



# ATHENS FARMERS MARKET

## RULES AND REGULATIONS

SPRING SEASON: MID APRIL – BEGINNING JUNE 2022

SUMMER SEASON: JUNE-MID AUGUST 2022

FALL SEASON: MID AUGUST-OCTOBER 2022

### General Information

The 2022 Athens Farmers Market (AFM) is open for the Spring season on Tuesdays from 2 p.m. to 5 p.m. The Summer season will be open Tuesdays and Thursdays, 2 p.m. to 5 p.m., and Saturdays from 9:30 a.m. to 11:30 a.m. The 12<sup>th</sup> Season Celebration will be on **Saturday, July 9**. The Fall Market Season will be open Saturdays from 10-1 p.m. The AFM is located at 106 South Jackson Street and is managed by the City of Athens Parks and Recreation Department (City), 815 North Jackson Street, Athens, TN 37303, 423-744-2700 OPT 3, [recreation@athenstn.gov](mailto:recreation@athenstn.gov). The Market Manager (Manager) for the 2022 Athens Farmers Market is Brianna Baker, office 423-744-2705, cell 423-462-5772, and email [bbaker@athenstn.gov](mailto:bbaker@athenstn.gov).

### Rules and Regulations

1. All sellers must register with the City, follow these guidelines, and be responsible for compliance with applicable state and local laws. This document is designed to serve as a guide to those laws and as a set of governing local rules. As part of the registration, ID cards will be issued to sellers. These ID cards must be worn at all times when selling at the AFM. Cards may be worn on a lanyard or clip. In either instance, cards must face forward where the name is visible.
2. This is a **Tennessee producers market!** No resale is allowed by any vendor at the AFM. If you or your farm did not make it, grow it, or produce it, you cannot sell it at the AFM. Anyone reselling will be subject to having their ID card revoked and loss of selling privileges at the AFM. All products must be grown/produced in Tennessee.
3. The AFM will allow booth spaces under the pavilion on a first-come, first-served basis during AFM operating days only. These spaces are designed for one vendor between each set of columns, with the exception of the north end of the building where handicapped access and parking is located. Vendors may back their vehicles up to the concrete pad of the pavilion where the back wheels touch the concrete. No vehicles are to be on the red section of concrete. The Manager has the right to ask for signage or displays to be rearranged if they are blocking another vendor or traffic flow. Only farm product vendors are allowed to leave vehicles in the market as a part of their booths. With few exceptions, trailers will have to be unhitched and the vehicle will be parked off site. If the pavilion is full, the Manager may set booths in the grass field beside the pavilion or another suitable location.

4. There is no charge for agriculture vendors.
5. The AFM is held rain or shine.
6. All necessary equipment and displays must be provided by the vendor. The AFM will not provide chairs, booths, tents, or tables. Any tents, canopies, or equipment determined to be unsafe will not be allowed.
7. Electricity is available at all booths under the pavilion. Extension cords will be required and may not be stretched across walkways. An additional fee may apply if it is determined that electrical use is excessive.
8. Each vendor is responsible for maintaining his/her area in a clean, neat manner throughout the day and cleaning the area before departing at the end of the day. This means picking up all debris generated by your booth and removing it from the site.
9. Vendors assume all responsibility for any losses of property or money from the market site. Booths should never be left unattended.
10. The sale of alcohol and tobacco products is prohibited.
11. Vendors must clearly post prices on all products being sold. Vendors are responsible for all their own applicable sales tax.
12. Vendors may set up one (1) hour prior to market opening; however, **vendors are not allowed to sell before the opening time.**
13. Per Tennessee state law, smoking is not allowed on site, as children may be present.
14. Vendors are not allowed to bring animals (other than service animals), including dogs, into the market.
15. Advertising for other events or businesses, during the market, is not allowed without prior approval of the Market Manager. This includes anyone not associated with the AFM passing out flyers to vendors and/or customers. Please alert the market staff to any problems with persons visiting the market so that we may assess and deal with the situation.
16. Vendors are not allowed to give away food at their booth other than approved samples of the vendor's products. No candy should be given away at booths.
17. Vendors are responsible for carrying their own liability insurance in the amount they deem appropriate. Anyone backing into the building or causing damage to the facility in any other fashion will be responsible for the monetary cost of the repair. The City will make the repair and bill the party that caused the damage. Anyone causing damage and not reporting the same will be banned from the facility. The facility is subject to 24-hour video surveillance.
18. Complaints should be submitted in writing to the Manager and should be specific in nature. Allegations of resale by another vendor will be taken seriously and investigated through business/farm/studio inspection and questions regarding the manner in which the product is produced.
19. Professional conduct is expected. Any yelling, swearing, or threatening of customers, vendors, or staff will not be tolerated. This includes in person or by electronic media. This type of behavior will result in expulsion from AFM.
20. Upon registration, all farms/sellers are subject to onsite inspections by the City. Farms may be subject to a farm inspection by the City before being accepted into the AFM.

21. Enforcement of these guidelines is the responsibility of the Manager. Vendors should report any suspected offenses to the manager. Any vendor found not in compliance with any of the above rules will receive one warning. If the vendor still does not comply, he/she will be asked to leave the market for the remainder of the season. The AFM has a zero tolerance policy concerning resale. Any vendor found selling anything he/she did not make will be banned from the Market for the remainder of the season. For questions, call Market Manager at 423-744-2700 EXT 3 or email [bbaker@athenstn.gov](mailto:bbaker@athenstn.gov).
22. The AFM reserves the right to create any additional new rules or modify any existing rules for the betterment of the market. Any verbal decision by the Manager on site shall be as if it were written in these guidelines.
23. Inquiries also should refer to the Tennessee Department of Agriculture's Farmers Market State Compliance Guide.

#### Farm & Prepared Foods Requirements & Regulatory Information

Farm products include, but are not limited to: Produce, plants, eggs, honey, meat, cheese, milk, decorative gourds, herbs, animal fibers, and cut flowers. Farm vendors cannot change food from its original state without approval from the Tennessee Dept. of Agriculture (TDA) Regulatory Services. This includes jams and jellies, shelled beans, or sliced watermelon. Baked goods and value-added products are considered a "Prepared Food" and require permitting by the TDA. Foods prepared on-site, such as concessions, are under the regulatory authority of the Tennessee Dept. of Health.

#### **Farm products requiring licenses (always check current state law/requirements) include:**

**Eggs:** Cartons must be labeled with the name and contact information of the grower, date of when eggs were packed in carton, quantity, words "Keep Refrigerated," marked as ungraded or unclassified, and list safe handling instructions. At the market, eggs must be stored properly. Check current law for applicable permit.

**Meat:** Must be processed in a USDA certified facility. All meat products offered for sale must have the USDA seal and be stored properly for the entirety of the market.

**Honey:** Honey processors who produce less than 150 gallons of honey per year are not required to obtain a Regulatory Services Permit. The product must still be labeled with contact information, net weight in ounces and grams, and ingredients.

**Cheese and Milk Products:** All dairy products sold in Tennessee must be registered.

**Plants:** Vendors selling rooted plant materials at farmers' markets in Tennessee must be certified by TDA before selling their nursery materials. All bedding plants, strawberries, and herbs require a license. There are several types of nursery, greenhouse, or plant dealer applications. A description of the various applications can be obtained from TDA Division of Regulatory Services. Potential vendors must send a copy of their certificate to the AFM, as well as keep a copy at his/her booth during each market.

**Prepared Foods:** All prepared foods must be sold in compliance with Tennessee Dept. of Agriculture and McMinn County Health Dept. regulations. All packaged foods must be labeled with vendor contact information, common name of item, ingredients, net weight, and date. The vendor must have a copy of each license at his/her booth on market days. All food must be stored properly while at the AFM.

For information about the domestic kitchen certification and food manufacturing requirements, please contact the Tennessee Dept. of Agriculture at 615-837-5193. Domestic kitchen guidelines can be found at: [www.utextension.utk.edu/publications/pbfiles/pb1710.pdf](http://www.utextension.utk.edu/publications/pbfiles/pb1710.pdf).

Food prepared on site must be stored in an inspected facility prior to coming to the AFM. Preparing food on site may require inspection by the McMinn County Health Dept. of the vendor's booth. Only concessions that support local growers and/or sustainable farming will be allowed. This does not apply to artisanal products, such as breads or packaged grocery items.

**Most permits and certificates can be found through the Tennessee Dept. of Agriculture website,**

[www.state.tn.us/agriculture/regulatory/permits.html](http://www.state.tn.us/agriculture/regulatory/permits.html) or by calling 423-745-2852 for assistance.

In accordance with health department regulations, all food should be displayed off the ground. This includes baskets of produce and coolers containing food to sell.

The AFM does not allow the sale of potentially dangerous foods, such as poke weed, rhubarb leaves, or questionable mushrooms.

The AFM strongly recommends using recyclable or compostable materials for all packaging.

All vendors selling products by weight must have certified scales in accordance with state law. **Commercial Scale Testing:** (615) 837-5109.

