



## The Project GROWS Farmer's Markets 2020 Farmer's Market Guidelines

### ABOUT PROJECT GROWS:

Project GROWS is a 501(c)3 educational, nonprofit organization with a mission to improve the health of youth in Staunton, Waynesboro, and Augusta County, Virginia through garden-based education and access to healthy food. The project GROWS Farmer's markets strive to increase food security through a variety of nutrition based market programs, while supporting a thriving local food system by connecting local farmers and producers to the surrounding community.

The following rules and regulations are intended to make it as easy as possible for local farmers and other vendors to sell their products directly to the general public. The success of our markets depends on the active participation, cooperation, and support of our various vendors.

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### MARKET SEASON/LOCATION/HOURS

#### North Augusta Farmer's Market (NAFM):

- Season: Wednesday, **May 6th 2020 - Wednesday, October 28th 2020**, rain or shine
- Location: Augusta County Government Center Market Dock  
*18 Gov Center Ln, Verona VA 24482*
- Hours: The market will be open for retail sales on each Wednesday of the market season between the hours of **11am-3pm**, rain or shine

#### Waynesboro Farmer's Market (WFM):

- Season: Saturday, **May 2nd 2020 - Saturday, September 26th 2020**, rain or shine
- Location: Pavilion at Constitution Park  
*215 McElroy St, Waynesboro VA, 22980*
- Hours: The market will be open for retail sales on each Saturday of the market season between the hours of **9am-1pm**, rain or shine

### MARKET MANAGEMENT

The NAFM and WFM is managed by Project GROWS. All questions and concerns will be addressed to Project GROWS Director of Food Access, Megan Marshall, who represents Project GROWS as the Market Manager. The Market Assistant and other members will be determined by the Market Manager or Market Management team on an as-needed basis. Other Project GROWS Staff may serve as day of Market Manager at either market. All Day-Of Market Managers are aware of and able to enforce Market Rules and Regulations.

#### Market Manager Contact Info:

Megan Marshall  
[megan@projectgrows.org](mailto:megan@projectgrows.org)  
503-929-2525

## 1. PERMITS

- 1.1. A Producer Certificate and Hold Harmless Agreement must be completed and signed before selling at the Market. They are available from the Market Manager.
- 1.2. The Hold Harmless agreement means that the Producer will hold Augusta County, North Augusta Farmers Market and Project GROWS harmless in the event of product liability or other factors that relate specifically to the Producers' business practices. The Hold Harmless agreement is valid for one season.
- 1.3. Producers are exempt from purchasing a business license for the purpose of selling at the Market. The Producer's Certificate is valid for one season.
- 1.4. All producers participating in the NAFM or WFM are responsible for their own product liability insurance and for complying with all local, state, and federal regulations. **Project GROWS strongly recommends that all producers purchase liability insurance to protect themselves and their customers.** Affordable liability insurance plans for farmers market vendors can be purchased through various sources including, but not limited to: your existing insurance provider, and Campbell Risk Management Farmers Market Insurance (<http://www.campbellriskmanagement.com/farmers-market-vendors>).
- 1.5. State Law requires Market participants to register with the Virginia Department of Taxation, and to collect and report sales taxes. This responsibility rests with each Producer and documentation is required. **All producers are responsible for collecting and remitting the appropriate sales tax to the Virginia Department of Taxation, PO Box 1114, Richmond, VA 23218-1115.** To register your business and get your sales tax certificate: register online at [www.tax.virginia.gov](http://www.tax.virginia.gov) ([click here](#)) or call by phone (804)-367-8057. Each producer must provide the Market Manager with a sales Tax Identification number.
- 1.6. It is the sole responsibility of each Producer to pay all applicable taxes, retain any necessary insurance, and obtain any necessary permits or certificates of inspection.

## 2. MARKET FEES

- 2.1. When checking out, **all Producers will pay the Manager 5% of their gross daily sales** (this is the Market fee). Fees will be paid each week the Producer sells at the Market and are in addition to any seasonal or one-time reserved space fees that a Producer pays.
- 2.2. Producers may reserve a space for the entire season by paying \$50 before the season begins. **This prepayment is due by 4/27/2020**, unless a later payment is approved by the Market Manager. All checks should be made payable to "Project GROWS". If a Producer desires to reserve a second, adjacent space (subject to availability), the cost is \$100.00 for the season. Any unreserved space may be rented on a daily basis for \$10 per space, with a maximum of \$60.
- 2.3. All Project GROWS Farmer's Markets do not charge a membership fee. Fees collected by the Market are for the express purpose of promoting and operating the Market. This includes, but is not limited to, administrative expenses, a salary for the Manager and advertising.

### 3. SPACE ASSIGNMENTS AND RESERVATION POLICIES

- 3.1. Displays must be confined to the area within the allocated space and must not impede pedestrian traffic. Producers will sell only from the space(s) assigned by the Manager. Any display or practice that is determined by the Manager and/or Members to be a safety hazard will be discontinued.
- 3.2. Spaces are roughly 10' x 10' in size. If available a Producer may reserve a second, adjacent space for the season. Spaces may be reserved by contacting the Manager and paying the appropriate fee prior to the first market. Producer Spaces will be determined by the Market Management, with the best interest of the Market as a whole, including past consistency of attendance, as primary considerations. Seniority will be given consideration and honored as possible.
- 3.3. Producers who choose to rent by the day will be assigned a space on a first come first serve basis and will be assigned by the market manager each week. Renting by the day does not guarantee the same reserved spot each week.
- 3.4. The Market Manager designates the vending location for all Producers with or without vehicles and if the Market Manager judges it necessary, may request a seller to relocate.

### 4. NORTH AUGUSTA FARMER'S MARKET FACILITY INFO

- 4.1. The NAFM is located on the south side of the Augusta County Government Center on a covered Market Dock.
- 4.2. Producers have access to parking next to the loading dock where gates can be opened to load and unload market products.
- 4.3. Public restrooms are available to all Producers and customers located on the market dock of the Government Center.
- 4.4. Electrical outlets are available on a first come first serve basis. **Please contact the market manager to reserve an outlet.**
- 4.5. Typically, there is a breeze that passes through the market. Please be prepared to have signs properly secured and be prepared for the temperature in the market area to be slightly cooler than the surrounding area.

### 5. WAYNESBORO FARMER'S MARKET FACILITY INFO

- 5.1. The WFM is located under a 35-by-60 foot covered pavilion at Constitution Park in Waynesboro.
- 5.2. Producer spaces under the pavilion will be assigned by the market manager on a first come first serve basis. Priority will be given to agricultural producers and market seniority/attendance will be taken into consideration. **Vendors placed outside the pavilion will be required to provide their own tents properly secured with weights.**
- 5.3. On site port-a-potties will be available for restroom use for all Producers and customers. A hand sanitizing and/or hand washing station will be provided by the market.

- 5.4. Producers will have the ability to back their vehicle up to their market space to unload. Producers may be asked to move their vehicles after setup for specific market events determined by the market manager.
- 5.5. Electrical outlets are available on a first come first serve basis. **Please contact the market manager to reserve an outlet.**
- 5.6. Large Wooden tables are located under the pavilion and are available to Producers on a first come first serve basis. **It is the responsibility of the Producer to move the tables into position for the market day.** Food must never be placed directly on the wooden tables. Producers are expected to provide their own tablecloths for these tables.
- 5.7. **All Producers should be prepared to use their own tables and tents at the Waynesboro Farmer's market.**

## 6. ATTENDANCE

- 6.1. **Consistent and committed attendance during the entire Market season is expected.** Producers will be set up and ready to do business at the designated market opening time. **No selling is allowed before the market opening time.** Producers must agree to sell for the entire market day and to not start teardown until the official market closing time.
- 6.2. **Producers must show up at least 15 min prior to market opening for set up.** Any arrivals after this time will be considered late and the producer will be reassigned to an unreserved space by the market manager where setup will make the least impact on the operation of the market and the safety of the customers.  
**\*Please call/text the market manager if you know you will be running late.**
- 6.3. Producers who have committed to the full season are expected to have no more than 3 absences. If a Producer is absent, the Market Manager reserves the right to fill the reserved producer space by another present producer for that market day.
- 6.4. **A 36-hour notice is required for all absences** other than emergencies – less notice will result in an absence being treated as a no-show. The first no show will be treated as a warning and any following no show will be issued with a \$10 fine to be paid before the next market day.
- 6.5. **All producers must stay for the full market time.** Packing up early negatively affects the dependability of the market as a whole. If producers leave early, customers will stop coming through all advertised market hours. Running out of product is not an excuse to leave early.
- 6.6. Producers who cannot stay for the whole market day and have been pre-approved by the market manager to leave early will potentially be placed outside of the pavilion or at the end of the market in order to limit market disturbance.
- 6.7. It is best practice that each producer is expected to stop selling at the stated market end time and have all products, displays, boxes, containers, etc. removed 45 min after the market ends. The Manager will have the authority to change the Market hours on special occasions.

## 7. PRODUCER REGULATIONS

- 7.1. New producers will be accepted at the discretion of the Project GROWS Farmer's market Management. Priority will be given to agricultural food products and preference will be given to products made with local ingredients and products produced closest to the market locations. For processed food items, preference will be given to those applicants who have a VDACS inspected kitchen and who are growing their own ingredients.
- 7.2. Producers may sell farm and kitchen products including (but not limited to) fruit, vegetables, eggs, cut flowers, plants, cheese, meats, cider, jams, jellies, relishes, honey, home canned goods and baked goods. All food items are subject to Virginia Department of Agriculture and Consumer Services (VDACS) and/or Health Department regulations. **It is the responsibility of each producer to be knowledgeable of, and abide by, all regulations pertinent to their individual operation.** Producers must contact these agencies for inspection and approval.
- 7.3. **All products sold at the market must be grown or produced within a 60 mile radius of the market in which the producer is applying to.**
- 7.4. Project GROWS has the right to make exceptions and allow goods to be sold from outside of the 60 mile radius in order to add direct benefit and viability to the markets. However, producers at the market cannot bring in goods from outside of the 60 mile radius that directly compete with local producers. Two examples of these possible exceptions are:
  - 7.4.1. Regional and/or sustainably raised or harvested seafood. Although the products do not have to originate within the 100 mile radius, the vendor must reside within this radius. One allowed per market.
  - 7.4.2. Packaged coffee, grown elsewhere in the world, may be sold at the market. However, the coffee must be roasted and packaged within the 100 mile radius by a roaster who operates within this radius.
- 7.5. **The Project GROWS Farmer's Markets follows the Producer-only principle:** Producers agree to sell only products that they have raised or produced. Selling of items purchased from, or provided by, another producer, wholesaler, or market can be considered on a case by case basis with the main factors being to provide a locally sourced item to market patrons that otherwise would not be available at market.
- 7.6. Producers found selling items not approved by market management will be asked to remove the item(s) in question and/or relinquish their space and forfeit any fees paid to the Market. Complaints of suspected violations must be formally submitted to the Manager. Complaints will be kept confidential and a site visit may be scheduled.
- 7.7. Market Management reserves the right to do spot visits and farm inspections to assure the products sold are in compliance with the markets rules and regulations. **All producers agree to random unannounced site visits.**
- 7.8. It is the responsibility of each producer to abide by all state and federal regulations, which govern the production, harvest, preparation, preservation, labeling, or safety of products offered for sale at the Market. This includes scales which are certified legal for trade. **Producers/sellers are personally responsible for any liability arising from the display or sale of their products at any of the Project GROWS Farmer's Markets.** To protect yourself and your customers please consider having suitable insurance coverage.

- 7.9. Value-added agriculturally based products will be permitted, subject to prior approval by the Market Management. Products should be hand crafted locally by the seller (or connected party) and should not be boxed crafts.
- 7.10. Nurseries may sell bedding plants and houseplants as long as they grow the items offered for sale. In other words, items are not allowed to be bought somewhere else and then resold at the market.
- 7.11. Other agricultural items that may be processed by commercial enterprises (wineries, flour mills, coffee roasters, and peanut roasters, etc.) may be sold at the market only after review and approval by the Market Committee.
- 7.12. Wild flowers or native plants sold at the market must not be on the State list of rare wild plants, which is published by the Division of Natural Heritage. No plants may be sold that were removed from public lands. All plants and flowers for sale must be grown by the seller.
- 7.13. **Artisans:** All items must be created locally by the seller within a 60-mile radius of the applicable market and represent high quality craftsmanship. Reselling of items from other sources is not allowed.
- 7.14. Any products added after applications are submitted must be approved by the Market Manager before bringing to market. Project GROWS may limit certain items in order to achieve a comprehensive market product mix and to prioritize products which use locally sourced ingredients.

## 8. FOOD SAFETY

- 8.1. The sale of cooked meats, game, poultry or fish is allowed if the food comes from a VDACS-inspected and approved kitchen and is held at proper temperature at the Market. In order to sell raw, fresh, frozen, or cooked meats, game, fish, or poultry, each item must have been raised by the Producer, meet all legal requirements for retail sale, and must be maintained at an approved temperature at the Market site.
- 8.2. The Market permits no cooking within the Market area without prior approval. Producers preparing food on-site at the market must be registered with the Virginia Department of Health. All applicable inspection certificates must be in place and available at the Market.
- 8.3. All hot prepared foods made with any animal products must be kept at a constant temperature of 135°F or higher.
- 8.4. All cold food items must be kept at a constant temperature of 41°F or lower. All coolers must have a working thermometer in them, and be properly iced.
- 8.5. Items exempt from kitchen inspection include candies, jams, jellies and baked goods that do not require time or temperature control after preparation.
- 8.6. Relish, salsa, piccalilli and all other preserved foods must have kitchen inspection and the producer must take the acidified foods course.
- 8.7. Producers handling prepared and baked foods must have and use appropriate hand washing stations with soap and free flowing water.
- 8.8. Ready to eat food (ex: pastries, breads, cooked foods) cannot be handled with bare hands. Gloves, utensils, deli tissue or other barrier must be used.

- 8.9. Vendors offering samples must prepare samples at home before coming to the market. Samples must be covered at the market to keep them safe from contaminants. Vendors must use toothpicks, clean utensils, single-serve cups, or gloves to dispense samples. Never use bare hands.
- 8.10. In accordance with state and local food safety regulations, all Producers will try to restrict animals from having direct access to or direct contact with food items.
- 8.11. **Producers will be solely responsible at all times for the cleanliness within their vending area.** Each Producer is required to leave the space clean at the end of the Market session. Producers will provide their own broom, dustpans, and trash bags. The Producer must remove all trash from their space at the Market site.

## 9. LABELING

- 9.1. It is required that each producer displays the name, location and phone number of the farm or entity. This information must be in compliance with applicable state and federal regulations.
- 9.2. Pricing must be displayed for all items offered for sale.
- 9.3. Processed foods must be labeled in accordance with state regulations, including name, contact information and date of processing.
- 9.4. **No producer may label his or her produce as “organic” unless he or she has received certification as an organic grower and a copy of the certificate is on file with the Market Manager.** Labels such as “no chemicals” or “no sprays” may be used if appropriate.
- 9.5. All products with ingredients must have a proper label and must meet all regulations regarding that product.
- 9.6. **All Labels must contain the following:**
  - Name of the product
  - Name of the producer; (company or person)
  - Contact information for the producer such as address and/or phone number
  - Ingredient list from greatest to least quantity
  - Weight of the product
  - If the product is produced in an uninspected kitchen it must state exactly as written all of the following in an easily seen area of the main label, and in letters at least 1/16th of an inch in height:
    - *“Not for resale—Processed and prepared without state inspection”*
  - If the course has not been offered, the producer must be on the course waiting list and must take the course when it is offered to continue selling those products at the market.
- 9.7. In some cases, items may also be required to carry a USDA label. Eggs, poultry and rabbit are examples of farm products that do not require a USDA label, but they do need to be held at proper temperature. Virginia State law requires labels listing all ingredients. **Producers without kitchen inspections must include a statement that the food was prepared in a non-inspected kitchen on each item as well.**

## 10. MARKET CONDUCT

- 10.1. The success of our Market is dependent upon integrity of product, maintaining an atmosphere of congeniality and demonstrated respect among vendors, customers, and Market management.
- 10.2. Personal and cultural differences will be respected.
- 10.3. Any issue or concern with a fellow producer, customer or management should be dealt with by talking directly to the other party in an honest and respectful manner. The market manager is available for help and support if it is too uncomfortable to go directly to the other party.
- 10.4. Complaints will not be discussed with other producers or customers.
- 10.5. All complaints must be presented in writing to the Project GROWS Market Manager, who will employ all possible means to resolve disputes in a timely manner and will in all cases make the final decision. To make a complaint, comment, suggestion, dispute please complete the feedback form on Project GROWS website or complete and submit a paper version (available from on-site Market Manager).
- 10.6. Producers and Management will behave professionally at all times. **Any difficult, upsetting, or potentially conflictive conversations are to be conducted outside of Market Hours.**
- 10.7. Failure to adhere to proper Market conduct could result in a producer losing the privilege of being a part of the Market.
- 10.8. If any incident is threatening, either physically or verbally, to management, another producer, or a customer, the offending party or parties will be asked to leave the Market immediately.
- 10.9. Fraudulent, dishonest or deceptive merchandising or collusion to set prices among Producers may be grounds for forfeiture of the right to do business of any kind in the Market for a length of time to be determined by the Manager/Members.
- 10.10. Selling below a fair market price is harmful to all producers and strongly discouraged.
- 10.11. Safety for our customers and producers is a top priority. Disruptive and/or unsafe behavior will not be tolerated.

## 11. OTHER REGULATIONS

- 11.1. Solicitation for products, services, or charitable contributions not specifically identified as a Market commodity is not permitted without prior approval. **No producer shall engage in solicitation, collection drives, political or religious activities in the market.** No loud hawking of items is allowed.
- 11.2. Electrical generators are not allowed at the Market. There are power outlets available to producers on a first-come, first-served basis. If access to power is needed, please notify the market manager to reserve an outlet for your space. Producers must bring their own all-weather extension cords. Electrical cords should be duct-taped to the Market floor and must not be a safety hazard.
- 11.3. Producers must be fourteen years of age or older. However, younger children are welcome and encouraged to participate when directly supervised by an adult responsible for the child's conduct and safety.



- 11.4. Parents and/or guardians will see that their children's behavior meets the expectations of a place of business. Riding bicycles or tricycles, skate boards, roller skates, roller blades or other wheeled vehicles are prohibited on the platform or in adjacent parking areas. Running, throwing objects and/or other playground activities are discouraged.
- 11.5. The Market Manager reserves the right to ask any customer or producer to leave the market if they are exhibiting disruptive and/or unsafe behavior.
- 11.6. No poultry, game, or livestock will be slaughtered or dressed within the Market area.
- 11.7. The sale and/or display of live animals is not allowed at the Market.
- 11.8. Producers will not be permitted to bring pets to the Market.
- 11.9. Animals other than service animals that are individually trained to perform tasks for people with disabilities are not allowed within the market area.**
- 11.10. Smoking is not allowed within the Market area.
- 11.11. The Manager/Members welcome educational, agriculturally-based organizations, civic groups, etc. with prior approval.
- 11.12. Be aware of tripping hazards in the pedestrian area. **It is best to raise all displays (especially food items) at least 24 inches from the ground.** Three vertical levels of display will increase product visibility.
- 11.13. **All producers using canopies are required to secure all four corners of their canopy every Market day even if it is not windy.** A secure anchor or weights of at least 30 pounds, on or near the ground, are required.
- 11.14. The Manager/Assistant will enforce all rules and regulations within the Market area as authorized by the appropriate section of these Rules and Regulations. Failure by any Producer to comply with any of these rules and regulations may result in the forfeiture of the right to be a participant in the Market for a length of time determined by the Market Committee.
- 11.15. The Market Committee retains the right to amend and/or change the Project GROWS Farmer's Market Rules when necessary.

## CONTACTS

### **Project GROWS Farmer's Market Manager**

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503-929-2525

### **WIC/SENIOR Farmers Market Nutrition Program**

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804.662.9319

### **VDACS Director of Marketing**

Bill Scruggs  
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<http://www.vdacs.virginia.gov/about-division-of-marketing-and-development.shtml#smd>

### **VDACS Poultry & Egg Grading Inspection**

Elizabeth Myers  
[elizabeth.myers@vdacs.virginia.gov](mailto:elizabeth.myers@vdacs.virginia.gov)  
(540) 209-9140

### **VDACS Food Safety (inspections & home-based food businesses)**

804.786.3520

### **VDACS Bureau of Food Inspection**

(540) 562-3641

### **VDACS Food safety (inspections & home-based food businesses)**

(804) 786-3520

### **VDACS Produce Safety**

(804) 786-4003

### **VDACS Farmers' Market Prices Update**

1-800-552-5521  
<http://www.vdacs.virginia.gov/marketnews/fruitveg.shtml>

### **Department of Weights & Measures**

(804) 786-2476

### **Augusta County Health Department**

(540) 332-7830

### **Virginia Department of Taxation**

[www.tax.virginia.gov](http://www.tax.virginia.gov)  
(804)-367-8057

### **Campbell Risk Management Farmers Market Insurance**

<http://www.campbellriskmanagement.com/farmers-market-vendors>

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