



## Rock Hill Farmers Market 2023 Rules and Regulations

- I. Mission Statement
  - a. The Rock Hill Farmers Market promotes local and sustainable agriculture, increased consumer awareness, while enhancing the value of our community and economic opportunities for farmers, youth, small businesses and food artisans.
- II. Membership Duties and Privileges
  - a. Eligibility
    - i. Any individual whose goods are in compliance with Rock Hill Farmers Market rules and regulations, Town of Thompson Code, the New York State Department of Health, the New York State Department of Agriculture and Markets, that wishes to participate in the Market is eligible to become a member of and a vendor at the market. Members are limited to farm and farm product producers within a 100-mile radius from Rock Hill, NY. Priority goes to Sullivan County residents for multiple product entries and the previous year's vendors.
  - b. How to become a member
    - i. To become a member a person must submit a completed "Vendor Application" form with copies of all current, applicable licenses and permits. It will be the applicants' responsibility to determine which licenses and permits are required to meet state and local laws. An individual will not be allowed to participate in the Market before submitting a completed application to the market manager.
    - ii. The application and the membership fee must be mailed by April 1st. The Market Manager will review late submissions.
  - c. Membership Fee
    - i. Members must pay annual membership dues of \$50.00 to participate in the Rock Hill Farmers Market. Membership payment is due with the annual application for the current season. Dues are not prorated and nonrefundable once membership has been approved by the committee (unless you pre-pay for the entire season). The \$50 also goes towards the annual Rock Hill Business and Community Membership.
- III. Market Location, Times and Dates
  - a. The Rock Hill Farmers Market is located at 223 Rock Hill Drive, Rock Hill, NY.
  - b. Market date and time
    - i. Saturdays 10am-1pm (Vendors can arrive at 8:30AM)
    - ii. June 3rd – September 30<sup>th</sup>

#### IV. Market Operations

##### a. Products

- i. 75% of the farm products offered for sale must be grown by the member on lands or in production facilities they own or operate within the region. The 25% not produced by the member must be agricultural products not currently grown or offered by any member at the market. Artisans must produce and sell 90% of their products unless approved by the Rock Hill Farmers Market Committee. The Rock Hill Farmers Market committee has the right to review and accept or reject products that member producers offer for sale at its sole discretion.
- ii. Items purchased for resale will be limited and allowed only with approval by RHFMC Committee. Proof of origin of resale goods is required and must be posted at market.

##### b. Stall Fees and Measurements

- i. Stall fees are \$20 and are due at the beginning of each Market Day attended.
- ii. Stall Fees Discount Program: If vendors pay in full for the market season a discounted rate will be given at \$275 for the entire season. This will include all stall fees for the season and the membership fee.
- iii. A standard stall is 10' x 10'

#### V. Vendor Acceptance

- a. All applications are reviewed and considered based on the applicant meeting the rules and regulations of RHFMC, as well as the following criteria:
  - i. Priority is given to Sullivan County farmers and producers who bring product to the market that is 100% grown and harvested on farmland that they own/operate.
  - ii. Priority is given to vendors who consistently deliver a fresh, flavorful, ripe, high-quality food to the customer. The vendor should also display food cleanly and offer strong knowledge of product as well as strong customer service skills. Consistency of vendor attendance is also a priority.
  - iii. Priority is given to applicants wishing to sell unique and unusual products and products not already in the marketplace.
  - iv. Priority is also given to vendors who have consistent attendance in prior years.

#### VI. Guidelines for all Vendors

##### a. Producer Only

- i. Members may sell only those products they themselves have helped produce according to paragraph V above. The sale of any goods not grown or produced by the seller, the reselling of goods, or the sale of goods that have been traded or bartered for is not permitted unless otherwise permitted according to paragraph V above. All sellers must abide by and all products must comply with all applicable federal, state and local regulations.

##### b. Brand Names

- i. Products that are processed and sold under a brand name other than the vendors own are not allowed.

##### c. Pets

- i. Sellers cannot bring pets into the Market for health and safety reasons.

##### d. Noise

- i. No hawking or amplified music by members is permitted during market hours of operation.

- e. Vendor equipment and Supplies
  - i. Each vendor is responsible for providing and removing any and all equipment and supplies at the Market. This includes signs, tables, chairs, products, and equipment utilized for clean-up purposes.
- f. Certified Organic
  - i. Only vendors with the property organic certification can advertise their products as organic. Organic vendors must provide the RH Farmer's Market with proof of organic certification.
- g. Signs
  - i. All vendors must display a sign indicating the name and location of their farm or business.
  - ii. If at anytime there is a discrepancy or misinterpretation regarding whether an item is organic or conventional, the vendor must display a sign noting whether the product in question is organic or conventional.
  - iii. All vendors that participate in the FMNP and/or SNAP program must display their participation sign.
- h. Cancellation
  - i. All vendors must call in advance if there is a need to cancel their stand on a given week at least 24 hours unless the cancellation is the result of an emergency.

#### VII. State and Local Regulations

- a. Members selling taxable items must display a valid NYS Certificate of Authority. State sales tax is collected on: candy (including maple candy), prepared meals, cut flowers, nursery products (including vegetable and herb plants), Christmas trees, wreaths, ornamental gourds, wine, art and all handcrafted items. Sales tax is not charged on: fruits, vegetables, cider, juice, honey, maple sugar, maple cream, baked goods, eggs and egg products, meat, and fresh cut herbs. If you sell any taxable items, you must file a Certificate of Registration with the NYS Sales Tax Bureau. (Call 1-800-972-1233 for information. For forms, call 1-800-462-8100.)
- b. Members selling nursery and greenhouse crops must display a valid NYS Nursery License.
- c. Members selling processed foods and other perishable items shall do so in compliance with the requirements of the NYS Board of Health Department and the NYS Department of Agriculture and Markets.
- d. Members selling wine, beer and hard cider must display a valid Ag and Markets approval or NYS Liquor Authority permit as applicable.
- e. Members selling by weight must have scales checked annually by an official of the Bureau of Weights and Measures. (The local inspector is Gerald T. Smith, 845-794-4680, ext. 614.) The weight given on packaged goods must be accurate.
- f. Members selling by volume are required to use standard size containers such as pint, quart, ½ peck, peck, ½ bushel and bushel.
- g. Members participating in the FMNP and/or SNAP program must display the appropriate sign.

#### VIII. Items for sale

- a. The sale of the following produce and products is encouraged: vegetables, fruits, grains, cheese, dairy products, meats, processed foods, jams and jellies and the like, prepared foods, fruit juices, wine, cider, baked goods, maple products, honey, plants, flowers, nursery products, eggs and poultry products, herbs, fish and domestic game.

- b. All applicable local, state and Association regulations must be followed when selling approved items.
- c. Produce and products offered for sale are expected to be of the highest quality. If, in the opinion of the Market Manager and/or the RHFMM Committee, a member offers inferior produce or products, the member may be required to withdraw the item(s).
- d. Produce and products must be priced clearly and displayed. Items not produced by the member must be marked according to source and/or locality.
- e. The RHFMM Committee approves all produce and products allowed to be sold at the market. The member(s) may sell only approved produce and products.
- f. End of the day discounting is not allowed. Willful and/or significant price undercutting is not allowed. As a guide, produce and products sold at the market should be priced above the level of current wholesale prices.

#### IX. Artisan Vendors

- a. The RH Farmers Market reserves the right to allow for a limited number of artisan Vendors. All products must be hand produced and sold by the vendor.
- b. What is not permitted:
  - i. Anything the artist did not have a direct hand in making.
  - ii. Anything that is being sold on consignment or purchased wholesale.
  - iii. Anything not meeting the standards of the Rock Hill Farmers Market.
  - iv. Anything commercially produced, assembled from commercially available parts, plans, kits or cast from commercial molds.

#### X. Food Vendors

- a. The RH Farmers Market reserves the right to allow for a limited number of Food Vendors, such as food trucks or coffee trucks. All food products must be produced by the vendor, with the exception of beverages.

#### XI. NYS Plastic Bag Ban

- a. All vendors are required to adhere to the 2020 NYS Plastic Bag Ban. Certain vendors are exempt from the ban. For more information visit the [NYS Department of Environmental Conservation website](#).

#### XII. Covid-19 Guidance and Regulations

- a. For Safety reasons, the Rock Hill Farmers Market has implemented best practices in accordance with NYS Department of Agriculture and Markets and the NYS Department of Health and will follow applicable Covid guidance in place while the market is in operation.