

Market Rules

In both face to face and electronic interactions, we ask that all of our vendors behave respectfully, courteously, and professionally to both fellow producers and our patrons. Though we greatly value free speech, verbal discrimination, harassment, or hate speech that is directed at another individual constitutes grounds for removal; any physical harassment is grounds for immediate expulsion.

Vendor Equipment and Supplies

Each vendor is responsible for providing and removing any and all equipment and supplies used at the Market site, or for arranging to store items on site at the discretion of the Market Manager. This includes signs, tables, chairs, products, extension cords and equipment utilized for clean-up purposes. Vendors must provide a means to keep food items off of the floors (i.e., tarps, wooden pallets, and trash).

Signs

All vendors must display a sign indicating (see attached checklist for additional information):

- The name and location of their farm or business
- The price of each item for sale
- The location in which any produce was grown
- The methods that were used (e.g. Aquaponic, Conventional, Hydroponic, Organic, or Pesticide/Herbicide free)

Colorful and creative signs promoting farms or businesses are encouraged. All signs must remain within the allotted vendor's exhibit space and must not block traffic or pedestrian ingress or egress, or interfere with other vendors' display or views.

In addition, proper documentation must accompany any claims, e.g. Organic certification within NOP (National Organic Program standards in their entirety with acceptable exceptions and exclusions considered). Please find attached documentation outlining each method of production. Fresh From Florida® erasable signage is required for all produce vendors. Please see market Manager for signs/templates. Any and all disputes regarding claims MUST be submitted in writing to the Market Manager. Verbal disputes will not be entertained.

Exhibit Space

Market management has full authority to assign exhibit space. Requests for particular sites will be given consideration, but management reserves the right to assign and locate all vendors. Priority will be given to vendors who have paid monthly.

Hours of Operation

The Market shall operate every Thursday from 3:00 pm – 6:00 pm. All vendors must remain at the Market site until the 6:00 pm closing, and must vacate the Market site by 7:30 pm. A vendor may be excused prior to the end of the Market at the Market Manager's discretion, or in the case of illness or family emergency. **Set-up, Clean-up, and Breakdown** Set-up starts at 2:00 pm and must be completed by 3:00 pm. Spaces are to be left in the same condition as when rented. Breakdown starts at 6:00 pm and must be completed and vacated by 7:30 pm. **Market Products**

Vendors must produce or grow a MINIMUM of 50% of the products they sell at the market. All vendors, both internal and external, will be vetted by a UF/IFAS Extension representative prior to acceptance as a new vendor. Exceptions to the 50% requirement may be made in the event of acts of God or at the Market Manager's discretion.

Items that may be sold include, but not limited to:

- Fresh produce
- Plant items
- Flowers
- Baked goods
- Jellies, jams, and preserves
- Locally produced agricultural oriented items including, but not limited to:
 - Kitchen items
 - Soaps, scrubs, etc.
 - Herbal preparations

Vendors may not sell:

- Any products purchased from wholesalers, distributors, retailers, or in an auction.
- Concessions, e.g. hot dogs, sodas, etc. need not be purchased directly from their producers.

Before each market season begins, for each farmer or other producer whose products the vendors intend to sell in accordance with the foregoing, vendors must provide the following to the Market Manager:

- Name
- Address where the item was produced or grown.
- Telephone number

Precedent will be given to growers who locally produce items at market. Therefore, if a farmer is selling homegrown tomatoes, no other growers will be allowed to sell bought and resold items, unless the locally produced item is sold out, if there is a sufficient degree of dissimilarity, or at the discretion of the Market Manager. The Market Manager will resolve any doubt as to the suitability of an item. No soliciting or shall be permitted within the Market area. Displays of public interest, such as nutritional, health or consumer information supported by USDA, state, or academic research, may be displayed with the permission of the Market Manager.

Product Display

All products must be sold, displayed and stored from a surface above the ground in accordance with Florida Department of Agriculture and/or the Department of Business and Professional Regulation rules per section 3-305.11 *Food Storage* of the 2001 Food code (Section 3, page 23).

(A) Except as specified in (B) and (C) of this section,
FOOD shall be protected from contamination by storing the FOOD:

- (1) In a clean, dry location;
- (2) Where it is not exposed to splash, dust, or other contamination; and
- (3) At least 15 cm (6 inches) above the floor.

(B)
FOOD in packages and working containers may be stored less than 15 cm (6 inches) above the floor on case lot handling EQUIPMENT as specified under § 4-204.122.

(C)
Pressurized BEVERAGE containers, cased FOOD in waterproof containers such as bottles or cans, and milk containers in plastic crates may be stored on a floor that is clean and not exposed to floor moisture.

All vendors must utilize tables, shelves, cases or other structures for these purposes.

For further information visit the DBPR website at: <http://www.myfloridalicense.com/dbpr/>

Fees

Vendor fees will be collected the day of the market unless paid in advance. Fees will be paid to the market manager. Please make checks payable to "BOCC."

- Daily Vendor/Farmer Fee: \$20.00
- Monthly Vendor/Farmer Fee: \$70.00/4 week month or \$90.00/5 week month
 - Monthly fee must be paid in advance, on or before the 1ST market day of the month.
 - No exceptions allowed.
- 3 Month Vendor/Farmer Fee: \$220.00
- 6 Month Vendor/Farmer Fee: \$ 420.00
- 9 Month Vendor/Farmer Fee: \$620.00
- Annual Vendor Farmer Fee: \$820.00

Miscellaneous

Vendors are responsible for collecting and remitting their own sales tax. Vendors are responsible for all permits required by Florida or local municipalities to sell their products. It is the vendor's responsibility to abide by all state, federal, and local regulations, special statutes, licenses, and ordinances which govern the production, labeling, sampling, public health, and safety of the products. Any vendor who does not comply will be dismissed from participating. Food vendors are under the aegis of the Department of Business and Professional Regulation, and it is up to them to comply; otherwise state or county representative have the right to shut any vendor down.

For more information visit the DBPR website through the following links:

PublicFoodService.html http://www.myfloridalicense.com/dbpr/hr/licensing/GT_MDFV.html

<http://www.myfloridalicense.com/dbpr/hr/forms/planreviewforms.html>

http://www.myfloridalicense.com/dbpr/hr/licensing/GT_Catering.html

<http://www.myfloridalicense.com/dbpr/hr/Servicesthatrequirelicense->

Further information may be provided by contacting:

Division of Hotels and Restaurants
1940 North Monroe Street
Tallahassee, FL 32399-1011

Phone: 850.487.1395

Email: thr.info@myfloridalicense.com

For more information on Florida Department of Agriculture regulations and Cottage Food law, please visit the FDACS website through the following links:

http://www.freshfromflorida.com/content/download/10022/136400/mobile_guide.pdf

http://www.freshfromflorida.com/content/download/70108/1634054/Cottage_Food_Guidance.pdf

<http://cottagefood.freshfromflorida.com/>

For further information contact FDACS at:

1-800-HELP-FLA (1-800-435-7352)

En Español: 1-800-FL-AYUDA (1-800-352-9832)

Non-Florida Residents: (850) 410-3800

The sale or consumption of alcoholic beverages on the market site is prohibited.

Weather

In the unfortunate event of inclement weather, refunds will NOT be issued, unless the market is open for less than one hour. The Market may be closed at any time at the discretion of the Market Manager, or in direct response to emergency advisories.

Enforcement of Rules

The Market Manager alone is responsible for enforcing the Market rules. Vendors selling prohibited items will be asked to remove those items from sale or leave the Market. Three violations within one calendar year will result in a vendor being banned from the Market with no reimbursement of fees paid. Expulsion is solely at the discretion of the Market Manager and all communications will be held in strict confidence.

Any vendor challenging another vendor's product's legitimacy or conduct must file a **written** complaint with the Market Manager, giving the name of the vendor and the product or situation they feel may not be in compliance with Market policies. The complainant must date and sign their name to the complaint, and the Market Manager will attempt resolution. Again, no verbal complaints will be entertained by the Market Manager. Our priority is to provide our patrons with a safe and congenial environment. With this in mind, discretion and courtesy are requested in all disputes between vendors.

Insurance

Vendors are encouraged to carry liability insurance on products sold. However, the Market is in no way responsible for failure to obtain said insurance or any damages incurred by its absence.

2016 Farmer/Vendor Application

The Brevard County Farmers Market shall review and approve all vendor applications before a vendor can participate in the market. Representatives of UF/IFAS Extension will vet all producers by performing at least one site visit per year, or in response to a written dispute. Space at the market and the items a vendor offers will be factors in determining approval.

Payment of Fees

Fees must be paid to the market manager each Market day. No vendor will be permitted to set up until fees are paid.
Check or cash only

PLEASE PRINT

Date: _____

Name: _____

Business/Farm Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: (____) ____ - _____ Mobile: (____) ____ - _____ Email: _____

Check one:

Daily Vendor/Farmer Fee: \$20.00

Monthly Vendor/Farmer Fee: \$70.00/4 market month or \$85.00/5 market month

3 Month Vendor/Farmer Fee: \$220.00

6 Month Vendor/Farmer Fee: \$ 420.00

9 Month Vendor/Farmer Fee: \$620.00

Annual Vendor Farmer Fee: \$820.00

Product Information

Please list all the items you intend to sell at the market. Items not listed may not be sold at the market without Market Coordinator approval. Vendors may not sell any items not listed below. Add additional Page is necessary.

If possible, list specific varieties.

Address where crops or product is grown or produced:

(We reserve the right to inspect the above location at any time before or during the market season.)

PLEASE INITIAL

_____ I have read and agree to abide by all Brevard County Farmers Market policies.

_____ I agree that UF/IFAS Brevard County, Brevard County Parks and Recreation, Brevard County and their respective officers, employees, agents, and consultants are not liable for any injury, theft, or damage to either the buyer or seller, or their property arising out of or pertaining to preparation for or participation in the Brevard County Farmers Market: whether such injury, theft, or damage occurred prior, during, or after the Brevard County Farmers Market, Business/Farm further agrees to indemnify, defend and hold harmless Brevard County and their respective officers, employees, agents, and consultants for and against any claims for such injury, theft or damage.

_____ I understand that all permits and licenses must be visible in the stall at all times.

_____ I understand that I am responsible for required sales tax collections and remittances.

_____ I understand that I am responsible for all permits and licenses required by the City of Melbourne, Brevard County, State of Florida, and the Federal Government.

Signature of primary seller: _____ Date: _____

MAIL or FAX Application to:

Brevard County Farmers Market

Brevard County UF/IFAS Extension

3695 Lake Drive

Cocoa, FL 32926

For more information, call 321-633-1702 x238

FAX: 321-633-1890

Please make checks payable to: Brevard County Board of County Commissioners or BCBOCC

Visit us on the web at www.brevardcountyfarmersmarket.com