

WVFMA/BFBLWV Winter Blues Farmers Market Mission & Rules:

Mission:

A. At least annually, the West Virginia Farmers Market Assn (WVFMA) organizes the Winter Blues Farmers Market (WBFM) to serve as a demonstration market for the state's farmers & residents as to what is possible to be accomplished through farmers markets, e.g. demonstrating a winter market, demonstrating the use of EBT machines, demonstrating use of credit card machines, etc.

B. To provide a retail marketplace for WV farmers and farmers in the WV foodshed (as defined by Buy Fresh Buy Local WV (BFBLWV) chapter within, the West Virginia foodshed is inside the West Virginia borders or within 50 miles of the WV border)

C. To encourage & support local farming by offering an outlet for locally grown products.

Rules

1. Producer-Only Rules for Farmer/Growers: As such, all products displayed must be produced by the farmer/grower who sells them. The re-sale of agricultural products by farmer-growers is not permitted; "**Farmer/Grower**" may be the actual producing individual, an immediate family member, another producer member, staff or employee of the producing individual's farm.

2. Allowable products: Farmer/growers shall submit an application by deadline describing their products they plan to sell at the market. The following can be sold: Fruits, Vegetables, Herbs, Flowers, Ornamentals, Honey, Maple Syrup, Eggs Poultry, Meat, Fish, Dairy Products, Bedding Plants, Potted Plants, Baked Goods, Commercially processed canned goods, Preserves, Wool, fleeces, Hay, Straw, Compost, and other approved farm products (see below.)

A farmer-grower may be a sole proprietorship, a partnership, or a corporation—and should include family members and employees who assist in the production and marketing of farm products. You can be eligible to sell at WBFM as a producer if your products fall in one or more of the following categories:

a) **Vegetables/Fruits** grown by the farmer/grower, including mushrooms. No more than 10% of a vendor's total product mix should come from another 'local' farm. The same applies to dried fruits and vegetables.

b) **Fresh baked goods** from scratch (not store-bought mixes), using seasonal ingredients from the region in at least 25% of products for sale. Eggs, fruit, herbs or vegetables used as ingredients in the baked goods would be expected to be grown by the producer or purchased from a local grower within the 50 mile radius if they are available.

c) **Cheeses** or other value-added products from milk produced on the vendor's farm or purchased from regional dairy farms. All dairy products must be pasteurized and in accordance with state and county health codes.

d) **Cut flowers** which were grown on the grower's own farm or greenhouse.

e) **Eggs** which are from the farm/grower's own poultry.

f) **Jams, honey, maple syrup, sauces, salsas, and other value-added products** which are freshly made from scratch by the vendor (not using store-bought mixes), using seasonal ingredients from their farm or another farm inside the West Virginia borders or within 50 miles of the WV border. Processing must comply with local and state health codes (see the note below for a list of products which do not necessarily need to be produced in a certified processing facility). Cider or other juices must be produced from the farmer growers own fruits, but may be processed off-farm. Vendor should be prepared to provide the manager with the name and contact information of the facility when asked.

- g) **Soaps/Candles/Body Care products** which are hand crafted using seasonal ingredients from their farm or another local farm. Any herbs (or their essential oils), milk, honey, or other natural products included in the products would be expected to be grown by the producer or purchased directly from another local producer. Candles and soaps would be naturally-based from a product grown in the region (milk, honey, etc., NOT soy or other product of unknown origin)
- h) **Meat** from livestock raised by the vendor and which has been processed at a federally-inspected facility. Fish/Shellfish which are raised by the vendor may be sold, provided that they are processed and sold according to state and county health guidelines.
- j) **Wools and pelts/fleeces** which are from the farmer's own animals. Wool and yarn should be spun by the producer-vendor. No more than 25% of non "local" fibers may be added to the yarn during spinning. Carding, cleaning, and processing of pelts may be done offfarm, but the vendor should be prepared to provide the Market Manager with the name and contact information of the facility when asked.
- k) **Potted plants, shrubs, or annual bedding plants** Bedding plants and potted plants must be grown from seed, plug, cutting, bulbs or bare root, and be well established in its current container, by the seller. No resale of pre-finished plants is allowed.
- l) **Straw, hay, compost, or other agricultural products** which are produced by the producer-vendor.
- m) **Other farm-related products** not listed here, **which may be sold through a provisional arrangement.** Permission to sell a product not included in items above should be requested from the Market Manager prior to sale at the Market.

NOTE (See full WVDHHR Farmers Market Vendor Guide at <http://www.wvdhhr.org/phs/food/Farmers%20Market%20Brochure.pdf> or call 304-558-2981): In keeping with the West Virginia Department of Health and Human Resources (WVDHHR), (formerly listed in document F-45) the following specialty items can be sold at farmers' markets without being processed in certified processing kitchens, provided that they were made in sanitary conditions using recommended hygiene and safety guidelines: Nondietary jams, jellies and preserves; apple butter; molasses; sorghum; undiluted honey and undiluted maple syrup; dehydrated fruits and vegetables; vinegars (plain, herb or flavored); cakes, cookies, or fruit pies; yeast bread, nut or fruit breads. Note that cream, custard, or meringue pies, cakes, or cookies are prohibited.

3. Criteria for vendor and/or product selection: the West Virginia Farmers Market Association is committed to creating a diverse marketplace with the highest quality, locally produced products available to show case at the WBFM. The WVFMA will apply a particular set of selection criteria (noted below) and in every instance must reserve unconditional discretion to accept or refuse anyone as a WVFMA vendor for the WBFM. The goal of the WBFM is to offer a variety of products to its customers . The WVFMA attempts to maintain a ratio of approximately 65% unprocessed farm products to 35% processed food and farm products for the WBFM..

Priority in vendor and/or product selection is given to:

- regional farmers and producers who bring products to market that are 100% grown and harvested on farms they own and/or operate that are inside the West Virginia borders or within 50 miles of the WV border
- products made by the farmer (or a co-packer working for the farmer) from raw ingredients, a majority of which are grown and produced by the farmer.
- local food products not already being sold in the market
- local food products that are unique or unusual.
- farmers and producers that are members of the West Virginia farmers Market Association

4. Exclusivity: The West Virginia Farmers Market Association does not offer exclusive rights to any one vendor to sell any one product at the WBFM. However, if the WVFMA deems the number of vendors offering the same or similar products is excessive a determination of what products a vendor can offer for sale will be based on the following:

1. the date in which your application was received
2. membership with the WVFMA

5. Unprocessed farm products are fresh fruits, vegetables, herbs, flowers and plants, Christmas trees, meat and fish, eggs, nuts, grains, dried beans, seeds, honey, straw,

6. Processed food and farm products are fresh baked goods, jams, jellies, condiments, sauces, salsas, canned vegetables and/or fruits, cider, fresh and/or canned fruit and/or vegetable juices, maple syrup, dairy products, soaps, candles and body care products, wools and pelts/fleeces, compost or other agricultural products.

Processed food and farm products ingredient sourcing preferences will be ranked as follows: i. Grown by processor. ii. Sourced locally from a non-WBFM farmer/producer.

Processor's and commercial kitchen's primary market must be in the BFBLWV foodshed. They must buy at least 25% of their ingredients from farmers/producers within the WV foodshed. At least 25% of the products produced by a bakery must use products from a farm within the WV foodshed unless ingredients are considered exotic, ie olive oil, vanilla, lemons.

7. External regulations: Vendors are responsible for compliance with applicable city, county, state and federal regulations. All vendors must be able to supply the Market Manager or any federal, state, city or county inspector with proof of compliance for the products that they sell. All vendors are responsible for having proper documentation with them on market day. Examples are (but are not limited to):

Agricultural business license, Pesticide licensing and safe use, Approval seal on weighing devices granted by the WV Division of Weights & Measures, State sales tax collected as required on appropriate items, Organic certification on claimed products as required, Food safety, sanitation, health permits and labeling issues that apply to the item, State inspection of nursery stock (in packs or pots).required for selling whole plants for replanting

The Monongalia health department is requiring all vendors who sell any type of potentially hazardous food (food subject to temperature control) and anyone offering any type of samples, to submit a temporary Food establishment permit unless you have a current Monongalia health permit.

8. Market signage:

Producer-vendors will display a sign identifying the name and location of their farm or business.

Producer-vendors must have signs, boards, tags, or labels listing prices of every item for sale.

Producer-vendors listing "organic" produce, or calling their produce "organic," must display a sign giving their organic grower's certification and their certifier's organization, unless exempt from certification. Proof of exemption from organic certification should be available for the Market Manager's inspection if so requested.

Producer-vendors should clearly separate and label organic and non-organic produce in the same display.

Signs must be posted before sales begin.

9. Clean up: Producer-vendors must clean up the area around their sales area before leaving. Producer-vendors must remove containers, waste and trimmings before leaving the market site and take any trash or garbage they have generated at the market back to the farm. The WVFMA shall not be responsible for storage or safekeeping of vendor property.

10. **Public safety:** In the event of outdoor market, structures must be secured to prevent wind damage or injury.

11. **Market behavior:** Vendors are independent entrepreneurs with a common stake in creating a vibrant marketplace. Vendors overall behavior **MUST** enhance the welfare of the Market. Activities that seem to violate normal sales practices or appear unprofessional will not be tolerated. The Market Manager and the WVFMA Board of Directors will assist vendors in finding a resolution to conflict. If an amicable resolution can not be obtained any offending vendor(s) will be asked to leave and will forfeit all and any market and permit fees.

Inappropriate activities include but are not limited to:

Unsafe conditions or hazards at sales area; A stand that impedes access to other vendors; Condition of sales area, products, or vendor behavior that detracts from the markets appearance, overall quality or reputation.

12. **Educational and community activities:** The market will have several spaces available free of charge for educational activities relating to sustainable agriculture and for non-profit community groups. To be considered for a marketing space please contact the West Virginia Farmers Market Association at wvfma@wvfma.org. for an application.

13. **The WBFM will be accepting SNAP as well as bank and credit cards.** Every vendor will required to accept these vouchers. You will be paid by check at the end of the evening for all vouchers turned in.

14. **Gross vendor sales must be reported before leaving market.** A process is in place so sales can be reported anonymously.

15. Fees

The market space fee is \$20. However, if you are a current WVFMA member the fee is \$10. We are also asking for a donation of 1 item that you are selling. This item will be used for market basket raffles that will be held at the WBFM and at the small farm conference. The funds raised from the raffle will be used to help support the WVFMA scholarship program. These scholarships are given to market managers throughout the state so that they can attend training sessions at the small farm conferences.

If you are selling any type of potentially hazardous food* or you are offering any type of sampling you are **required** to have a Temporary food establishment permit from Monongalia County. The health department has kindly reduced this fee by 1/2 for us to \$25.

*Potentially hazardous foods require temperature control for safety, ie meat, fish, eggs, cheese.

If you already have a food establishment permit from Monongalia county you do not have to apply again.