

**PLEASE KEEP THESE PAGES FOR YOUR RECORDS.**

**Mission Statement:** The Gateway Farmers' Market shall exist for the purpose of providing a direct marketing outlet for area farmers and food and craft artisans; that being a primarily agricultural market with emphasis on consumers having an authentic experience meeting the producers face to face.

**1. ELIGIBILITY: These are the 4 vendor categories:**

- A. An **Agricultural Vendor:** a vendor who sells food, fiber, plants or flowers and value added agricultural products that were grown by the vendor. (In other words, products from their land or livestock.) Each agricultural vendor must sell at least 75% of the daily sales of their own products but can supplement with other food, fiber, plants or flowers from an outside source to not total more than 25% of daily sales. This is only to supplement what they are not able to offer.
- B. A **Prepared Food Vendor:** a vendor who sells ready to eat food or drink prepared by the vendor in a home or licensed community kitchen. Food vendors are encouraged to source ingredients from local farms and businesses.
- C. A **Craft Vendor:** a vendor who sells items that do not qualify as agricultural or prepared food and that are hand crafted by the vendor in his/her home or shop.
- D. A **Non-Profit:** a local non-profit organization may operate a information booth. See rules #11 & #12 for restrictions.

No one will be accepted into the market without a completed application. Approval of all new vendors into the market is by the York Region Chamber of Commerce. Space is VERY limited and available on a first come, first served basis. Preference for approval of applications is based on last summer's Farmers' Market seniority, vendor type, availability of space, product mix, this year's winter market, and any other consideration that the market manager reasonably believes necessary to maintain a successful Farmers' market. The market manager reserves the right to limit the number of same type vendors for all market dates. Vendor type priority will first be given to agricultural vendors, then prepared food vendors, then crafters.

**Booths cannot be shared by businesses. The business that signs up and pays must own all products at their booth.** For example, an agricultural vendor can sell products that they have not grown, but that they have purchased from another LOCAL farmer to re-sell. BUT they can only do this if those products don't total more than 25% of their sales (in other words, they are following the rules from #1 part A). This rule applies to all vendors: agricultural, prepared food & crafters. Vendors are not allowed to sell product for other vendors.

**2. LOCATIONS AND TIMES:** The location of the Summer Gateway Farmers' Market is in the back & upper lots behind the York Region Chamber Visitor Center building on Stonewall Lane, Route One, York, Maine. The Saturday market will be officially open on Saturday mornings from 9:00am to 1:00pm from May 23, 2020, to October 10, 2020 (21 Weeks). **Vendors may not arrive late or leave early for any reason; if you sell out of your product, you are still required to stay until 1:00pm.** Please make sure to bring enough product to last the whole day.

**3. ATTENDANCE POLICY:** We cannot offer refunds. If you commit and pay for a date, you are expected to be present. If you sign up for a full season, you are expected to see it through until the final date. The dates that you sign up to attend are advertised and customers expect you to be there. The market manager does keep track of attendance and abuse of the attendance policy will result in loss of your booth space.

- FULL SEASON VENDORS are allowed TWO excused absences throughout the season.
- ALTERNATE WEEK VENDORS are allowed ONE excused absence throughout the season.

All vendors must notify the market manager or the chamber of commerce at least one week in advance of an absence for it to be excused. Any notification of your absence that is less than at least one week in advance will be considered unexcused. Two unexcused absences will result in losing your space for the remainder of the season without a refund.

**NO SHOWS** – a no show will result in you losing your space at the market for the remainder of the season without a refund.

We do not want to have to enforce this rule on anyone, so please be sure to have a back up plan in place so that your booth is manned each week.

This is a **rain or shine event**; customers know that and they do expect the market to take place, regardless of the weather forecast. On days when the weather is truly threatening and you are worried about your products, attending the market is at your own discretion. We are not liable for any loss of product. With all that being said, regular attendance is required; the **Chamber must be notified in writing at least one week in advance if you are not able to attend.** The Chamber will accept notification by mail or by email at [holly@yorkme.org](mailto:holly@yorkme.org). If an emergency comes up, you must call the Chamber at 207.363.4422 and speak to Carol or Holly.

4. **PAYMENT:** The payment amounts & options are provided on the application. The monies collected are for market expenses, such as insurance, staffing and promotion.

5. **INSURANCE & LICENSE REQUIREMENTS:** Our insurer requires the Chamber of Commerce to have certificates of insurance naming the York Region Chamber of Commerce as additionally insured for Prepared Food Vendors. All Prepared Food Vendors must provide copies of all licenses required by the State of Maine. For Agricultural Vendors, we need proof of Farmers' Market Insurance and copies of any food licenses that are required by the State of Maine.

6. **SIGNS:** All members will provide signage that displays their name (or farm name) in a prominent manner every day they are at market. All members will have signs displaying prices of items offered for sale.

7. **PARKING:** Many spaces on the upper level and some on the lower level currently have room for vendors to pull their vehicles in and work from the back of their cars. Priority for spaces with vehicles goes to farmers first. ALL extra parking for vendors is in the lower parking lot.

8. **SETTING UP AT MARKET:** General: All displays should be neat and tasteful. **Vendors are required to provide their own tent, tables, signs and chairs; space is approximately 10' x 10'. Vendors must have weights or stakes in case of wind.** Setup is on the following basis: fully paid vendors receive first priority over occasional vendors. Set-up can begin anytime on Saturday morning before 8:30 am, but please keep in mind that a staffer will not be present for answering questions until 7:30 am. If you set up before that time and there is any kind of issue, the market manager has the right to instruct you to move and/or rearrange your materials when she arrives at 7:30 am. Each vendor will have to stay within their marked space. **All vendors must be completely set-up 15 minutes (8:45) before the market start at which time the gate will close.** The bell will ring signaling the beginning of the market. Space Restrictions: From time to time during the season, space restrictions may require the market manager to direct that less space than usual be taken up by each vendor. Your cooperation at such times is appreciated.

**No selling to customers before the bell!** Vendors may sell to each other from 8:40 – 8:55am.

**No exchange of product can occur with customers before the bell rings at 9:00am.** This is in fairness to everyone.

**Customer Walkways:** Maintenance by vendors of a clear walkway for customers to move from one vendor to another without obstruction is important and will be enforced by the market manager.

9. **PICKING UP:** General cleanliness of the market area is everyone's responsibility. It assures customers a pleasant place to shop, and helps us maintain the space. This includes picking up your own area while selling and making certain the area is clean before you leave.

10. **HAWKING:** No hawking or calling out to attract buyers to your goods is permitted.

11. **NON-PROFITS:** Per week, one non-profit organization may operate a information booth based on space availability by prearrangement and at the discretion of the Farmers' Market manager. Non-profits are not allowed to sell anything in this space and they must be sure to adhere to rule #12, this means they cannot collect signatures. Fund raising raffles are permitted.

12. **No soliciting or surveying** by any political, religious or other special cause groups or individuals is permitted at the market.

13. The Chamber of Commerce is a smoke-free campus. Additionally, pets are not allowed for everyone's safety & comfort. ADA Licensed Service Dogs will be permitted, however Emotional Support Animals of any type that are not ADA Licensed are prohibited.

14. **Reminder:** On November 3, 2015, the Town of York voted in favor of adopting the Single-Use Plastic Carry-Out Bag Ordinance that prohibits single-use carry out plastic bags provided by retailers at checkout throughout York. The ordinance took effect on March 3, 2016. Some handle-less bags for wet produce, meat and fish are still permitted. Our market is required to be in compliance with this town-wide ban. Vendors must switch over to other options and we have a reusable market bag for sale. Please check with Carol West, Market Manager, if you would like to purchase bags to have available at your booth.

**A violation of any of the rules constitutes a violation of the agreement which will be terminated and no refunds will be given.**

These rules have been adapted from the rules of other markets where they have been developed in cooperation with many farmers' market members for over more than a decade. Their purpose is to keep the high standards our members and customers have come to expect.

## SELLING FOOD AT THE MARKET

**To ensure that you are following all laws, requirements, and restrictions about selling your product at the market, we strongly recommend contacting the Maine Department of Agriculture directly.** You must have the proper licenses and permits to sell at our market, but it is your responsibility to make sure that you are in compliance (it is not the responsibility of the market manager). Inspectors do show up at our market. If they discover any problems and you are not able to sell at the market anymore, the York Gateway Farmers' Market and the York Region Chamber of Commerce are not responsible. Again, there are no refunds.

**The information below is meant to give you an idea of requirements. For the most up-to-date, accurate information, you should contact the Department of Agriculture directly.**

Maine has no restrictions on the types of food that may be sold at farm stands or at farmers' markets; however, there are requirements related to the source of the food. Maine law requires that food sold at farmers' markets be fresh, locally-grown foods. Other laws require that food sold at both farm stands and farmers' markets come from "approved" sources meaning sources licensed to provide such food. Those needing licenses include food manufacturers and processors and retailers. Exempt from license requirements is anyone selling only whole, unprocessed, fresh fruits and vegetables. Fruit or vegetables that are processed or products made from processed fruits or vegetables must be produced by a licensed entity. Processing includes peeling, slicing, husking, etc.

**13. LICENSE REQUIREMENTS: (This list is taken from "Farm Stands & Farmer's Markets Mobile Vendor Guidelines" put out by the Department of Agriculture, Food and Rural Resources, Division of Quality Assurance Regulations. This document can be found online at [www.getrealmaine.com](http://www.getrealmaine.com).)**

1. Sales of fresh, raw, unprocessed fruits and vegetables only
  - exempt from licensing requirements
2. Sales of fruits and vegetables that have been peeled, sliced, husked, canned, baked, dehydrated, refrigerated, frozen, ground, cured, smoked, shelled, or otherwise prepared and packaged for human consumption at farm stands and farmer's markets
  - Mobile Vendor License
3. Sales of ME or USDA inspected meat and poultry products at farm stands and farmer's markets
  - Retail Meat Sales License & Mobile Vendor License
4. Sales of poultry products at farm stands and farmer's markets raised, processed and packaged with a Grower/Producer Exemption in a commercial food processing facility
  - Commercial Food Processor License & Retail Meat Sales License & Mobile Vendor License
5. Sales of poultry products at farm stands and farmer's markets raised, processed and packaged with 1,000 birds or less Exemption in a commercial food processing facility
  - Commercial Food Processor License & Retail Meat Sales License & Mobile Vendor License
6. Sales of butter at farm stands and farmer's markets manufactured in a commercial food processing facility, and sold by the commercial processor
  - Commercial Food Processor License & Mobile Vendor License
7. Re-sales of butter at farm stands and farmer's markets
  - Mobile Vendor License
8. Sales of dairy products (except for butter) at farm stands and farmer's markets
  - Mobile Vendor License & Milk Distributor License from the Division of Animal Health & Industry (207-287-7610)
9. Sales of potentially hazardous food at farm stands and farmer's markets manufactured in a commercial food processing facility, and sold by the commercial processor
  - Commercial Food Processor License & Mobile Vendor License
10. Re-sales of potentially hazardous food at farm stands and farmer's markets
  - Mobile Vendor License
11. Sales of non-potentially hazardous food at farm stands and farmer's markets manufactured in a home food processing facility, and sold by the home food processor
  - Home Food License & Mobile Vendor License
12. Re-sales of non-potentially hazardous food at farm stands and farmer's markets
  - Mobile Vendor License
13. Sales of baked goods at farm stands and farmer's markets manufactured in a commercial bakery, and sold by the commercial baker

- Commercial/Wholesale Bakery License & Mobile Vendor License
14. Re-sales of baked goods at farm stands and farmer's markets
    - Mobile Vendor License
  15. Sales of baked goods at farm stands and farmer's markets manufactured in a home food processing facility, and sold by the home food processor
    - Home Food License & Mobile Vendor License
  16. Sales of cider/juice at farm stands and farmer's markets manufactured in a cider/juice processing facility, and sold by the cider/juice processor
    - Cider/Juice Beverage Plant License & Mobile Vendor License
  17. Re-sales of cider/juice at farm stands and farmer's markets
    - Mobile Vendor License
  18. Sales of maple syrup at farm stands and farmer's markets manufactured in a maple syrup processing facility, and sold by the maple syrup producer
    - Maple Syrup Producer License & Mobile Vendor License
  19. Re-sales of maple syrup at farm stands and farmer's markets
    - Mobile Vendor License

The sale of food at a farmers' market requires a **Mobile Vendor's License**. The sale of meat and poultry products requires an additional Retail Meat Sales license. Anyone producing and selling milk and milk products must obtain a Milk Distributors License from the Department's Division of Animal Health & Industry (AH&I). To contact AH&I, call (207) 287-7610. Regulations are available at [www.maine.gov/agriculture](http://www.maine.gov/agriculture). Maine allows the sale of non-pasteurized products but such products must be clearly labeled "non-pasteurized."

A **Home Food License** is required for food made for resale in the home kitchen. The Home Food License allows the sale of food products directly to the consumer from home or wholesale distribution; however, the retail sale of these products at different locations requires an additional Mobile Vendors License. Processing of jams, jellies, pickles or other acidified foods requires a process review from an approved authority. For a process review, contact the Food Science Program at the University of Maine at Orono by calling (207) 581-1629. Processing Potentially Hazardous Foods (PHF) in home kitchens is prohibited. Potentially hazardous foods include any food that supports the rapid and progressive growth of microorganisms. Meats, eggs and dairy foods are examples of potentially hazardous foods--these foods must be appropriately refrigerated to control the growth of bacteria. Foods with a water activity less than .85, foods with a pH less than 4.6 when measured at 75° F, or foods processed and packaged to remain commercially sterile are not considered to be potentially hazardous foods--typically, these foods can be stored at room temperature.

**FOOD HANDLING & STORAGE:** Food safety requires that foods be handled, stored and displayed safely. Cold food must be held at less than 41° F and hot foods must be held at 140° F or hotter. All foods must be stored six inches off the floor or ground. Sufficient means must be taken to maintain proper temperature during storage, display or transportation. Proper temperature may be accomplished with mechanical refrigeration or with an abundant supply of ice. Storage units for refrigerated foods must be equipped with thermometers and temperatures should be monitored hourly. If a food inspector finds food out of condition due to a failure of refrigeration, the vendor may be asked to dispose of all the food held in the storage unit. However, if hourly monitoring indicates the failure recently occurred, the inspector would likely allow the food to be sold so long as it can be quickly returned to proper condition. Handling or preparation of unpackaged food requires the availability of a hand washing facility. All ready-to-eat foods offered for sale at open air markets must be covered and protected from outside contamination--certain packaged foods or whole fruits and vegetables are exempt.

**HANDICRAFTS, PROCESSED FOOD, SCALES:** Handicrafts and like items may be sold provided that they are made by the vendor and approved by the Chamber. All producers of home processed items such as maple syrup, honey, jams, jellies, relishes, baked goods and home canned goods are required by Maine law to obtain the proper licenses from the Maine Department of Agriculture. A state Scale Inspector may visit the market during the season to check the accuracy of your scales. Farm, home or shop visits by The York Region Chamber staff may be made as needed to verify a vendor's production of what is being offered for sale, and to familiarize themselves with the vendor's operations.