

MALCOLM FARMERS' MARKET

Rules and Regulations 2023

MISSION STATEMENT

Our mission is to support and promote local businesses that are crafting, baking, producing, and farming fresh and local products for the community of Malcolm and surrounding towns. Our goal is to bring the community and families together with fresh and locally made products and give them somewhere to be that is fun and family oriented.

VENDORS

Please read the following information carefully before you agree to our terms of the rules and regulations stated. If you sign the application at the end, you are verifying that you have read, understand, and agree to all our rules and regulations.

Location and When:

The Malcolm Farmers' Market (MFM) will be held on Saturday Mornings at 8:00am- 11:00am, starting June 10th- September 30th. At St. Paul's Lutheran Church, 375 Lincoln St. Malcolm, Ne 68402.

Vendor Booths:

There will be two types of vendors:

- 1. Seasonal:** The vendor will be there every Saturday morning from June 10th to September 30th. The Vendor will pay a one-time, single stall fee to be there every week at 7:00am- 12:00pm. This time is including the set up and tear down an hour before and an hour after.
- 2. Weekly:** The Vendor will be there the Saturday or Saturdays you have chosen to mark on your application at the same time as the seasonal vendors. Your booth is NOT guaranteed, as the Market Manager will call you that Friday Evening before the farmers market on Saturday with a confirmation, due to availability, product need, and market management discretion. Your flexibility in the schedule will be greatly appreciated as we will continue to fill last minute cancellations by 5pm on Friday. Please make sure all your contact information is up to date when you turn in your application.

Stall Space Details:

Stall sites will be available to a first come, first serve basis. You are NOT guaranteed the same spot every time. You will be allowed a space for your booth and canopy. We ask that you please be courteous to your neighbors, as well as giving your customers space to look and walk around the booths. Subleasing or shared spaces are not allowed. If a Seasonal Vendor does not show or is absent, the Market Management reserves the right to fill the space with another vendor. Please let us now as soon as you find out if you are not going to be there. This

policy allows us to fill the space and keep our fees low and it helps to keep the market filled, busy, and energized.

Vendors are provided a space and are required to bring their own set up supplies. Including but not limited to a canopy for rain or sun coverage, tables, chairs, necessary weights to hold your canopy down, your booth sign, permits that need to be presented at your table, hand sanitizer for you and customers, cash box or card usage (ex. Square or POS app). The Market does NOT have storage available; you are responsible for storing your equipment and supplies.

Please plan to bring your own generators, we will have limited space for vehicles.

Vendors are required to post a sign for their booth with their name and location of production (address). Vendors must also provide the list prices on products indicating the: 1. Product 2. Method of Sale 3. Price. Signs must be posted at your booth every week. You will need to make a copy of your sales tax license for our files if you are selling items that are taxed.

Payments, Billings, and Fees:

Please see your vendor application at the end of this document for a description of the fees included. Season Vendors are required to pay for the entire season, there will be no exceptions or refunds if you are absent. You can make the checks payable to the Village of Malcolm, ATTN: Malcolm Farmers' Market. All payments must be turned in once you have been approved for a booth. Any copy of your permits, licenses, and insurance you need for your booth, must be turned in with your application.

Returned Checks:

First offense- The Vendor will be charged a \$25 dollar fee for a bounced check and must pay the fee in cash to the Malcolm Village Office.

Second Offense- The Vendor will still pay the bounced check fee and will pay cash for the rest of the season.

General Policy:

It is the vendor's responsibility to be familiar with the local, state, and federal regulations and permits for the products made available at your booth. There is a document included to help you understand the guidelines, but it does not take precedence over our government policy. A Copy of the Lincoln- Lancaster County Health Department Food Safety Guidelines for Farmers Markets will be attached.

Vendor Categories:

1. Fresh Farm/Garden and Nursery Products, Eggs, Honey, and Nuts.
2. Processed Farm/Garden Products, or Value-Added Food.
3. Artisan and Crafted Items.

Products allowed and not allowed per food safety guidelines from the LLCHD:

<https://www.lincoln.ne.gov/files/sharedassets/public/health-dept/environmental/food-safety/farmmktguidelines.pdf>

Allowed:

- Baked Products, Cut Flowers, Fresh Flowers, Bedding plants, Cut and dried flowers, Dried Beans, Eggs, Fresh fruits, Fresh Garden produce, Grains, Honey, House plants/potted plants, Jams and Jellies, Meat and Fish, Original Art, Original Crafts, Shrubs and Trees, Nuts.

Not Allowed:

- Cream Pies, Flea Market/Garage sale type items, Foods from non-approved sources, Garlic vinegar, oil or spreads, Herb vinegar or oils, Home Canned low acid foods including pickles and salsas (Must be approved by authority and permitted by the Nebraska Department of Agriculture.), Live animals, purchased products with added value by vendor, Products not grown, baked, or made by the vendor, Raw Milk, Cheese, Yogurt.

Food Displays and Packaging:

All food items must be free from harmful pesticide residues and free from insects and spoilage. All produce must be clean and presentable. All food items, including produce must be stored and displayed off the ground (6 inches according to Nebraska Department of Agriculture, NDA). Prepackaged produce must be in NEW food-grade plastic bags or plastic food wrap. Produce sold by quantity or piece may be sold in NEW paper or plastic bags. Only legal scales with state permit stickers will be allowed for use. Vendors without legal scales must sell by piece or by quantity. Only products in compliance with the Nebraska Health Department regulations may be sold at the Market. The Vendor is responsible for securing all permits and approvals for your products. Vendors selling meat products must provide a display of proof of state or USDA inspection and a current manufacture's license and permit on-site during the market each week, you must also have an itinerant permit and a thermometer on site. Perishable produce and other food items must be maintained at appropriate temperatures with heating or cooling devices. Eggs must be kept at no more than 45 degrees in a cooler.

Vendors selling items produced in a regulated kitchen must display their license at the Market. Only water-processed jams and jellies are allowed—no paraffin-topped.

Vendors selling approved products prepared in a non-regulated, non-inspected kitchen must clearly display a sign at their stands stating such. The sign must be visible and clearly worded. An acceptable example would be: “Food items were prepared in a kitchen not subject to inspection or regulation by the Foods Division of the Nebraska Department of Agriculture”. Only certain items like Baked goods, Honey, Spice Mixes, are eligible for this option, please contact the Nebraska Department of Agriculture (402-471-3422) for details. You can find the number for Bryan Hurst on the last page of the handout.

If you do not follow the rules of the Lincoln-Lancaster County Health Department, we cannot prevent them from prohibiting you to participate at the Market.

Food and drink concessions will be permitted, but the vendor must obtain a one-time “State Food Establishment Permit Application.” If You are selling prepared food on site, (ex. Hamburgers, Hotdogs) then you must provide a state temporary permit as well.

Weather:

If there is rain, the MFM management will discuss whether to relocate or cancel depending on the severity. We will call as early as 5am Saturday Morning to allow for drive time of the vendors and a social media update as well. If it is cancelled, then only refunds will be considered for the weekly vendors. You can call the Village of Malcolm or the Market Manager if you have more questions or concerns.

It is the responsibility of the vendor to maintain liability insurance for off-farm and outside home sales for consumer consumption only, ex. Food vendors, (CGL) for a minimum of \$1 million. Proof of liability insurance (CGL) must be provided with the vendor application. Vendors can refer to their insurance carriers for this coverage if you do not have it.

The MFM on-site Manager will arrive at 7:00am each market day. All vendors must be onsite by 7:45am without exception. Vendors are not allowed to leave the market before 11:00am even if you are sold out. If you are sold out now is your chance to make new business friends, promote your business or just walk around and enjoy the Market as a customer. Vendors may be there as early as 7:00am to set up and should be ready by 8:00am to be open to the public and no sales will be allowed until 8:00am and after 11:00am. Vendors will have until 12:00pm to get their areas cleaned up and booths torn down from the market. **If you leave a mess, you will get one warning if it happens again, you will be asked not to come back with no refund. There will be a place for trash on-site.**

For an Emergency, please contact the on-site Manager.

Allea Rivers- 402-310-5475

There will be NO Smoking allowed at the Market or in the area where the Market is held.

Vendors are responsible for collecting, reporting, and paying sales tax. The current tax rate for Malcolm is 6.5%. Only ready to eat products are tax exempt. Please display your tax number at your booth. We will need a copy of your State Tax License.

Vendors selling woody plant materials or perennials must be licensed with the Nebraska Department of Agriculture, no exceptions. We ask that you discourage market shopper's pets from being too close to the vendor products, as well as handling or petting the pets during the market time.

MFM Management reserves the right to conduct on-site inspections of farms, kitchens, or other workshops where said products are prepared, made, or grown.

If you are supplying samples of your product, as a vendor, you must meet the Health Department code. Contact Bryan Hurst at (402) 441-6712 for more information.

Rule Violation Policy:

Violation of any of these Rules and Regulations or policies laid out in this document or future decisions will be handled as such:

1st offense—Violation results in a verbal and written warning, which may be issued by the Market Manager.

2nd offense—Violation results in expulsion from the market for the day by the Market Manager.

3rd offense—Violation results in expulsion from the Market without refund for the season.

Resources:

Lincoln-Lancaster County Department of Health, Bryan Hurst (402) 441-6721

Nebraska Department of Agriculture, Food Safety and Consumer Protection (402) 471-3422

Nebraska Department of Agriculture, Weights, and Measures (402) 471-4292

Nebraska Department of Agriculture, Nursery Stock, Julie Van Meter (402) 471-2351

Nebraska Department of Agriculture, SFMNP, WIC-FMNP, Markets Directory, Casey Foster, (402) 471-4876

State of Nebraska Department of Revenue (402) 471-2971

Malcolm Farmers' Market Contact Information

Market Manager

Allea Rivers-- Cell (402) 310-5475 Email: malcolmfmanager@gmail.com

Village Office

Nadine Link, Clerk-- (402) 796-2250 Email: malcolmne@msn.com

Malcolm Village Hall
137 East 2nd
P.O. Box 228
Malcolm, NE 68402

Village Office Hours

Monday, Tuesday, Thursday: 8:00- 5:00

Wednesday and Friday: 9:00-5:00