

CLINTON CO. FARMERS MARKET

SEASON 2020

Amended July 1, 2020

RULES AND REGULATIONS

21 N. SOUTH STREET, WILMINGTON, OHIO | www.clintoncountyfarmersmarket.com

WHO CAN BE A VENDOR

A **vendor** is considered any individual approved to participate at the Clinton County Farmers Market. Vendors will be from Clinton County or one of the contiguous counties (Greene, Warren, Brown, Fayette, Clermont, or Highland).

Grower vendors are small-scale farmers/gardeners who grow or produce their own produce, plants, herbs (dried, fresh, or potted); or on whose farm produces its own products including eggs, honey, maple syrup, or meat. Seventy-five percent of the products sold by growers must come from their own farm/garden.

Other vendors are vendors who sell non-produce items such as home baked goods (cookies, pastries, pies, and breads), homemade jam or jelly, homemade soaps, homegrown flowers, homemade soup mixes or homemade spice mixes and homemade dog biscuits. These also include homemade craft items such as pottery, jewelry or sewn items. Seventy-five percent of the products sold by the vendor must come from their home business.

I. WHAT CAN BE SOLD

1. Vendors must sell only those products which they themselves have grown or produced.
2. All produce or products sold at the Clinton County Farmers Market must come from Clinton County and the immediately adjacent counties.
3. **No resale of grocery/warehouse or auction- purchased produce or products will be allowed.**
4. Produce and non-produce items that are permitted include home grown produce (vegetables and fruits), bedding plants, potted or fresh/dried herbs, flowering plants including dried or fresh flowers, honey, homemade jams and jellies, maple syrup, meat products such as poultry, beef, lamb, pork; eggs, homemade baked goods/candies, homemade dog/cat treats, and cottage crafts.
5. Unique non-food items will be considered for sale only upon approval of the Clinton County Farmers Market Management.
6. Vendors will be allowed to sell a percentage (not greater than 25%) of produce or products provided by others **ONLY with prior approval of the Market Management.**
 - a) **This rule will apply to ALL ITEMS.**
 - b) **All items NOT grown/produced/made by the Vendor must be labeled with the specific producer's name, address, and phone number and meet all labeling requirements when applicable.**
 - c) **If not labeled with the other producer/maker's information or appropriate labeling requirements, the vendor will NOT be allowed to sell the product at the Market.**
7. **Any produce that is being sold and not "freshly harvested" but held over from a previous season must be labeled as such. Example : "Harvested in 2019"**
8. The Market Management reserves the right and will schedule regular visits/inspections to all sites of production in order to assure compliance with Market rules.
9. Any vendor not following these rules can be expelled from the Market at the discretion of the

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Clinton County Farmers Market Management.

10. The Market does not guarantee any vendor the exclusive right to sell any one product.

The following policies and guidelines have been developed based on guidance from the Chief, Division of Food Safety, Ohio Department of Agriculture (letter dated 4/17/2020), and recommendations from the Ohio Farmers' Market Network (updated 4/17/2020) and in consultation with the Clinton County Health District (CCHD) staff. These guidelines will be updated as additional guidance is received from ODA,ODH, and CCHD regarding COVID-19 response.

General Policies and Guidelines

1. **Amended July 1, 2020**-The 2020 CCFM Summer Market will be held at the Mulberry Street location between Main and Locust streets on Saturdays from 8:30-11:00 a.m.
2. The 2020 Saturday Summer Clinton County Farmers Market will begin May 30, 2020 and continue through the end of September as the season dictates. Any change in the end date of the Saturday Summer Market will be made by a consensus of all vendors and the Market Management.
 - a. For the summer market season beginning in May 30, 2020, the Clinton County Farmers Market (CCFM) will function as an outdoor “walk-up” and “pre-order/ drive-thru & pickup” market until further notice or until additional guidance is provided by the ODA and CCHD.
 - b. The “drive-thru/ pickup” market will be for **pre-ordered items only** based on an individual vendor’s choice of participation.
 - c. The “walk-in” market section will allow for customers to shop at the vendor’s booth based on an individual vendor’s choice of participation. These vendors may elect to offer pre-order/pick-up option as well.
 - d. Payment method for pre-orders will be determined by each vendor. A vendor may elect to accept only prepay methods with pre-orders, may elect to accept cash, check, or credit, This will be an individual vendor’s choice and communicated to the customer at the time of the pre-order.
3. No sampling or on-site food preparation will be allowed until further notice.
4. Vendors will be set up with a minimum of 8-10 ft spacing between vendor booths/vehicles.
 - a. Vendors will be allowed to park their vehicle behind their tent as space allows.
 - b. A Vendor may set up a 10 x 10 tent. It is strongly suggested two tables be set up parallel to each other for the 6 ft social distancing.
 - c. Vendors who are “pick-up” only will be parked in a separate area from the “walk-in” section of the market.
 - d. Vendor spots will be assigned by the Market manager.
 - e. Vendors will be asked to assist with marking 6 ft social distancing spaces on the ground in front of their tents.
5. Vendors are asked to observe social distancing by maintaining 6 ft distance at all times.
6. All extracurricular activities will be suspended. No food trucks, no live music, no children activities or Kids Club, no cooking demos, no community participants or appreciation days.
7. The CCFM will provide hand sanitizer, as the supply allows, to both vendors and staff.
8. The Market Management will use Volunteers as available to assist with directing traffic to the appropriate market areas. Volunteers will be required to wear face coverings, wash hands frequently and follow general social distancing guidelines.

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Health related Policies for Staff, Volunteers, Vendors

1. Market staff, volunteers, and vendors who are ill must stay home and not return to the market until they are free of fever for at least 72 hours without fever-reducing medication and improvement of respiratory symptoms (such as cough, shortness of breath) **and, at least 7 days have passed since the symptoms first appeared.**
2. Market staff, volunteers, or vendors who appear to be ill upon arrival to the market or become sick during the market will be sent home immediately.
3. All market staff, volunteers, and vendors **are required to wear a cloth face covering or face shield** as recommended by the CDC guidelines while at the market.
4. Upmost importance is the frequent cleaning of hands ideally between each customer transaction. Hand sanitizer is to be required to be at each vendor's station. Vendors may use gloves but again frequent changing of gloves and cleaning of hands must be observed.
5. It is recommended that one person handle payment transactions and a second person handle the product at each vendor's booth as is possible.

Vendors

1. Vendors **are required to wear a cloth face covering or face shield** as recommended by the CDC guidelines while at the market.
2. Clean hands frequently.
3. Discontinue the use of cloth table covers. Containers for holding produce/products should be made of materials that can be cleaned after use.
4. Sanitize tables, cash boxes, terminals, etc on a regular basis throughout the market.
5. Use only new paper bags or plastic bags for packaging and sale of products.
6. Do **not accept or use** any used recycled containers or bags from customers.
7. Customers will not allowed to touch any product. Only the vendor will handle the product and place it in the packaging.
8. Payment method will be determined by each vendor. A vendor may elect to accept only prepayment methods with pre-orders or may elect to accept cash, check, or credit. This will be an individual vendor's choice and communicated to the customer at the time of the order.
9. For "pick-up" only vendors; Vendor will ask customer to "pop" their trunks or open the back seat window to place bagged products into the customers' trunk (ideally) or the back seat of the vehicle.
10. Vendors should have their tent or space well marked so the customers can easily identify your location.

Customers

1. For pre-order/pick-up only location will be in the Mural Parking Lot off Main Street: After driving in to the "welcome" table, customers will be asked which vendor they are at the market for. The customer will be asked to pop the trunk to have orders placed in the trunk by the vendors. If not possible to pop the trunk without getting out of their vehicle, customers will be asked to open a back window for orders to be placed on the back seat.
 - a. Customers will be directed to appropriate "pick-up" vendor .

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2. Customers are strongly encouraged to wear face covering when coming to the market.
3. Customers are not allowed to touch any product. Vendors will have selected and bag products requested for purchase.
4. Be patient and drive safety as moving through the market pick-up area. Customers are asked to observe social distancing in walk-in area of the market.

DAYS and HOURS of OPERATION---2020 Summer Market

1. The 2020 Saturday Summer Clinton County Farmers Market will be open from 8:30 a.m. to 12:00 p.m.
 - a. Vendors should arrive no later than 7:45 to set up their booths. Vendors may be asked to assist with marking the ground for 6ft social distancing spaces in front of their booths.
 - b. No early or late arrival of customers will be allowed.

MEMBERSHIP AND FEES

1. In order to acquire a membership for the Clinton County Farmers Market, interested vendors shall complete a Membership Form.
2. Members must be from Clinton County and adjacent counties to Clinton County, i.e. Highland, Brown, Warren, Fayette and Greene.
3. No participation in the Clinton County Farmers Market will be allowed without appropriate acceptance of paperwork and payment by the Market Management.
4. The Clinton County Farmers Market *has the right to refuse an application*. Vendors not permitted to be involved at the Market include but not limited to
 - Catalog sales, independent consultants
 - Political organizations/groups
 - Petitions and/or survey takers
 - Insurance agents or financial advisors
 - Sales of alcoholic beverages
 - Any product or service that Market Management does not see as a good fit for the Market.
5. 2020 Seasonal Market Membership Fee: \$85.00 for Clinton County Farmers Market entire season which includes the 2020 Summer market (and the 2020 Winter and 2021 Spring market if indoor markets are feasible based on the guidelines related to CORVID-19.)
6. Initial seasonal membership applications will be accepted beginning on May 1, 2020.
 - a. Interested vendors must complete a Membership Form (see attached) and send it to the Farmers Market management postmarked no later than May 15, 2020, with your full payment and documentation.
 - b. Fees are non-refundable and due at the time of the membership submission. There will be a \$30 charge for any returned checks.
 - c. First- time interested vendors who apply after start of the summer market season will pay the full \$85.00 fee.

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- d. Late applications will be accepted if approved by the Market Management. A two week waiting period will be required to ensure all necessary paperwork is received and training has been accomplished unless the waiting period is waived by management.
- 7. A vendor will be notified of their acceptance to the Clinton County Farmers Market after a review of the membership form and receipt of payment and all necessary documentation.
 - a. Each approved vendor will receive a sign for display at their booth from the Market Management.
 - b. Signs will include name of the vendor, farm or business name, address, phone number and county.
 - c. Members must display their signs from the Market administration at their booth as proof of membership.

SPACE ALLOCATION--Reserved Spaces

- 1. 2020 Summer Market
The Market will initiate reserved spaces for vendors in the 2020 summer season. Spaces will be mapped out evenly along the length of the market space at the Mulberry Street location. Spacing for "walk-up" vendors will be a minimum of 8ft.
- 2. Each vendor's space will allow for a 10x10 tent. Due to the location during the 2020 summer season, a tent that is 12x12 will be allowed if necessary to provide for additional social distancing.

VENDOR RESPONSIBILITIES

- 1. Vendors who are unable to come to a Market on a given Saturday are to contact Sally Buchanan at 937-725-1643 by 12:00 noon on Friday prior to the Market or in an unexpected absence by 7:30 a.m. on the day of the Market **preferably by text or a phone call.**
- 2. Vendors/Growers will set their own prices with the discretion of the grower group, but must display them clearly in writing. Growers are encouraged NOT to under-value their products: "price wars" and underselling will result in a grower being banned from the Market for the remainder of the season. This will be at the discretion of the Clinton County Farmers Market administration. No drop in the price as the day goes on.
- 3. **All vendors shall carry general liability insurance with a \$1 mil limit per occurrence with Energize Clinton County listed as an additional insured. A copy of "Proof of Coverage" must be provided with your membership application.**
- 4. Vendors are responsible for removal of all refuse such as vegetable scraps, husks, silk, signs, containers, etc. Vendors are required to clean up their space when they are finished for the day. Vendors who consistently do not clean up their space will not be permitted to return to sell at the Market for the remainder of the season.
- 5. Vendors must maintain and keep current all licenses and permits required by the state of Ohio as well as general liability insurance. With renewal of licenses, permits, certificates, and general insurance occurs, a copy of the renewal must be provided to the Market Management.
- 6. Food products must adhere to licenses and permits as required. All baked goods must be labeled in accordance with ODA and the Clinton County Health Department regulations. If you have questions, please contact the Clinton County Health Department.

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7. All vendors selling meat, eggs, home bakery goods or vendors with food trucks must show proof of appropriate licenses or certifications from their County Health Department or Department of Agriculture. Such as: Retail Food Establishment License (CCHD, Small Egg Producer-Certification of Registration, Home Bakery License (CCHD).
8. Vendors are expected to sell only quality goods. The Clinton County Farmers Market Management may at any time inspect a vendor's stand and products. If goods are of low grade, the Clinton County Farmers Market Management may prohibit the sale of these goods.
9. All edible products must be displayed off the ground a minimum of 12 inches for sanitary purposes. All perishable products must be safely stored as outlined by the food safety regulations. (OAC 901:3-6 Farm Markets and Auctions (J) Except for whole and intact raw agricultural products, foods shall not be displayed or stored on the ground.)
10. For any vendor using a scale for sales: Weights and Measures, i.e. scales, need to be certified by the Clinton County Auditor Weights and Measures office. Contact the Auditor's office in Clinton County at (937) 382-2250 for information on the type of scale needed prior to purchase of a scale. A copy of the annual Scale Test Report must be provided with your membership application or at time of renewal.
11. Taxation- Vendors license requirements: If you sell a product on which sales tax is collected, you are required to obtain a vendor's license. A copy of the certificate of registration from the ODT must be provided with your membership application. . For information contact the Ohio Department of Taxation(ODT) at 1-888-405-4089 or Ohio Department of Taxation website: <https://www.tax.ohio.gov>
12. Produce growers selling products labeled or *reported* to be "ORGANIC", must be in compliance with the National Organic Program. Contact the Clinton County Extension Office at (937) 382-0901 for Organic certification information. Organic certifications are to be displayed at the vendor's booth.
13. During the 2020 Summer markets, vendors will supply their own tent and tables. Vendors are to ensure their tents are secure by anchoring all four corners regardless of the weather. Tent size allowed is 10x10.
14. Electricity is not supplied by the Market. It is the responsibility for vendors who need electricity to provide their own small generator or arrange for use of electricity.
15. Vendors are encouraged to stay for the entirety of the Market. If it is necessary to leave early, the Market Management must be informed at the beginning of the market.
16. All vendors are expected to conduct themselves professionally with courtesy and civility and in a manner of good conduct.
 - a. There will be no gossip, arguments, harassment, name calling, profane language, or fighting within the Market sales area.
 - b. There will also be no use of social media that in any way depicts the other vendors or market in a negative light.
 - c. Vendors will not be permitted to use tobacco products of any kind within the Market boundaries. Any tobacco use must take place outside of the entire Market space.
 - d. Violations are grounds for dismissal and revocation of Market privileges. This policy will be enforced by the Clinton County Farmers Market administration.

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17. Violation of any of the above Clinton County Farmers Market Rules and Regulations may cause forfeiture of the right to continue as a Market participant. For details on Rule Violations, see **Attachment 1.**

MARKET STAFF RESPONSIBILITIES

1. The market management staff will maintain open communications with the vendors.
2. The market staff will be present at each market to open the market space, place signage, and be available to answer questions and address concerns from patrons and vendors.
3. The market staff will enforce the Clinton County Farmers Market Rules and Regulations in a fair and unbiased manner.
4. The market staff will provide marketing of the market and planned events to promote and encourage increased attendance to the market.
5. The market staff will follow the outlined established violation policy when there are complaints filed against a vendor.
6. The market management will schedule vendor meetings at least annually to seek input from current vendors and share information regarding events and projects for the upcoming market season.

****Payment methods will be available based on availability electricity and telephone landlines during the summer of 2020.

EBT & CREDIT/DEBIT CARD/WIC ACCEPTANCE PROGRAM

A. EBT

1. The Clinton County Farmers Market will continue its "Electronic Benefits Transfer" (EBT) program for the 2020 summer season. The EBT program allows the Market to accept food assistance (food stamp) benefits as cash for applicable fresh food items. EBT will be offered during the winter and spring markets as phone assess is available.
2. Patrons who have been issued an EBT card will be able to purchase \$1 tokens which will act as cash to purchase applicable items from authorized vendors at the Clinton County Farmers Market.
3. Participation in the EBT program is encouraged, but not mandatory for applicable vendors (non-food or hot food vendors are ineligible).
4. Any vendor who wants to be a part of the program is required to attend MANDATORY training before the start of the Market season annually.
5. Vendors who do not attend this training and or who do not accept the agreements of the program will NOT be allowed to accept food assistance benefits in exchange for their products.
6. The EBT program will be strictly and carefully monitored at all times by the Market administration. The Market administration reserves the right to immediately suspend or terminate any vendor if the staff observes, or receives evidence of failure to abide by any of the EBT program agreements.
7. Vendors will return tokens and appropriate paperwork to the Market Management and will be reimbursed for the token value approximately every two weeks.

B. Credit/Debit Card

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1. The Clinton County Farmers Market will continue to accept credit/debit cards for the 2020 season.
2. Patrons who wish to use their credit/debit card will be able to purchase \$1 or \$5 tokens which will act as cash to purchase items from authorized vendors at the Clinton County Farmers Market.
3. Any vendor who wants to accept credit/debit tokens through the Market must attend MANDATORY training (held with the EBT training) before the start of the Market.
4. Vendors will return tokens and appropriate paperwork to the Market and will be reimbursed for the token value approximately every two weeks.

C. WIC

1. The Clinton County Farmers Market will continue to participate with the WIC program accepting WIC vouchers. Training will be required and any vendor who wants to participate will be required to attend training. Only vendors who sell produce may accept WIC tokens.

For questions concerning the EBT, credit/debit card, WIC program, please contact the Market Manager, Sally Buchanan, at 937-725-1643.

CLINTON COUNTY FARMERS MARKET MANAGEMENT

The Clinton County Farmers Market management welcomes comments and suggestions from the Farmers Market vendors and participants on how we can better serve the vendors and the local community. If you have suggestions or questions regarding Farmers Market operations, please contact Sally Buchanan.

Market Management for 2020:

Sally Buchanan

937-725-1643

sally@clintoncountyfarmersmarket.com

Effective Date: July 1, 2020

References:

<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>

<https://www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html>

Ohio Farmer Market Network- "COVID-19 and Your Farmers Markets"

April 17, 2020 Letter from Terri Gerhardt, Chief, Division of Food Safety, Ohio Department of Agriculture

Amended Director's Stay at Home Order (April 2, 2020) identified farmers; markets long with farm and produce stands as essential businesses. Essential business must adhere to provision in the Order concerning social distancing.

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Reviewed by CCHD 4/22/2020

**2020 Clinton County Farmers Market
Membership Application Form**

NAME(s): _____

FARM/BUSINESS NAME: _____

ADDRESS OF FARM/BUSINESS: _____

MAILING ADDRESS IF DIFFERENT FROM FARM/BUSINESS:

PHONE: _____ (home)

Name/number: _____ (cell)

Additional Phone #: Name/number: _____ (cell)

EMAIL: _____

Preferred method of contact: **Please circle preference:** Email ----Text---Cell phone---Home phone

Who should the Vendor Payment Check be written to:

Circle One: NEW VENDOR RETURNING VENDOR FROM 2019 SEASONAL MARKET

INTERESTED IN: _____ 2020 SUMMER MARKET

IF GUIDANCE ALLOWS FOR INDOOR MARKETS, ARE YOU INTERESTED IN

PARTICIPATING IN : _____ 2020 WINTER MARKET _____ 2021 SPRING MARKET

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MEMBERSHIP APPLICATION AND FEES:

Application Deadlines:

2020 Summer Market: Membership Application and fee submission deadline is May 1, 2020

Late applications will be accepted if approved by the Market Management.

***NOTE: If you plan to attend summer, winter, and spring markets, only one application is required to be completed.

Fees:

Seasonal Market Membership Fee: \$85.00 for Clinton County Farmers Market entire 2020 season

- *Once the Summer Market has started, late applicants to the Summer Market will pay the full membership fee.*

Application Submission:

Return completed application, including copies of your current licenses, certifications, and permits, and a copy of insurance certificate page along with a check payable to “**Clinton County Farmers Market**” and mail to:

Clinton County Farmers Market, c/o: Sally Buchanan, 21 N. South Street, Wilmington, Ohio 45177.

Required information:

EBT/ CREDIT/DEBIT/WIC PROGRAMS:

I want to become authorized to accept credit/debit tokens. YES _____ NO _____

I want to become authorized to accept EBT tokens. YES _____ NO _____

For produce vendors only: I want to become authorized to accept WIC vouchers. YES _____ NO _____

All vendors who want to accept WIC, EBT or credit/debit tokens will be provided with mandatory training. This training will be arranged with each individual vendor.

By signing this agreement, I/we acknowledge that I/we have read and agree to comply with the Clinton County Farmers Market Rules and Regulations and to satisfy all financial and obligations related to obtaining certifications, licenses, and insurance prior to participating in the Market and consents to the enforcement of all rules outlined.

Signature: _____ Date: _____

Signature: _____ Date: _____

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Retain one copy of the completed application for your records.

For Office Use Only:

Date Application, Permits & Fee Recd: _____

Documents Received:

Application form: _____

Proof of licensure, certification, permits, and insurance attached to application as appropriate for vendor products:

- ODT Vendor Transient License or Certification of Registration for non food items: _____
- Retail Food Establishment License (CCHD): _____
- Small Egg Producer-Certification of Registration: _____
- Scale Test Report from County Auditor: _____
- Proof of Insurance: _____
- Home Bakery License (CCHD): _____
- Organic Certification: _____

New Membership Approved: _____ New Vendor Notified of Acceptance: _____

Signed/Date: _____

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ATTACHEMENT 1

RULE VIOLATIONS

1. All violations concerning, but not limited to, the conduct, professionalism, appropriate licensing, and/or individual product management of a vendor must be submitted in writing using the official form to the Market Management of the Clinton County Farmers Market. All violations related to health code violations or licensing will be immediately brought to the attention of the Clinton County Health Department. (See reporting form.)
2. All reported violations must be submitted within 48 hours of the specified rules violation to the Market Management. Please submit via email: info@clintoncountymarket.com
3. No verbal submissions will be accepted or reviewed.
4. All grievances will be reviewed and corrective actions will be administered within 7 days of the submission.
5. No more than ONE grievance can be submitted by a vendor against another vendor for a rule violation per market day.
6. All violations are cumulative within a given season; however, violations for different, unique infractions are not cumulative towards punitive measures.
7. All violations will be expunged at the end of the season (with exception of indefinite suspensions and anytime remaining on a 45 day suspension).
8. All correctly submitted grievances will be eligible for review by the Energize Clinton County Farmers Market Committee, independent of the Market Management. It will be the Market Manager's responsibility to notify the committee anytime a grievance is submitted. It will be at the committee's discretion to determine if an actual infraction occurred.

1st violation – Verbal review of the rules and regulations

2nd violation – Written Warning

3rd violation – 45 day suspension from the Market – to be carried over the next calendar year if not completed during the current calendar year

4th violation – Indefinite Suspension – vendor must appear before the Farmers Market Committee for reinstatement

