

Chillicothe Farmers Market Rules and Regulations – 2018

What Can Be Sold

1. PARTICIPANTS WILL SELL PRODUCE WHICH THEY THEMSELVES HAVE GROWN or produced. Chillicothe Farmers Market Association Members will be allowed to sell a percentage (not greater than 50% daily) of produce provided by other growers. Daily vendors of the association shall sell only those items that they produce (100%). No produce from out of the state of Ohio may be sold. The Market reserves the right to visit the site of production in order to assure compliance with this market rule. Any grower not following these rules can be expelled from selling at the market at the discretion of the Chillicothe Farmers Market Executive Committee.
2. Sales of fruits, vegetables, meat, eggs, poultry, bedding plants, potted herbs, flowering plants, honey, homemade jams and jellies, fruit butters, apple cider, pale syrup, dried flowers, cut flowers, coffees, and teas, spices and rubs, sauces, animal fibers and yarns primarily from market member flocks/herds, handmade body soaps and lotions, and baked goods are permitted.
3. Crafts, except those made *primarily* from the vendors products & comprising less than 10% of their stand, are not to be sold. (For example, someone who grew and sold flowers as their product, could bring fresh & dried flowers to market, but wreaths made from those dried flowers could compose no more than 10% of their inventory at market.)
4. The seller is responsible for appropriate labeling and obtaining all necessary permits and/or licenses. This is including, but not limited to, proper labeling for Cottage Foods, licenses for home bakeries, and Retail Food Establishment licenses as required. For additional information regarding labeling and license requirements, contact your local extension office. If there are any other questions, please contact the Market Manager or a member of the CFM Executive Committee.

All items sold under the Cottage Foods Laws, as defined in Chapter 3715 of the Ohio Revised Code, foods must be labeled as required for Cottage Food Products. Cottage Food Product information may be found on the ODA website at

<http://www.agri.ohio.gov/divs/FoodSafety/foodsafety.aspx?div=foodlawsrules.htm#tog> and <http://www.agri.ohio.gov/divs/FoodSafety/docs/CottageFoodLabeling62012.pdf>

5. Growers are expected to sell only quality goods. A member of the Farmers Market Executive Committee may, at any time, inspect growers' stand and produce. If the goods are of low grade, the sale of these goods may be prohibited. Lower quality or overripe produce must be labeled as such and may be sold for a discounted price.
6. All edible products must be displayed off the ground for sanitation purposes.

Location, Days and Hours of Operation

7. The location, days and hours of operation for the Chillicothe Farmers Market will be established at the annual meeting.

For the 2017 Market Season, the Market will be held at the Ross County Service Center in the parking lot beginning Saturday from **May 6, 2017** through **October 28, 2017**, 8:00 a.m. until 12:00 p.m.

(noon). Vendors are encouraged to set up by the start of market prior to 8 a.m. No early sales are permitted prior to 8 a.m.

Reservations and Spaces

8. Association members must complete the Membership Application Form and pay \$200.00 dues by February 1, 2017. Dues are non-refundable, and may be paid in full at the time of application submission, or in two increments, the first being \$100.00 at the time of application submission, and the balance by August 1. Applications will be received on a first-come basis and spaces may be limited. Non-members must pay \$25.00 per day to the Market Manager each day they sell.
9. Association members will have spaces assigned and reserved for them on a first-come, first-serve basis as applications are received. Any week that a vendor is unable to attend, he or she is to contact the Market Manager by Wednesday of the week preceding the market date. Members are to email or call the Market Manager by a date and time designated by the Market Manager if they would like to be included in the weekly member/product listing. Members are to e-mail or call the Market Manager by Friday at a time designated by the Market Manager if they would like to attend the market, but not be included in the weekly member/product listing.
10. Sales tables, trucks and tents must be confined within the defined sales area. Each space is 10' x 25', adequate for a pick-up truck and table. Anyone desiring more than the 10' width is welcome to purchase an additional space for an additional \$200.00 for the market season if he or she is a member or \$ 25 for daily vendors. No "open trunk" sales will be allowed. No stakes may be driven into the ground and all shelters must be self-supporting.
11. Growers will set their own prices and must display them clearly in writing. Growers are encouraged NOT to under-value their products. The consequence of behaviors leading to "price wars" and underselling will be expulsion of a vendor from the market for the remainder of the market season. This will be at the discretion of the Chillicothe Farmers Market Executive Committee.
12. All growers will display a sign stating their farm name and address or city in which they live. Minimum dimensions of the sign will be 8 ½" x 11".
13. Growers are encouraged to carry product liability insurance.
14. Growers are responsible for removal of all refuse such as vegetable scraps, husks, silks, signs, containers, etc. Growers are required to clean their spaces when they are finished for the day.
15. Weights and Measures, i.e. scales need to be certified by the county Weights and Measures office. Contact the Ross County Auditor's Office at 702-3080.
16. In the event a vendor would sell a product on which sales tax is collected, he or she is required to obtain a vendors' license.
17. Growers selling products labeled "ORGANIC" must have appropriate state of Ohio certification and must present a copy of their certification to the Market Manager.
18. Violation of any of the above Market Rules and Regulations may cause forfeiture of the right to continue as a Market participant. The Market Manager will give verbal notice of a violation to the

grower. The vendor is expected to correct the violation immediately or face expulsion from the market.

19. All vendors are expected to conduct themselves courteously. Sellers should be neatly dressed. Arguments, harassment, name-calling, profane language and fighting in the Market area will not be tolerated.
20. Vendors who smoke cigarettes, smokeless cigarettes, electronic cigarettes (e-cigarettes), pipes, and cigars during Market hours may do so as long as they are at least a vehicle length away from all sales/product areas.
21. To protect the safety of the public, as well as the integrity of the Market, the Market Manager has the discretion and authority to immediately dismiss any vendor from the Market area, whether an Association member or a daily vendor, for violations of these Rules and Regulations. A daily vendor immediately dismissed for a violation will forfeit the day's rental fee and will not be allowed to rent space in the future unless appropriate assurances are provided to the Market Manager that the problem is resolved.
22. By renting a stall at the Market, the vendor agrees to settle disputes that cannot otherwise be resolved by arbitration. This form of dispute resolution will be the sole remedy for resolution of any and all disagreements or disputes arising under or related to the Market Rules and Regulations, the Association's Bylaws, or any membership agreement (including, but not limited to, any statutory or tort claims arising from the relationship between the parties). The arbitration shall be conducted in Ross County, Ohio, by one neutral arbitrator agreed on by the parties. If the parties cannot agree on an arbitrator, each party shall select and pay for its own arbitrator, and the arbitrators so selected will select an arbitrator to chair the proceedings. The costs of the neutral arbitrator (whether the sole arbitrator or the chairperson of an arbitration panel) will be shared equally by the parties.

Consistent with the expedited nature of arbitration, each party will, upon the written request of the other party, promptly provide the other with copies of documents relevant to the issues raised by any claim or counterclaim on which the producing party may rely in support of or in opposition to any claim or defense. Any dispute regarding discovery, or its relevance or scope, shall be determined by the arbitrator (or chairperson, if a panel), which determination shall be conclusive. Other discovery will not be permitted. All discoveries shall be completed within 60 days following the appointment of the arbitrator(s). The decision and award determined by the arbitration shall be final and binding upon the parties. Judgment upon the arbitration award may be entered and enforced in any court having jurisdiction. The parties agree that any arbitration shall be governed by the Federal Arbitration Act, 9 United States Code §§ 1-16, as now existing or hereinafter amended. These Rules and Regulations shall otherwise be governed by, and construed in accordance with, the laws of the State of Ohio (with the exception of the State of Ohio's conflict of laws statutes or case law).