.

NOTE: Vendors are not allowed to use tokens, or gift certificates received from customers to purchase product from other vendors.

TOKEN REDEMPTION PROCESS

The below process outlines how to redeem your tokens, and gift certificates:

- Each vendor will be given a bag marked with your business/vendor name.
- Vendors are responsible for pre-counting tokens before turning them in to market staff at the Info Booth.
- Place all tokens, and gift certificates in designated bag with a tally sheet for each currency type.
- **Tokens can be handed in at the Info booth one hour prior to the opening of market until one hour prior to the closing of market.**
- **Cash will not be given on site for token redemptions. You have the option of receiving funds electronically via ACH (Direct Deposit) or by check at the following market. If you will not be at the following market, a check can be mailed to you or you can pick it up during office hours**
- There is a 5% token redemption fee for the processing of all tokens. (No fee will be taken for gift certificates or Double Up Food Bucks.)

CLOSE OF MARKET DAYS

All vendors must plan to keep their booths set up until closing time. If product has sold out before then, it is suggested that a "Sold Out" sign be placed on the table and, should the vendor choose to leave the site, he or she must return at the end of the market to take down their booth. Trucks cannot be pulled into public spaces for loading until the market officially closes without LCFM management permission.

All vendors are required to abide by the market closure hours. On all market days, if any vendor has customers in their booth at the designated closure hour, please inform those customers that the market is closed and all customer transactions must be completed no later than 15 minutes after the official closing hour (3:15 p.m. for Tuesdays and Saturdays.) Failure to abide by the market closure hour will result in a fine. If repeated violations occur, it could result in a member's expulsion from the market.

Vendors are responsible for leaving their space and adjoining customer area free from any debris that may have accumulated during the day. Vendors who use the black mats should remove them from underneath their booths in a timely fashion. Trash should be removed from the site. These activities keep expenses down.

ADDITIONAL MARKET RULES

This section highlights other LCFM policies that have been put in place to create a safe environment for vendors and the public and to keep the market thriving. It is not intended to be an exhaustive list, but it does highlight the policies most relevant to vendors and on-site issues.

Compliance with Health, Safety, and Related Laws

Vendors and their employees are responsible for informing themselves about and complying with federal, state, and local health regulations and licensing requirements governing the production, display, distribution, sampling, and sale of their products. Vendors providing samples of their products must comply with the rules governing market sanitation and health issues as outlined in the ODA Food Safety Guidelines. (See details for safe sampling at “On-Site Booth Inspections” on page 34 and/or ODA Food Safety Guidelines in Appendix A, page 55-63)

Oregon Dept. of Agriculture Farmers Market Guidelines

The Oregon Department of Agriculture has developed Farmers Market Food Safety Guidelines to assist in the sanitary operation of the state’s markets. These include information on processed product facility licensing, hazardous food handling and safe sampling information. For more information see Appendix D or go to <https://www.oregon.gov/oda/programs/FoodSafety/Pages/Default.aspx>

Courtesy and Customer Service

While at the market, vendors are expected to behave courteously toward customers, other vendors, market staff, and volunteers, and to conduct themselves professionally at all times. Neither vendors nor customers may publicly disparage other vendors, other customers, products, or markets.

Customer questions regarding farming practices should be answered factually and knowledgeably.

Appropriate Workplace Conduct

Everyone interacting in any way with LCFM should be treated with respect and professionalism at all times. Vendors, as well as market employees, are expected to adhere to acceptable business principles in matters of personal and business conduct, to accept responsibility for the appropriateness of their own conduct, and to exhibit a high degree of personal integrity at all times. It is impossible to list all forms of conduct that LCFM might consider inappropriate. Certain behavior, such as theft, fighting, insubordination, falsification of records, bribery, and threats of violence, is clearly unacceptable at any time in any workplace. (See below for further comment about workplace violence, discrimination, and harassment.) Other conduct, including but not limited to actions towards co-workers, customers, market staff, or other vendors that could be considered malicious, obscene, intimidating, or that might constitute harassment or bullying, while often more subtle, is equally unacceptable.

Any instances of inappropriate conduct should be reported to the market management. Reports should be written and, if possible, include witness documentation. LCFM will respond appropriately to any report of inappropriate conduct with a full investigation of the circumstances. Those who engage in inappropriate conduct are subject to the protocols of rule enforcement stated on page 31 of this handbook.

Workplace Violence Prohibited

The safety of LCFM employees, customers, vendors and visitors is of utmost importance. Verbal or physically threatening behavior or acts of violence against employees, customers, vendors, visitors or others while at LCFM's markets, offices or through electronic means will not be tolerated. Any person who engages in this behavior will be removed from the premises as quickly as safety permits and must remain off LCFM's premises pending the outcome of an investigation. Subsequent to the investigation, LCFM will respond appropriately. This response may include, but is not limited to, suspension and/or termination of any business relationship, and/or the pursuit of criminal prosecution of the person or persons involved.

Individuals who apply for or obtain a protective restraining order listing any LCFM location as a protected area should provide the Market Manager copies of the petition and declarations used to seek the order, and copies of temporary and permanent protective or restraining orders. LCFM understands the sensitivity of the information requested and will take reasonable steps to protect the privacy of the reporting person.

Authorized On-Site Sales Personnel

One purpose of LCFM is to enhance the direct relationship between the grower or producer and the customer. Because of this, only the vendor and his or her family members or verifiable employees may sell a vendor's products at the market. LCFM may request proof of such involvement and employment.

Vendors are responsible for making sure that all persons working at their booths are authorized on-site sales personnel under the guidelines above, are knowledgeable about the products being sold and are familiar with and adhere to all LCFM's rules, regulations, and guidelines.

LCFM Management and the Board of Directors will consider exceptions to this rule on a case-by-case basis.

Fair Marketing Practice

Vendors are discouraged from giving produce or other items away for free or at below cost pricing, thus undercutting potential sales of other vendors. This does not include sampling.

- All items for sale must be clearly marked with their retail price. Prices may be posted on the product with an individual sign or posted as a list of prices on a large sign or board.

- Vendors are NOT permitted to use the following techniques while at the market: hawking, calling attention to products in a loud, repetitive public manner, and selling products in an aggressive way.
- Standing in the aisles while providing samples to customers is NOT permitted.
- Vendors MUST accept all LCFM approved forms of currency.

Buskers/Peddlers

Music buskers are permitted when space allows. They are asked to check in at LCFM Information Booth and wait for the Market Manager or one of the market staff to sign up for one of the locations if space is available. It is at the discretion of Market Management to allow or disallow buskers. Buskers are asked to move to a new location after one hour. Electronic amplification is not allowed nor is playing/singing in a loud, disruptive manner such as to impede communication between vendors and customers. Music buskers are responsible for all fees related to music copyright/usage fees, such as the ASCAP, or other organizations.

Peddlers are not allowed to set up within the market or within ten feet of the market's perimeter.

Dog and Pet Manners

Only service animals are allowed at LCFM. All others are not permitted within the market.

Signature Gatherers

Signature Gatherers must obtain permission from LCFM to gather signatures during market hours. It is at Market Management's discretion whether or not to designate the time, place, and manner of the signature gatherers' activities.

Market Demonstrations and Events

LCFM periodically sponsors educational demonstrations and events on-site. Scheduling and location vary. Contact the Market Manager for seasonal specifics and participation opportunities.

Weather Related Market Cancellations

Most LCFM markets are open rain or shine. Since several of the markets are held in open-air venues, LCFM does reserve the right to close a market (with or without prior notice) if it is determined that severe weather conditions could compromise the safety of vendors and shoppers. A partial refund to vendors may be issued in the event of a market closure due to severe weather and/or unsafe circumstances. The amount of refund is at the Market Manager's discretion.

Please note the following:

- LCFM will operate as usual as long as the AQI (air quality index) measures below 200. If the AQI is somewhere between 200 and 250, the market will continue to remain open with the options for vendors to opt out without penalty. At this point LCFM reserves the right to adjust the market hours of operation. If the AQI measures above 250, market will be canceled.
- The official measurement will be taken in the early morning on market day, and the market manager will email a cancellation confirmation at 5am. The market will be using the AQI measurement posted by LRAPA when determining operations (<https://www.lrapa.org/>)
- Markets will remain open unless an “Extreme Weather Warning” is issued from NOAA (National Oceanic and Atmospheric Administration). If extreme weather is predicted and a vendor decides to cancel, a 48-hour notice will be honored and the vendor will not be charged for that day’s booth fees. Extreme weather patterns are usually predicted at least 48 hours in advance.
- Notice of market cancellations will be issued as far in advance as possible and will be communicated by phone and/or by email to all vendors affected.

Vendor Roster Publication

LCFM supports an open policy in regards to publishing the vendor roster (with pre approval by the vendor). The roster is posted on LCFM website. Individual names are released upon inquiry by the press or potential customers. Vendors are asked to indicate on their applications if they want LCFM to release their personal information. No vendor’s name will be posted or given without signed permission by the vendor. The vendor roster will not be shared or sold by LCFM office or board members to prospective markets or competitors for the purpose of soliciting vendors.

No Smoking Policy

Smoking at market sites is not allowed for vendors or customers.

Drug and Alcohol Policy

- LCFM markets are drug free zones.
- Any alcohol consumption must stay within the designated area of the market.
Alcohol purchased within the beer garden may not be taken back to vendor booths.

Permits and Licenses

Vendors shall provide LCFM with copies of any permits and licenses applicable to the sale of their products. This includes nursery licenses for bedding plants, organic

certification, and licenses for scales, the sale of meat products, and kitchens for processed foods. (See Appendix A for permit and licensing information.)

Communication

Vendors shall provide LCFM with acceptable contact information to allow timely communication for notices and other information. It is the vendor's responsibility to obtain and maintain a working email address for communication with LCFM.

RULE ENFORCEMENT

LCFM has been built on a foundation of trust and honesty. Any willful violation of the rules may, at the discretion of the Board of Directors, result in one's permanent expulsion from LCFM.

When the management notices any infraction in the rules and procedures, the vendor will be given a verbal warning clarifying the rules and the incident will be documented in the vendor's file.

When management notices a second infraction in the rules and procedures, the following set of guidelines will be used to enforce them. The management reserves the right to apply any of the following actions to address the infraction or incident, depending on its severity:

- Monetary fine/penalty
- Written warning to vendor and booth workers
- Denial or deduction of seniority points
- Probation
- Report to the appropriate regulatory body
- Suspension/disqualification from participation in market

Vendor infractions that may lead to fines (as early as second infraction)

- Vehicle on site within 30 minutes of market opening
- Early/Late selling (prior to/after 15 minutes prior to market opening/closing)
- Using non-designated bins for vendor trash
- Failing to have appropriate booth weights
- Multiple cancellations after deadline (fine after three per season)

Issues that can lead to immediate suspension

- Resale of any kind.
- Verbal or physical abuse of any kind.
- Blatant refusal to comply with management instruction or direction.

VENDOR CONCERN OR INCIDENT FORM

LCFM vendors who have concerns about market operations, vendor policies, or other vendors' compliance with market rules can submit a Vendor Concern/Incident Form to the LCFM Market Manager. These forms can be used to document any concerns or incidents at the market in a timely fashion, for example, a customer falls or a rule violation occurs. The form can be found in Appendix B or at the Information Booth. Please submit this form to the LCFM Market Manager for a review of the concern or incident. LCFM Market Manager will respond to the concern or incident in writing within one week.

GRIEVANCE PROCESS

A grievance means that a vendor disagrees with or would like to appeal a decision/action made by LCFM Market Manager regarding the rules in this handbook or LCFM Bylaws.

For a full discussion of the grievance with the board, the Grievance Form must be filed in writing at least one week prior to the next board meeting. If the vendor has not filed this form one week prior to next board meeting, and still wishes to address the board, he or she will be given two minutes to address the board. The decision of the Board of Directors is considered final. (See Appendix B for Grievance Form.)

PRODUCT CHALLENGE PROCESS

Vendors who believe another vendor is misrepresenting his or her product can file a Product Challenge Form with market management. (See Appendix B for form.) Once received, the form will be shared with the Board Liaison within two business days.

Along with the form, a \$100 check is also required which will be held in the office safe until a final determination is made. If the vendor in question is found to be misrepresenting his or her product, the \$100 check will be voided and returned. If the claims were not valid, the check will be deposited and used to cover any costs associated with the investigation.

LCFM will conduct an investigation of the Product Challenge. This may include an unscheduled farm or facility site inspection and documents/certification review where appropriate. A outside guest inspector (approved by the Board of Directors) may attend the inspection.

Final determination will be made by the Board of Directors at the following scheduled board meeting. Both vendors will be notified of the decision within one week.

All efforts will be made to keep this investigation confidential until a final determination has been made. If the claims were false, all parties agree to keep the investigation confidential. If the vendor is found in violation, appropriate disciplinary action will be

taken, including the placement of pertinent documents in the vendor's file.

FARM VISITS AND INSPECTIONS

Each season 3-5 vendors will be randomly selected to host a farm visit/inspection for LCFM staff.

Visits may be scheduled for one of the following reasons:

- To feature Farm / Business for promotional purposes.
- A Product Challenge has been filed against a vendor.
- LCFM management has concerns about the accuracy of a vendor's product claims.

Feature Farm visits grant the vendor an opportunity to share their story, along with images and / or video of their business for use on LCFM Website and in other promotional materials. Vendors may request to have a Feature Farm visit by calling or e-mailing LCFM staff.

LCFM reserves the right to conduct farm or production site visits to verify the accuracy of vendor applications submitted and/or vendor product claims. In case of a challenge or product verification, LCFM Market Manager, or his or her designee, will conduct inspections in a timely fashion depending on the claim. LCFM actions in said inspections will be free of conflicts of interest on the part of the inspectors and confidentiality will be maintained during the inspection as long as the vendor is found to be adhering to the rules in this handbook.

The LCFM board or other LCFM designee will review the results of the inspection. The resulting recommendation will be brought to the board for determination of the appropriate action. LCFM may suspend a vendor's sale of any product in question until the inspection and recommendations are completed. Once complete, the appropriate documents will be placed in the vendor's file. Vendors who do not agree with the decisions of LCFM can file a Grievance Form with the LCFM. (Please see the Grievance Process and form in Appendix B of this handbook.)

ON-SITE VENDOR BOOTH INSPECTIONS

Use this checklist to help remind you of some of the basic market operation rules and policies. The Site Manager uses this checklist as a general guide to evaluate your

compliance with the rules. **Vendors will be randomly selected on market days for booth inspections throughout the season.**

General:

- Canopy weights (**25** pounds minimum) on all legs. Vendors without appropriate weights on their canopy may be subject to fines.
- Booth set up with regard for public safety. All components of the booth are contained within the footprint of the booth.
- Signage with the name and location of the business is clear and visible.
- All product prices are posted.
- All packaged food is labeled with name of the product, net weight, ingredients in descending order by weight, and name and address of producer. Bulk foods must post a sign with this information or a sign indicating that it is available upon request.

Food safety:

- Food is stored/displayed off the ground (at least 6") or in impervious plastic tubs.
- If product is not produce, it should be wrapped or covered.
- Potentially hazardous perishable foods, stored, displayed and offered for sale are packaged and refrigerated according to state and federal guidelines and vendor has a calibrated thermometer to gauge and demonstrate temperature.
- Vendors selling bulk foods, including baked goods, must have a hand-washing station.

Safe sampling : (for vendors who handle bulk-dispensed products other than produce and nuts in the shell)

- Hand washing station present and in active use.
- Produce is cleaned before sampled.
- Clean cutting surfaces and utensils; sanitizer available for cleaning equipment between uses.
- Samples covered to protect them from contaminants when customers are not actively sampling them.
- Sampling set-up is designed to prevent customers from touching samples other than the one they take.
- Samples of potentially hazardous foods are prepared in small batches and at approved temperatures for the required duration.
- Samples of potentially hazardous foods are discarded after two hours. Samples are prepared in a way to ensure there is no cross-contamination.
- Trashcan is available for customers to use.

Miscellaneous:

- If vendor claims products are organic, OG certification must be filed appropriately with LCFM.
- If using electricity, cords are covered and set up with regard for public safety (appropriate mats, etc.)

- If an electric heating appliance is used, proper guidelines are followed.
- If propane or combustible fuels are used, follow appropriate guidelines.
- If vendor claims “no spray,” or something related to growing methods that is not certified by a third party, information must be made available that explains the claim or by filing the proper affidavit located in Appendix B, and following specific rules pertaining to product type described in APPENDIX A:
DEFINITIONS, PRODUCT LABELING, CATEGORIES, AND CLASSIFICATION.
- If anything a vendor sells or distributes produces trash, the vendor has a **trash can available for customer use**. All trash must be carried off-site by vendor (there is no dumpster or trash service at the market). Vendors who fail to deposit trash in an appropriate manner may be subject to fines.

APPENDIX A: DEFINITIONS, PRODUCT LABELING, CATEGORIES, CLASSIFICATIONS, and CERTIFICATIONS

Definitions

Vendor: A vendor is an owner/operator of a business entity approved to sell at the market by the Market Manager and Standards Committee. A vendor may not operate under a franchise agreement. Different categories of vendors at the market are Farmer and Non-Farmer. **All vendors must be LCFM members.**

Vendor Categories Defined

Farmer: Those actively involved and invested in the planting, growing, and harvesting of food products on owned, rented, leased, or share-cropped land. This includes ranchers, dairymen, fishermen, etc. If a farmer farms on land(s) he/she rents or leases, he/she must provide LCFM with a copy of the signed lease agreement(s). Farmer category also includes vendors who sell value-added products made from their own farms' products.

Nurseries & Florists: Those primarily involved and invested in the planting, propagation, and production, of non-food agricultural products. See next section for definition of nursery products.

Non-Farmer: Those who are actively involved and invested in the processing of value added food products sold at the market. Non-Farmer vendors may sell processed foods, value-added foods, baked goods, prepared foods, etc. Non-Farmer vendors must provide LCFM with all applicable copies of licenses as appropriate to their product. Vendors are responsible for knowing and acquiring all necessary licenses. Non-Farmer vendor categories are outlined below:

Food Artisan: Those who sell processed or value-added foods such as pickles, condiments, jams and charcuterie. Vendors who make desserts, patisseries and chocolates would also fall into this category. These vendors do not

grow/raise/catch/gather the majority of ingredients in their product.

Baker: A baker produces a large volume of conventional baked goods such as breads, rolls, muffins, and breakfast pastries. The bulk of their time is spent baking breads. See page 53 for qualifications and limitations for this category of vendor.

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Prepared Food Vendor: Prepared Food Vendors are defined as any vendor preparing any food, hot or cold, prepared on-site and meant for on-site consumption or prepared on-site and taken for off-site consumption. Prepared Food Vendors must have a Lane County Temporary Restaurant Permit. (See page 51 for qualifications, standards, and limitations for this category of vendor.)

Product Categories Defined

Locally Grown: A product grown in Oregon.

Farm products: Food products that are grown or raised by the farmer upon land that she/he controls through ownership, lease, rental, or other legal agreement. These products are fresh fruits and vegetables, grains, nuts, honey, eggs, herbs, meat, and dairy products.

Processed farm products: Products made from raw ingredients, a majority of which are grown and produced by the farmer. These products include all farm products that must in some way be processed including cheeses, dairy, meats, viticulture, dried fruits and vegetables, juices, jam, or other processed agricultural and livestock food products. LCFM recognizes the distinction between processed farm products grown and processed by the farmer, farm products that are grown by farmer and co-processed by a second party, and those that are purchased and then processed.

Non-farmer Value-added foods: Processed products that the vendor has made from raw ingredients which have been cooked, canned, dried, baked or preserved, including artisan baked goods, spreads, pickles and condiments.

Prepared food: Freshly made food that is available for sale and immediate consumption on-site. *Please refer to current OSHA Covid-19 guidelines <https://www.oregon.gov/oda/agriculture/Pages/COVID-19.aspx>

Fish and Seafood: Sea foods caught by Oregon fisher. Value-added fish and seafood products made from farmed fish are prohibited at the market.

Nursery products: Products grown or raised by the agricultural producer upon land that she/he controls through ownership, lease, rental, or other legal agreement. Nursery products are fresh cut or potted flowers, bedding plants, seeds, perennials, annuals, trees, shrubs that are propagated from seed, cuttings, bulbs, plugs, or plant divisions.

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Nursery product vendors may require a nursery license from ODA. Dried flowers and wreaths may be sold during the “shoulder season” in April-May and October-December and must be made by materials grown or gathered by the vendor.

Wild-crafted, Gathered, or Foraged: Products such as mushrooms and wild berries that are gathered from public or private land by the vendor. Vendors wishing to sell wild mushrooms must:

- List each type of mushroom by common and scientific name on their application.
- List training and experience in mushroom collection.
- Provide copies of the public lands collection permits or private approval.
- Applicants may be required to pass an interview with a mycology expert or take a test to establish that she/he can identify species reliably, can collect responsibly from the resource, has the appropriate permits and will bring quality product to market that they themselves are collecting (not buying and reselling).
- Signage at market must accurately identify all mushrooms and whether the product is wild-crafted or cultivated.
- Prominently display mushroom safety information.

Processed non-food agricultural products: Agricultural by-products of products that the vendor has grown/produced that are not edible, have been altered from their raw state, and are handcrafted or processed at the farm by the vendor. These agricultural by-products may be allowed when the vendor also sells the associated agricultural food product from which these by-products are derived (e.g., a honey vendor may sell a beeswax candle; a milk vendor may sell a milk-soap). Other processed non-food products will be reviewed on a case by case basis by the Market Manager or the Standards Committee.

Industrial Hemp Products: LCFM limits the sale of industrial hemp products, including CBD oils and extracts, in accordance with state statute [ORS 571.281](#), and must have been produced and manufactured in accordance with [OAR 603-048-0010](#) through [OAR 603-048-2480](#).

Industrial hemp products allowed for sale at LCFM are limited to CBD oil, CBD extracts, and hemp seed treated so that it cannot germinate. CBD products must be labeled with CBD and THC percentages, not to exceed the .03% THC maximum level. All products must comply with the Cannabidiol State Regulations and Laws for Oregon and have the appropriate lab analyses for the final product. Vendors must submit an ODA hemp grower license and original CBD extract lab test to LCFM.

LCFM will allow a maximum of 4 current-membership vendors to sell CBD products. Applicants will be approved on a case-by-case basis by the Standards Committee. At this time, we are not accepting new CBD-only vendors.

Product Rules, Labeling, and Certification

Labeling and certification are critical parts of LCFM product rules. Details pertaining to specific product labeling and classifications can be found in the appropriate sections below.

All meat and dairy products must be labeled as processed food products in accordance with ODA requirements for processed food products. See ODA Food Safety Guidelines in Appendix A for details.

Vendors wishing to sell processed foods must:

- List all products to be sold at the market on their application.
- List all sources of ingredients in the products to be sold at the market.
- “Local” is defined as raw ingredients sourced directly from Oregon farms —with priority given to those sourcing products directly from LCFM vendors.
- **It is expected that the vendor will use 25% of raw ingredients that are grown locally, as appropriate for the product.**
- Detail any part of the processing not done by the vendor and provide appropriate documentation of any second party processor or co packer. Approval of some products that are processed by a second party or a co-packer may be considered on a case-by-case basis.
- **Label packaged processed foods with the following information:**
 - Name of product, net weight, and ingredients listed in descending order by weight, and name and address of the producer or distributor. Bulk dried foods do not have the same labeling requirements as packaged foods. See ODA Food Safety Guidelines in Appendix A for details.**

Product additions:

Vendors wishing to add products to their application in mid-season should submit a written request for approval at least one week prior to the date they wish to begin selling it. New products will be juried and may be denied entry at LCFM’s discretion.

Product Categories

All produce and products in LCFM must be labeled accurately according to cultivation or production practices and adhere to applicable regulations.

The following are some common examples of the different categories of products represented at LCFM:

USDA Certified Organic:

Vendors who are certified organic follow specific rules and regulations stipulated by the USDA National Organic Standards and undergo third party inspection and certification by licensed certifying agencies.

Certified organic vendors must:

- Provide LCFM with copies of their organic certification.
- The NOP allows certain exemptions from certification in specific cases and with specific conditions. (See National Organic Standards: Subpart B, applicability subsection 205.101, Exemptions.) If a vendor wants to use the term(s) “organic” under these specific conditions, they must sign a LCFM affidavit showing total gross sales are under \$5,000 annually, and follow the applicable rules and guidelines of the National Organic Standards. (See Appendix B for form.)

If a vendor has mixed production, i.e., both certified organic products and non-organic products, the vendor must clearly identify each class of product with adequate, clear labeling while adhering to the NOP Standards in all production, processing, and handling practices. LCFM requires that vendors provide documentation of adherence to these standards.

The terms “organic,” “certified organic,” “grown using organic methods,” and other permutations of the term “organic” are strictly regulated by the National Organic Program, and a LCFM vendor must specifically qualify for the use/display of these terms. LCFM requires vendors to strictly adhere to these rules; any exceptions must have a written explanation or ruling from the NOP.

Transitional Organic:

The USDA NOP program strictly regulates the use of the word “organic” and does not recognize any agricultural program as “transitional organic.” As a result of this ruling, LCFM does not allow the labeling of products as “transitional organic.” However, some third party certifiers have transitional programs in place that certify products as “transitional” agricultural plants and products. Vendors seeking this level of certification will be allowed to label their products “transitional” provided they receive third party certification to this effect by recognized third party certifiers. Under no circumstances will the term “organic” be allowed in the labeling or marketing of these “transitional” products.

Certified Naturally Grown:

Certified Naturally Grown is a “participatory guarantee system” meaning that participating members of the organization act as member inspectors of other farmer/producer members within the organization. Members of the organization are required to sign a “Certified Naturally Grown Declaration” describing their farm practices. Certified Naturally Grown is not affiliated with the USDA Organic Program and does not confer permission to use the word organic.

Certified Naturally Grown vendors must provide to LCFM:

- Documentation of their inspection
- A copy of their Certified Naturally Grown Vendor Declaration
- If applicable, a copy of the vendors’ Feed Declaration.

No Synthetics Applied:

Formerly called “No Spray,” products carrying this label are, generally, those which have had no synthetically derived pesticides, herbicides or fungicides applied, but which may have had synthetically compounded fertilizers, botanically derived pesticides or naturally occurring fertilizers applied. Written and verbal declarations regarding pesticide or chemical use that cannot be certified (e.g. “unsprayed,” “no spray”, and “pesticide-free”) require a written affidavit/statement. This is to be submitted with the vendor application, attesting how these procedures are followed. Vendors are required to produce the written statement about production methods for any consumer who requests it and should have copies of the statement available in his/her stall. (Please refer to the “No Synthetics Applied Affidavit” in Appendix B.)

Conventional:

Products carrying this label are grown through farming practices and regulations promulgated by the United States Department of Agriculture and the Oregon Department of Agriculture. These regulations allow the use of a number of synthetically-derived pesticides, herbicides, fungicides and fertilizers. These growers may also use botanically-derived pesticides and naturally occurring fertilizers.

Wild-crafted and Wild Gathered:

Products carrying these labels are gathered and/or crafted from uncultivated natural or forest lands and the ocean. This collection/crafting method cannot insure the content of these products. Applicants wishing to sell mushrooms may be required to submit their products to jury by fellow mushroom vendors if any question of identity or safety is suspected. Specifically, there shall be no buying and reselling of wild gathered products.

Permits for collection from public and private lands may be needed. All copies of the public lands collection permits or private approval must be provided to LCFM prior to vending. The applicant will also provide a signed affidavit that the products vended are not bought and resold. (See affidavit form in Appendix B.)

Product Classifications

Use this section as a guide for classifying your products on the membership application.

As a market, our purpose is to promote local agriculture. Preferred Status will be given to farmers who grow or raise their product or product ingredients. Locality of processed product ingredients will be taken into account when LCFM management approves an application. (If management can't decide or feels they need extra input, the Standards Committee would be asked to help with the decision.) If two applications selling similar products are submitted, LCFM reserves the right to give preference to the vendor using local ingredients over a vendor not using local.

The following categories describe several types of products that are permitted to be sold at LCFM. Pertinent information concerning LCFM and state regulations is included.

New or controversial products are subject ultimately to the review and approval of the Board of Directors. Please do not expect to sell any of these items until your application and products have been approved. It is the responsibility of the vendor to keep their application current with copies of all necessary licenses and certifications.

Regulatory Compliance:

All products offered for sale at LCFM must comply with LCFM, ODA, city, county, state and federal regulations governing their weighing, packaging, display and labeling. Oregon state regulations are extensive and can be obtained from the Oregon Department of Agriculture at www.oregon.gov/ODA.

It is the responsibility of the vendor to seek out information on all applicable product and production regulations and to remain in compliance with all required licenses and declared certifications. Generally, these can include nursery and scale licenses, and kitchen facility certifications. If any license expires during the market season, the vendor has one month from the expiration date to submit renewed license to LCFM office. You will not be allowed to sell without current licenses. All products sold by weight must be sold with a USDA certified scale.

It is the responsibility of the Market Manager, at the direction of LCFM Board of Directors, to inform a vendor of his/her legal requirements and provide, when available, current listings by the regulatory agency of an individual's compliance to rules pertaining to nursery, processing, certified kitchens, scales, organic status and other licensed facilities. LCFM Board of Directors reserves the right to report to the proper state 46 inspectors any vendor's non-compliance. This may result in said state agency inspector visiting the market at any time in order to enforce regulations. If such action is taken, the vendor in question will be informed of said action taken.

LCFM staff may request to visit a vendor's farm and/or processing facilities if they have questions or concerns. (See page 36 for details.)

Formal Complaints regarding Products:

Formal complaints may be made for misrepresentation of a product by a vendor. Vendors can submit a written Product Challenge Form to LCFM when they believe another vendor is misrepresenting his/her product. (See Appendix B for Product Challenge Form and page 29 for more information about the Product Challenge Process.)

Vendor Classifications

(Listed in order of LCFM preference)

Product uniqueness and quality will be taken into consideration with all vendor categories. Product uniqueness is defined by a vendor whose product(s) is(are) not already well represented in the marketplace.

I. Grown By Vendor

Includes: Vegetables, Fruits, Flowers, Grains, Herbs, Nuts, Nursery and Mushrooms

Defined: These are items that are grown by the vendor and are neither processed, prepackaged, adulterated, purchased from another party, or bartered for within or outside of LCFM. Simply stated, “If you grow it, you can sell it,” as long as all other rules are observed.

General Regulations: Produce must be of high quality, displayed in a clean, marketable fashion and honestly represented.

Nursery Regulations: Plants must be grown by the vendor from seeds, cuttings, plugs or purchased seedlings. Any plant not started from seed must, at the time of sale, have been grown for two months or at least one half of the plant’s life, whichever is greater.

The State of Oregon requires a nursery license for anyone selling more than \$250 worth of stock per year. If a vendor exceeds this amount, LCFM requires proof of licensing— **NO EXCEPTIONS.**

(Please refer to Category IV-B, “Gathered; Wild Crafted; Collected.” for the market’s mushroom regulations.)

II. Grown And Processed by Vendor

Preferred Status given in this order:

1. Primary product is grown AND processed by vendor
2. Primary product is grown by vendor and co-processed

Includes: Jams/Jellies, Honey, Beeswax, Vinegars, Meat, Cheese, Grains, Butter, Prepackaged salad mix w/ cut vegetables, Dried Herbs, Dried Fruit, Cider, Wine, Beer, Baked Goods and Confections. A Certified Kitchen License is required for any product

that is cooked, baked, heated, dried, mixed, ground, churned, separated, extracted, cut, frozen, canned or packaged. These are considered a “processed food,” and as such, can only be legally “processed” in a licensed facility. (Exemptions regarding certified kitchens are defined by Oregon’s Farm Direct Marketing rules (<https://www.oregon.gov/oda/shared/Documents/Publications/FoodSafety/FarmDirectMarketingProcessedProducers.pdf>))

Potentially hazardous foods are those foods that contain milk products (i.e. cheeses), eggs, meat, fish, etc. The temperature of potentially hazardous foods shall be 41° F or below, or 140° F or above, at all times.

The Oregon Dept of Agriculture has handbooks listing the specific regulations pertaining to certified kitchens and food processing. See ODA website at www.oregon.gov/ODA for more information.

III. Collected / Wild-crafted

(Strictly Regulated)

Defined: Products are gathered and/or crafted of items from public or private lands.

Requirements:

- All products in this category will be carefully regulated and restricted.
- All items in this category must be clearly represented to the public as being gathered and not grown.
- If gathering is done on public land, you must show proof of a permit where applicable. If on private land, permission must be shown.
- No purchased materials may be represented as being collected.
- LCFM discourages collection near roadways and railways due to the potential for contaminants from vehicles or various chemical applications.
- No gathering which is done in a way that diminishes the propagation of the resource will be permitted. No threatened or endangered plants are permitted for sale.
- Gathering tree fruit from abandoned orchards is not permitted. This is considered a form of U-Pick. The vendor must own or lease or sharecrop the land or be an employee of the owner.

III- a Collected/Wild-crafted: non-Fungus

(Regulated & Restricted)

Includes: Fish, Grasses, Flowers, Plants, Driftwood, Seashells, Wild Berries, Tree Fruit, Perennials, Evergreen Boughs, Cones, Lava Rock.

III-b Collected/Wild-crafted: Fungus

(Regulated & Restricted)

Includes: Mushrooms and fungi of all types

Requirements:

- Copies of collection permits are required. These include “commercial collecting permits” (up to \$100 each) when gathering on public lands or the written approvals of private land owners.
- A review will be done by LCFM and a trained collector, engaged as a consultant for LCFM, to approve vendors for selling at LCFM.

Regulations and Restrictions: The posting of accurate signage is required positively identifying all fungi by listing their generic and specific names when mushrooms are sold at LCFM. A “Wild Mushroom Eating Guide” handout must be made available to all customers when mushrooms are sold at LCFM. Copies are available at the Information Booth.

IV. Food Artisan

A food artisan is a vendor who sells processed or value-added foods such as pickles, condiments, jams and charcuterie. A food artisan might also make desserts, patisseries and chocolates would also fall into this category. These vendors do not grow/raise/catch/gather the majority of ingredients in their product.

Preference will be given to food artisans who demonstrate a desire to use local ingredients in the production of their goods. Food artisans are required to use 25% of raw ingredients that are grown locally (grown within Oregon).

The following are the preferences given in order:

1. Product/ingredients that are purchased directly from LCFM vendors.
2. Product/ingredients that are purchased by the vendor directly from any farmer within Oregon.
3. Product/ingredients that are purchased by the vendor from non-local sources.

V. Grown by Vendor and Crafted

Includes: Dry Arrangements, Garlic Braids, Wreaths, Decorated Gourds, Feathers, jewelry, ceramics and baskets that include plants; also includes farms that sell T-shirts and/or cards.

Defined: A “crafted or produced” item is an assemblage of materials that are woven, decorated, or held together with purchased hardware, glue, etc. and was grown and

produced by the vendor.

For these items, most vendors purchase wire, ribbons, straw and grapevine forms, baskets, and decorative containers. Items may also be decorated with paints or glitters. The mechanics of the item must not dominate the presentation; the value of the product must come from the attached plants or flowers, whether grown or gathered. Once a plant or flower is sold as anything other than “fresh,” it is considered a “processed” item, which usually means dried. If the item also contains the common floral mechanics, consisting of manufactured materials, it is considered “crafted or produced.” These items may also be items not grown by the vendor but are crafted from purchased materials into agricultural-related items. Dry arrangements, garlic braids and wreaths are by far LCFM’s most dominant craft items.

Restrictions: All plant matter, dried or fresh, must be from the state of Oregon. It is the responsibility of the vendor to fully disclose at the time of application, any plant material, intended for sale, which has not been grown by the vendor. Purchased plant material is not generally allowed in any product in this category. Collected or wild crafted material is acceptable if collected by category IV specifications. A small amount of a purchased plant, when part of a single item, may be permitted on an interim basis if the Board of Directors grants such an exception. Agricultural-related craft items are allowed only if income derived from such sales account for less than 10% of a vendor’s sales or the display of such products takes up less than 10% of one’s space. These items will be approved and monitored by the Market Manager on an annual basis and are always subject to possible elimination at a future time.

Prepared Food Vendors Criteria

Prepared Food is defined as food or beverage (hot, cold, or alcoholic) prepared on-site by the vendor and/or served on-site and meant for on-site consumption or prepared on site and taken for off-site consumption. LCFM currently limits the number of prepared food vendors to four (4) or less for each market season and limits the number of vendors who sell alcoholic products to be consumed at the market to one (1). LCFM will make three (3) prepared food spaces available on days when the alcohol vendor is vending. LCFM management reserves the right to cut the number of prepared food vendors if it is deemed necessary to create space for special events. Caps on vendor categories may be changed as deemed appropriate by the Standards Committee and Board.

Terms Defined:

Grown: Any product or ingredient that is grown by the prepared food vendor on their own, leased, or sharecropped land and used in the preparation and/or processing of their menu items sold at the market.

From LCFM Vendor: Any product or ingredient purchased from an LCFM vendor to be used in the preparation and/or processing of buyer’s menu items sold at the market.

Purchased Local: Any product or ingredient purchased from any farmer within Oregon to be used in the preparation and/or processing of their menu items sold at the market.

Purchased: Any product or ingredient that is NOT purchased from local farmers, but is used in the preparation and/or processing of their menu items sold at LCFM.

Regulations and Restrictions: The intention of LCFM offering prepared foods is to showcase the local, seasonal agricultural fare of the market. This section of the market is highly competitive and only four (4) prepared food vendors will be chosen for each season, based partially by % local. The following are the preferences given by order:

1. Product that is grown by LCFM vendor.
2. Product that is purchased directly from LCFM vendor.
3. Product that is purchased directly from any farmer within Oregon by the vendor.
4. Product that is purchased by the vendor from non-local sourcing.

Application Process: All prepared food vendors are to submit their applications, along with the required \$100 membership fee, and all required licensing by the February 1st deadline. Any application that is received after the deadline will be considered only if the initial deadline process does not yield four (4) qualified prepared food vendors.

In addition, each prepared food vendor application **must be accompanied by a detailed list of where their products and ingredients used in their menu items are grown and/or purchased.** This will enable the Standards Committee and the Market Management to have an equitable way to judge each prospective food vendor and make the best choice for the prepared food section of the market. The four (4) prepared food vendors that have the highest majority of their ingredients grown by a vendor and/or purchased locally and demonstrate a dedication to supporting local agriculture, as well as offering seasonal menus, will be awarded a space in the prepared food section of the market.

Due to the highly competitive nature of this section of the market, prepared food vendors are NOT given seniority rights. Each year, every prepared food vendor applicant will be required to go through the Standards Committee and preference will be given to those prepared food vendors who most closely match the model under the “Regulations and Restrictions” section above.

In addition, Market Management may require each prepared food vendor to submit weekly or monthly receipts to confirm their sourcing requirements. Please be prepared to provide this information to management upon request.

We reserve the right to remove a prepared food vendor from the market based on booth appearance, quality, perceived food safety risks, and/or customer feedback.

Bakeries Criteria

Bakery Defined: Bakeries produce a large volume of conventional baked goods such as breads, rolls, muffins, and breakfast pastries such as scones and croissants. The bulk of their time is spent baking breads.

There is a limit of four (4) bakers allowed to participate at LCFM per season. Caps on vendor categories may be changed as deemed appropriate by the Standards Committee and Board. Preference will be given to those bakers who demonstrate a desire to use local ingredients in the production of their baked goods. Bakers are expected to use at least 25% of raw ingredients that are grown locally as appropriate for the product.

The following are the preferences given in order:

1. Product/ingredients that are grown by LCFM vendor.
2. Product/ingredients that are purchased directly from LCFM vendor.
3. Product/ingredients that are purchased directly from any farmer within Oregon by the vendor.
4. Product/ingredients that are purchased by the vendor.

What Kind of Licenses Do I Need?

Vendors are responsible for complying with local, state, and federal requirements governing the sale and production of their products, and for acquiring the necessary permits and licenses. The following is a list of common permits and licenses required; however, it is not exhaustive. For more information contact the issuing agency. (See “Resources for more information” in appendix D.)

| Produce | License | Issuing Agency |
|---|--------------------------|------------------------------------|
| Scales (Each scale used) | ODA Scales Certification | ODA Measurement Standards Division |
| Plant and Nursery Growers (for annual sales Over \$250) | Nursery license | ODA Plant Division |
| Organic Growers | OG Certification | Varies |

| | | |
|---|--|---|
| Processed Foods (See ODA Farmers Market guidelines for details) | ODA Certified Kitchen Food Processor's License | ODA Food Safety ODA Food Safety |
| On-premise prepared foods (see above) | ODA Certified Kitchen Temporary Restaurant License Food Handlers Permit | ODA Food Safety Lane County Environmental Health Lane County Food Handler Office |
| Cheese/Dairy | Dairy Processor's License | ODA Food Safety |
| Meat | Meat Seller's License Processor's License | ODA Food Safety ODA Food Safety |
| Seafood | Food Processor's License Retail Food Establishment License | ODA Food Safety ODA Food Safety |
| Oysters | Shellfish Shipper License | ODA Food Safety |
| Wine | Food Processor's License Special Event Winery Permit or OLCC Multiple-Location License | ODA Food Safety Oregon Liquor Control Commission |

| | | |
|--|--------------------------|--|
| | Service Permit from OLCC | Oregon Liquor Control Commission |
|--|--------------------------|--|

| | | |
|--------------------------------|--|---|
| <p>Apple Cider</p> | <p>Food Processor's License Retail Food Establishment License Cider Warning Label: "This product has not been pasteurized and, therefore, may contain harmful bacteria that can cause serious illness in children, the elderly, and persons with weakened immune systems."</p> | <p>ODA Food Safety ODA Food Safety</p> |
| <p>Native American Vendors</p> | <p>The treaty rights of Native American vendors allow them to sell product without licensing. The vendor's tribal identification card will need to be submitted with the application to confirm Native American status.</p> | |
| <p>Eggs</p> | <p>Eggs may be sold at market without an egg handler's license and without labeling, 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</p> | |

ODA Food Safety Guidelines for Farmers Markets

ODA website:

<https://www.oregon.gov/oda/programs/FoodSafety/Pages/Default.aspx>

Hearing impaired: 503-986-4762

Market Operation Requirements

Farmers' markets should make reasonable efforts to ensure that all vendors selling products requiring licenses have obtained them and are maintaining those licenses. Each Market Manager — or other responsible person designated by the organization operating the market — should maintain a copy of vendor licenses or a record of the number of the license. Licenses are listed on the ODA website and can be accessed using license numbers and/ or other data routinely furnished by vendors.

Market Managers and other responsible persons are not expected to be food safety experts, but they can help educate vendors about topics related to food safety and encourage vendors to communicate with the appropriate licensing authorities.

What activities and products are licensed?

Most processed foods require ODA licensing, <https://www.oregon.gov/oda/programs/FoodSafety/FSLicensing/Pages/AboutLicenses.aspx>

However, several licensing exemptions exist that are good to become familiar with:

1. Raw agricultural commodities may be sold at farmers markets without an ODA license:

<https://www.oregon.gov/oda/programs/FoodSafety/FSLicensing/Pages/WithoutLicense.aspx>

2. Some producer-processed products may be sold by farmers who grow the principle ingredients and abide with other exemption limitations:

<https://www.oregon.gov/oda/shared/Documents/Publications/FoodSafety/FarmDirectMarketingProcessedProducers.pdf>

3. Non-refrigerated home baked goods and confectionaries may be sold to the end user without a license: <https://catalog.extension.oregonstate.edu/em9192>

Seafood

Licenses are required for many activities involving fish and shellfish. Oysters require a shellfish shipper license. Most other types of seafood require either a processing license or a retail food establishment license, depending on whether products are processed by sellers or other licensed facilities. Live fish, shrimp and prawns are not part of ODA's jurisdiction.

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 must be slaughtered under USDA inspection. 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 and without labeling, 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. All eggs must be kept in a cooler below 41 deg F.

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 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.

Out-of-state food establishment licenses

ODA recognizes licenses from other states, but vendors should check with Market Managers and food safety specialists before bringing out-of-state products to Oregon

farmers' markets. ODA requires proof of licensing for all processed foods.

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

Seafood can be sold smoked, frozen or fresh, but vendors must make sure they are using appropriate packaging for their products. Here are some examples of handling concerns:

- Vacuum packaging is appropriate for smoked fish, but not fresh fish.
- Whole crab cooked in shells in a licensed facility can be sold on ice, but vendors should provide a barrier to prevent customers from touching the product.
- 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: packaging these items in a licensed facility 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. Vendors can accomplish this in a number of ways. Many vendors use plastic tubs to transport and protect their produce.

Empty crates or boxes underneath the ones holding produce can do the job if impervious tubs are not available. 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.

Hand washing

This section applies directly to anyone who prepares and serves samples at the market or who handles bulk-dispensed (unwrapped) products other than produce and nuts in the shell.

Hand washing is an important task that many people do — or fail to do — without thinking. To protect public health, farmers' market vendors, like workers in other food establishments, must make a special effort.

Here is what health authorities mean by hand washing: a cleaning procedure of about 20 seconds that includes vigorous friction, for at least 10 to 15 seconds, on the surfaces of lathered fingers, finger tips, areas between fingers, hands and portions of arms exposed to direct food contact, followed by thorough rinsing under clean, running water.

When does the requirement apply?

Whenever vendors use the restroom, contact bodily fluids (sneezing or coughing into hands, nose-blowing, etc.), touch animals, have soiled hands, or return to their workstations after leaving for any reason. NOTE: A trip to the restroom or contact with bodily fluids requires two hand washings – at the toilet facilities and again at the workstation.

What about hand sanitizers and moist towelettes?

Vendors may use these products but not as a substitute for hand washing.

How about single-use gloves?

Gloves do not eliminate the need for hand washing, although they may be helpful in some circumstances to avoid barehanded contact with food. If used, they must be limited to a single task and discarded when damaged or soiled or when tasks are interrupted. Non-latex gloves are preferred because of allergy considerations and are required in temporary restaurant operations.

What about money handling – isn't it a problem?

Not in the way that most people would expect. Research indicates that money handling is not a danger in food establishments, but public opinion is another matter. This may be a case where it is prudent for vendors to ignore science and structure their operations to please customers.

How do vendors set up a hand washing station?

Vendors may find they already own many of the components, and the rest are available at minimal cost. One key piece is an enclosed container that holds an adequate amount of water for the duration of a market day. Water containers should have a spigot that can stay open to allow a constant flow of water for two-handed washing. Such containers are available at stores that sell camping supplies. Other required components include: water, soap, single-use paper towels and some sort of catch basin for the wastewater.

Safe sampling

Vendors who sell products licensed by ODA should consult with a food safety specialist before sampling at markets.

In addition to hand washing, there are other sampling procedures that will protect vendors and their customers.

Start with clean food

Thoroughly rinse fruits and vegetables in potable water before cutting them. Vendors should not use substances other than potable water unless they have made certain the substances are approved to be used on food. Many soaps can actually make food less safe, and bleach solutions are not recommended for this purpose.

Clean tools

Use a clean cutting board and knife. Equipment and utensils must be easily cleanable and in good condition. Materials must be impervious and free of cracks and crevices. Smooth hardwood is acceptable for cutting boards. Utensils must be stored and covered to protect from contamination during transit to market and when not in use. Utensils can be stored between uses in ice or in the product with handles above the top of the food but not in sanitizing solution. Otherwise, clean and sanitize between uses.

Food contact surfaces should be cleaned with soap and water followed by an approved sanitizer, which is allowed to air-dry before use. Single-use paper towels can be used on food contact surfaces. If wiping cloths are used, they must be sanitized and monitored as follows:

- Cloths must be stored in a sanitizing solution of an approved sanitizer at an acceptable concentration.
- Sanitizer concentration for stored cloths must be checked throughout each day using paper test strips.

Sanitizers

Household bleach may be used at a concentration of one tablespoon per gallon of lukewarm water, which equals 100 parts per million. (Quaternary ammonium compounds are mixed at 200 parts per million.) Do not assume that “more is better.” Bleach concentration cannot be allowed to fall below 50 parts per million. Sanitizers exposed to air lose concentration over time, while spray bottles hold concentration for extended periods.

Protection

Samples must be covered to protect them from insects, dust and other contaminants when customers are not actively sampling them. Vendors should design their sampling setups to prevent customers from touching samples other than the one they take. Close supervision of customers tasting samples is critical, especially when children are

sampling. Toothpicks are helpful but not error free. Sticking one in each sample, as time permits, can help discourage reuse.

Extra care is required in sampling potentially hazardous foods. Sampling is an exception to the rule that potentially hazardous foods are packaged in an ODA licensed facility and stay packaged until they reach consumers' homes. Temporary restaurants, which follow rules on which these sampling guidelines are based, are another exception.

Vendors who portion or otherwise prepare samples in a licensed facility rather than at market should keep the samples refrigerated while in transport in the same manner as the packaged product.

If samples of potentially hazardous foods are portioned or cooked at market, remove from packaging and refrigerate only what is needed to prepare each batch of samples.

Cook all potentially hazardous foods at approved temperatures for the required duration. Samples of potentially hazardous foods must be discarded after two hours out of refrigeration.

Cross-contamination

Vendors should strictly segregate the foods handled at market to ensure that there is no cross-contamination of foods — particularly raw meat, poultry or seafood and ready-to eat foods. Those who sample meats, poultry or seafood and fruits or vegetables in the same stall should use separate cutting boards, knives, wiping cloths, sanitizer buckets, etc. Clean and sanitize all equipment associated with raw meats, etc., immediately after preparing these foods, to avoid inadvertent contact.

Cross contamination also can involve two different kinds of raw meat, poultry or seafood. Separate equipment is not necessary to sample two kinds of meat, but vendors should clean and sanitize all equipment between uses.

Additional Guidelines for Markets and Vendors

Animals

Vendor animals must be kept a minimum of 20 feet from any food handling, display or storage. Customer service animals are allowed, but must be kept in common walkways and outside of a booth footprint.

Toilet facilities

Farmers' markets must have toilet facilities conveniently located to the market. Appropriate hand washing facilities (hand wash stations like those used in market stalls or permanent facilities that meet or exceed standards for temporary washing facilities) must be located in or near toilet facilities.

Wastewater

Wastewater must be disposed of in an approved manner, which includes approved plumbing. Vendors should not dump wastewater in stormwater drains. Reasonably clean wastewater can be used to water plants.

Definitions:

Food processing

Cooking, baking, heating, drying¹, mixing, grinding, churning, separating, extracting², cutting³, freezing or otherwise manufacturing a food or changing the physical characteristics of a food; and the packaging, canning or otherwise enclosing of such food in a container; but not the sorting, cleaning or water rinsing of vegetables.

- Drying includes the drying of herbs by mechanical means.
- Extracting includes shelling.
- Cutting does not include the harvesting of leaf greens for sale as produce.

Sampling

A food product promotion, where only a sample of a food (or foods) is offered free of charge to demonstrate its characteristics, is exempt from licensing. A sample cannot be a whole meal, an individual hot dish or a whole sandwich.

Potentially hazardous food

- “Potentially hazardous food” means a food that is natural or synthetic and that requires temperature control because it is in a form capable of supporting:
 - The rapid and progressive growth of infectious or toxigenic microorganisms;
 - The growth and toxin production of *Clostridium botulinum*; or
 - In raw shell eggs, the growth of *Salmonella Enteritidis*.
- “Potentially hazardous food” includes an animal food (a food of animal origin) that is raw or heat-treated; a food of plant origin that is heat-treated or consists of raw seed sprouts; cut melons; unpasteurized juices; and garlic-in-oil mixtures that are

not modified in a way that results in mixtures that do not support growth as specified under Subparagraph (a) of this definition.

- “Potentially hazardous food” does not include:
 - An air-cooled hard-boiled egg with shell intact;
 - A food with an aw value of 0.85 or less;
 - A food with a pH level of 4.6 or below when measured at 24 ° C (75° F);
 - A food, in an unopened hermetically sealed container, that is commercially processed to achieve and maintain commercial sterility under conditions of non-refrigerated storage and distribution;
 - A food for which laboratory evidence demonstrates that the rapid and progressive growth of infectious or toxigenic microorganisms or the growth of Salmonella Enterica Enteritidis in eggs or Clostridium Botulinum can not occur, such as a food that has an aw value and a pH that are above the levels specified under Subparagraphs (c) (ii) and (iii) of this definition and that may contain a preservative, other barrier to the growth of microorganisms, or a combination of barriers that inhibit the growth of microorganisms; or
 - A food that does not support the growth of microorganisms as specified under Subparagraph (a) of this definition even though the food may contain an infectious or toxigenic microorganism or chemical or physical contaminant at a level sufficient to cause illness.

APPENDIX B: FORMS AND APPLICATION

Vendor Concern and Incident Form

LCFM vendors who have concerns about market operations, vendor policies, or other vendors' compliance with market rules should submit this Concern Form. Please submit this form directly to LCFM on the market day or within a week of the market during which the alleged violation occurred.

Date:

Business Name:

Your Name:

Contact Information (phone number, email or mailing address):

Your Concern: (Please use your Vendor Handbook to reference the rule or policy with which you have a concern. If this is a complaint regarding a vendor, specify vendor's name.)

Market date and approximate time at which the violation occurred (if any):

Please state the specifics of the violation of the rule. Provide any evidence that supports your concern.

Signed: _____ Date: _____

Grievance Form

LCFM members may use this form to file a complaint against the organization, its employees, the Board of Directors or other members of the organization. The form can also be used to file an appeal in response to a ruling or decision action by LCFM.

Date

Business Name

Your Name

Contact Information (phone number, email or mailing address)

Please state the nature of your grievance. Be specific with dates and all pertinent information. Please provide witnesses, supporting information, and other useful information where appropriate.

The information you provide here will be reviewed by the Board of Directors, or, in unusual cases, an independent committee appointed by the Board of Directors.

Signed: _____ Date: _____

Product Challenge Form

Vendors can submit this challenge form when they believe another vendor is misrepresenting their product. There is a \$100 filing fee (which can be shared by a group of vendors). This fee is returned to the challenger(s) if the claim is verified. Please submit this form directly to LCFM on the market day or within a week of the market during which the alleged violation occurred. LCFM will not reveal challenger(s)' identities to anyone.

Name of the vendor about whose product you are inquiring:

Specific product(s) about which you are inquiring:

Market date and approximate time at which the product is being sold:

Please state the specifics of the violation. Provide any evidence that supports your challenge.

Your name, business name, addresses and phone number:

Signed: _____ Date: _____

No Synthetics Applied (NSA) Affidavit

Date:
Farm Name:
Contact Information:
Products with NSA labeling:

By signing this affidavit we confirm that the products listed above are produced without synthetically derived pesticides, herbicides, or fungicides and may have synthetically derived fertilizers applied. We acknowledge and agree to allow LCFM or its appointed agents to on-site inspections and/or plant residue testing to confirm these cultural and production practices. Should plant residue testing be necessary, we agree that the costs of this testing is our responsibility.

Description of production or cultural practices: (e.g. fertility, weed, pest management Practices)

Signed: _____ Date: _____

Organic Certification Affidavit

Date: _____
Farm Name: _____
Contact Information _____
Products with Organic labeling: _____

By signing this affidavit we confirm that we are exempt from organic certification on the basis of the rules of the National Organic Standards: Subpart B, applicability subsection 205.101, Exemptions. Our cultural and production practices are compliant with the NOP Standards as required, including the proper required documentation and record keeping.

We acknowledge and agree to allow LCFM or its appointed agents to on-site inspections and/or plant residue testing to confirm these cultural and production practices. Should plant residue testing be necessary, we agree that the costs of this testing is our responsibility.

Description of production, cultural practices and/or record keeping that meet the NOP exemption:

Signed: _____ Date: _____

Wild-crafting Affidavit

Date:
Farm Name:
Contact Information:
Products with Wild-crafted labeling:

By signing this affidavit I/we confirm that all items listed below have been gathered or collected on public or private lands and that any material referenced below, being represented as being collected or gathered have not been purchased for resale.

Description of Wild-crafted/Gathered Items:

Signed: _____ Date: _____

APPENDIX C: RESOURCES

Oregon Department of Agriculture: Frequently Asked Questions

<http://www.oregon.gov/ODA/programs/FoodSafety/Pages/FSFAQs.aspx>

Resources for More Information

Government Agencies

OREGON DEPT OF AGRICULTURE (ODA)

635 Capitol Street NE

Salem, OR 97301

<http://www.oregon.gov/ODA>

ODA Food Safety Division

(503) 986-4720

<https://www.oregon.gov/oda/programs/foodsafety/pages/default.aspx>

ODA Food Safety Modernization Act

<https://www.oregon.gov/ODA/agriculture/Pages/FSMA.aspx>

ODA License Database

Various ODA divisions

ODA Measurement Standards Division

(503) 986-4767

<https://www.oregon.gov/oda/programs/ISCP/WeightsMeasures/Pages/LicenseScaleMeter.aspx>

ODA Plant Division

(503) 986-4636

<https://www.oregon.gov/oda/programs/nurserychristmastree/pages/nurserylicensing.aspx>

FARM DIRECT NUTRITION PROGRAM (FDMP)

Oregon Dept of Human Services and

Oregon Dept of Agriculture

Women, infants & children coupon program (WIC) and Coupon

Reimbursements <http://www.dhs.state.or.us/publichealth/wic/countyinfo.cfm>

For an FDMP application packet: 503-872-6600

FDMP - Senior Eligibility and Coupon
Distribution Department of Seniors & People with
Disabilities 1-866-299-3562

Senior Farm Stand Participation
Oregon Department of Agriculture
(503) 872-6600

OREGON DEPT OF HUMAN SERVICES (DHS)
500 Summer St. NE
Salem, OR 97301
(503) 945-5944
Dhs.info@state.or.us

OREGON LIQUOR CONTROL COMMISSION (OLCC)
9079 S. E. McLoughlin Blvd
Milwaukie, OR 97222
(503) 872-5000 or toll free: 1-800-452-6522
<http://www.oregon.gov/OLCC>

Certification Organization

FOOD ALLIANCE
1829 NE Alberta, Suite 5
Portland, OR 97211
Ph 503.493.1066
<http://www.foodalliance.org>

OREGON TILTH

organic@tilth.org

SALMON-SAFE INC.
805 SE 32nd Avenue
Portland, OR 97214

(503) 232.3750

www.salmonsafe.org

NATIONAL ORGANIC PROGRAM

<https://www.ams.usda.gov/about-ams/programs-offices/national-organic-program>

(202) 720-3252

Additional Resources:

AGRI-BUSINESS COUNCIL OF OREGON

www.aqlink.org

CHEFS COLLABORATIVE

NATIONAL CHAPTER

www.chefscollaborative.org/

GUIDE TO LOCAL AND SEASONAL PRODUCTS

www.farmchefconnection.org

ECOTRUST FOOD & FARMS

503.227.6225

www.ecotrust.org

FARM AID

www.farmaid.org/site/PageServer

FOOD ROUTES

www.foodroutes.org/

FOOD INNOVATION CENTER

503-872-6680

<http://fic.oregonstate.edu/>

GROWING FOR MARKET

www.growingformarket.com

Hardy Plant Society of Oregon

503.224.5718

www.hardyplantsociety.org

LOCAL HARVEST

www.localharvest.org

OREGON FARMERS' MARKETS ASSOCIATION

www.oregonfarmersmarkets.org

OREGON CULINARY TOURISM ASSOCIATION

(503) 750 7200

www.culinarytourism.org

OREGON MYCOLOGICAL SOCIETY

<http://www.wildmushrooms.org>

OREGON STATE UNIVERSITY EXTENSION

SMALL FARM PROGRAM

Chrissy Lucas, Small Farms Program Assistant, 541-766-6750;

smallfarms.orst.edu

WILLAMETTE FARM AND FOOD COALITION

Email: info@willamettefarmandfood.org

Website: <https://www.willamettefarmandfood.org/>

Biodynamic Farming and Gardening Association

25844 Butler Rd.

Junction City OR 97448

(262) 649-9212

<http://www.biodynamics.com>

WILLAMETTE VALLEY GROWN AND CRAFTED

1240 Willamette St., Box 101

Eugene OR 97401

grownandcrafted@gmail.com

<https://willamettegrownandcrafted.org/>

LCFM retains the right to make changes, additions, and amendments to this handbook as necessary throughout the market year in order to further refine the rules and definitions. Feedback, edits, or corrections from the membership are welcomed and should be forwarded to the Market Manager via email at info@lanecountyfarmersmarket.org. **Thank you and have a great season!**