



# Rushford Peterson Valley Farmers' Market Rules & Regulations

(Updated August 2023)

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## I. Market Sponsor

The Rushford Peterson Valley Farmers' Market is an independent project serving the Rushford Peterson Valley area.

## II. Mission

The mission of the Rushford Peterson Valley Farmers' Market is to provide a community marketplace featuring locally produced goods, encouraging community involvement and strengthening local producer/consumer relationships. Supporting sustainable agriculture and the consumption of locally grown food, the market serves as a common ground for producers to market their goods to a broader consumer base through thorough organization and promotion. The market also serves as a showcase for locally produced goods, crafts and art. A goal of the market is to enhance the local economy, not hinder it. Therefore, whenever possible, local businesses are encouraged to bring food or other goods produced locally.

## III. Farmers' Market Advisory Committee

The operations of the Rushford Peterson Valley Farmers' Market will be the responsibility of the volunteer advisory committee. The committee will consist of the market manager and at least four interested vendors and/or community members. The committee will be appointed each March for a one-year term. There is no term limit on succeeding terms. The committee may meet at times and places to be determined by the committee.

## IV. Farmers' Market Advisory Committee Responsibilities

The advisory committee will be responsible for financial operations, general recordkeeping and accountability. The advisory committee will be responsible for processing vendor applications, as well as any need, should it arise, to alter the application form.

Neither the volunteer advisory committee, nor the Rushford Peterson Valley Chamber of Commerce, nor the cities of Rushford, Rushford Village or Peterson will be responsible for enforcing government regulations which are the responsibility of the respective governments to enforce. By signing the vendor application, vendors acknowledge they are individually responsible for compliance with state or federal law or rules. The advisory committee may deny a vendor if it feels it would impede the overall market or if the vendor does not comply with state or federal law.

The advisory committee will maintain records, such as a list of currently qualified vendors, meeting notices, correspondence, market rules and any other important written records of the market. Access to these records will be governed by the provisions of the Minnesota Data Practices Act.

The advisory committee will work cooperatively with the cities of Rushford, Rushford Village and Peterson in promoting the area positively.

## **V. Market Manager Responsibilities**

A volunteer market manager will oversee the daily operations of the market.

The manager will cooperate with the Rushford Chamber of Commerce.

The manager will monitor vendor compliance with market rules, through stall inspections and other means. The manager will assist the advisory committee by serving as the main contact person for market activities and coordinating special events.

The manager will collect and deposit fees and other revenue, keep financial records and pay bills, upon approval of the advisory committee.

The manager will resolve any disputes or conflicts between or among vendors or any questions about application or the policies or procedures. If necessary, the manager will refer a dispute or question to the advisory committee for resolution.

The market manager reserves the right to remove a vendor from market participation, for any reason, even mid-season.

## **VI. Responsibility of the Host Facility**

The host facility will provide maintenance of the market site.

## **VII. Vendor Requirements**

Membership dues are updated annually and broken down via half season (10 market days) and full season (20 market days). These dues are to be paid prior to selling and will be used for insurance fees, promotion, special events and market needs approved by the market advisory committee and the market manager.

The market manager reserves the right to remove a vendor from market participation, without refund of membership dues, even mid-season.

There are currently no limitations for the maximum number of vendors.

In order to be assigned a stall, a person must obtain and sign a market vendor application. That application must be approved by the manager prior to the selling of goods at the market.

Vendors must live in Fillmore, Houston or Winona counties and produce, grow or create their products themselves and within a 35-mile radius from Rushford.

Vendors may participate as an individual, family or household or business entity such as partnership, sole proprietorship, 4-H club, corporation or a limited liability company. Non-profit organizations are welcome, but must have a signed and approved application.

## **VIII. Market Rules**

Market hours are seasonal and will be determined by the advisory committee taking place on the grounds at St. Joseph's Church located at 103 N. Mill St. Rushford, MN 55971. Current hours of operation are 3:30-6 PM mid-May to mid-October. Vendors may not conduct sales before opening time. Setup time will be 2:30-3:30 PM.

Only a qualified vendor may sell products at the farmers' market.

Participation in one season of the market does not guarantee vendor participating in other seasons. Vendors must reapply annually.

Vendors may not sell products in their stalls that have been grown or produced by any other person, family, household, farm, 4-H club member or business entity.

Each vendor must supply their own tables, scales and other equipment. The market does not supply any equipment. There is limited access to electrical outlets. It is asked that you make a note on your application if electrical access is needed. The host site is not responsible for damages due to power loss or surges.

It is requested that vendor stalls are 10x10 in size.

No sawhorses or stacked lumber may be used for display space. It is requested that vendors use tables draped with a tablecloth for a unified appearance in the marketplace. Vendors are encouraged to have a well-organized, attractive display table, including a printed sign with the vendor "store" name.

A vendor must be present at their stall when it is in operation, except as provided described below. If a stall space is held by a family, any family member is considered a vendor for purposes of this rule. If a stall space is held by a business partnership, either partner is considered a vendor for purposes of this rule. If the vendor is a corporation or limited liability company, then a shareholder or member is considered a vendor for purposes of this rule. Any vendor in which is a business entity may have employees work at their stall.

Someone other than the vendor may "stall sit". A "stall sitter" may be an employee of the vendor or other person designated by the vendor for this purpose. However, a "stall sitter" may not be another vendor.

No vehicles will be allowed in the market area during the market hours. Vendors may not sell their wares from their vehicles unless the vendor has received approval from the market manager.

Vendors may not call out or hawk their products.

Generators are generally prohibited, unless the vendor is a restaurant concession and has received approval from the market manager.

Live or recorded music or other entertainment is not allowed at the market unless approved by the advisory committee.

Each vendor is responsible for promptly cleaning up all refuse, waste or plant material from their stall and the immediate area surrounding their stall. If vendors do not comply, a \$20 cleanup charge will be applied. If vendors do not comply a second time, their involvement in the market will be terminated, even mid-season.

In the case of inclement weather, the market reserves the right to cancel the market. An attempt to contact each vendor will be made. Vendors who engage in sales despite the cancellation are responsible for any damages to their wares or equipment.

## **IX. Products Allowed to be Sold at the Farmers' Market**

Fruits, vegetables, nuts, herbs, eggs, honey, and maple syrup are allowed.

Plant products, including flowers, herbs or bedding plants or nursery stock that have been started from seed or raised by the vendor for 45 days or more are allowed. The intent of this time requirement is to ensure that plant vendors are local growers who care for or modify their plant products in some significant way, and are not retailers who simply buy and resell plants.

Mushrooms are allowed if the vendor meets specific criteria. Vendors selling wild mushrooms must complete a mushroom identification course at an accredited site and provide proof of course completion to the state and to the market manager. The only wild harvested mushroom allowed for sale is the morel. Cultivated mushrooms may be sold if the vendor has a state license to do so and has completed a mushroom identification course at an accredited site. The vendor must provide a copy of licensure and proof of course completion to the market manager.

Meat, poultry or fish products, if made 100% from animals or fish produced or raised by the vendor, are allowed if the vendor has a MnDot inspected and certified freezer trailer or meets state criteria for exempted sales. Brochures of the meat, poultry or fish products, if made 100% from animals or fish produced or raised by the vendor, may be displayed and sales conducted from the information.

Dairy products, if made 100% from milk produced by the vendor, are allowed if the vendor meets state licensing and transport guidelines.

Baked goods are allowed if they are non-hazardous and shelf stable (no cheesecake, cream pies, pudding, etc.) and the vendor has completed a state approved food safety course and have completed licensure. Vendors must register with the MDA each year the vendor intends to sell food under the Cottage Food Exemption. Vendors must label food with vendor name and address, the date produced, and the ingredients, including potential allergens. Vendors must display a sign that states: "These products are homemade and not subject to state inspection."

Certain jams, jellies and home canned pickles, vegetables, or fruits with a pH of 4.6 or lower are allowed if the vendor has completed a state approved food safety course and has completed licensure. Vendors must register with the MDA each year the vendor intends to sell food under the Cottage Food Exemption. Vendors must label food with vendor name and address, the date produced, and the ingredients, including potential

allergens. Vendors must display a sign that states: "These products are homemade and not subject to state inspection."

Wood or other plant products harvested by the vendor from their own forest land or from public land are allowed, but subject to applicable permits.

Crafts and works of art may be sold by vendors if they are made by the vendor and are significantly transformed through handcrafting.

Nothing may be sold which is prohibited under local, state or federal law or rules.

## **X. Prohibition or Certain Sales**

No one is allowed to sell food, food products, beverages, plant products or crafts to the public unless it is within the scope of the market and the rules and regulations applicable thereto or unless having otherwise obtained permission from the city of Rushford.

Sales of home brews or wines and live animals are prohibited.