

CASS COUNTY FARMER’S MARKET ASSOCIATION
RULES OF OPERATION
Revised May 2023

OVERVIEW

The Cass County Farmer’s Market gives the opportunity for farmers, growers, crafters and artisans to offer their fresh, locally grown produce, farm raised goods and hand-crafted items to our community. Items for sale are subject to all county and state public laws and health codes. The Market is supervised by the Association Board which appoints Officers to represent the Cass County Farmer’s Market during Market sessions. All vendors of the Market must abide by the Association’s Rules of Operation and sign the Vendor Contract of Agreement.

The Market is open to the general public and is comprised of approved vendors only from Cass, Bates, Jackson, Johnson and Henry Counties in Missouri and Miami County in Kansas. The Market will operate on Saturdays from 8:00am until 12:00pm or until sold out (vendors with unsold produce may stay past 12:00pm if the Family Center has no plans to use the building). Opening and closing dates will be determined by the Association depending on the nature of the growing season (typical season begins with the first Saturday in May and ends the last Saturday in October.)

BOARD OF OFFICERS

The Cass County Farmer’s Market Board of Officers is comprised of the following elected positions: President, Vice President, Market Manager, Secretary, and Treasurer. Officers and Web designer are voted on each year at the Annual Spring Meeting. Rules and regulations are determined at that time by the Board of Officers and the Member majority in attendance.

MEMBERSHIP

A Member is a seller that farms, gardens, bakes, and/or hand-crafts their own products that they bring to sell. This does not include resellers of products. Fees for Annual Membership (May – Oct), Half-Year Membership (Mid July – Oct) and Day Seller will be determined by the Board at the Annual Spring Meeting for that year. Fees are used to pay our lease, operate, and promote the Market. Only, Full and Half-Year Members from the previous year are allowed to vote on issues at the Annual Spring Meeting. Vendor Spaces will be assigned by a Board member.

VENDOR SPACES

1. A numbered space will be assigned upon receipt of a vendor's membership fee. Prior year's members will have the first opportunity to buy their space. The first opportunity to purchase a space is at the Annual Spring Meeting.

2. Members paying after the Annual Spring Meeting will be assigned an available space on a first-come, first-serve basis. If all spaces have been bought, a waiting list for paid members will be established for the next available space.

3. Non-members may pay a daily fee and will be assigned a first-come, first-serve space for that selling day (a space is not guaranteed). Members and day sellers may be assigned a space outside the covered building at the Association Officer's discretion.

4. On Market days, an Association Officer will assign vacant spaces to paid members first, then to day sellers. All sellers must arrive by 7:45AM on Saturdays in order to acquire a space. Even if a member has an assigned purchased space, he/she must arrive by these times to ensure their space will not be assigned to another vendor for that market day. A courtesy notification is requested if a member knows he/she will not be attending on a particular day. This will help keep our market running smoothly.

DAILY RULES & REGULATIONS

1. All approved vendors are required to sign the Vendor Contract of Agreement and be in receipt of the current year's Rules of Operation. Retailers are not permitted to sell.
2. All Day Sellers must check in with the attending Association Officer each market day before selling any products.
3. No selecting, bagging or selling will be permitted prior to Market start time unless prior arrangements have been made.
4. All products must be grown, raised or produced by an approved vendor. Cooperative selling (goods from your family) is permitted as long as the items are grown, raised or produced within the 6-county area. (The Association may make periodic field inspections to verify legitimacy of any goods in question.) **Resale of goods purchased are strictly prohibited except in cases where producer grown items are unavailable.** These cases can only be approved for a single day trade by the Market Officers, and the booth assigned that day will be **clearly marked as Resale.** Generally, resale items do not support our local community's goods or our members' hard-earned efforts. This exception is allowed so that in years of natural disaster & subsequent crop failures, (example: peach, blueberry & apple crops killed from multiple hard freezes in April 2007.) the market can provide produce to our customers.
5. Locally grown, raised or produced goods to sell include the following: fruits, vegetables, herbs, honey, eggs, sorghum, grains, nuts, jams, jellies, vinegars, baked goods, crafts, textiles, soaps, candles, plants & flowers. Other items not listed are subject to approval by the Association. Canned vegetables are not allowed due to Health Department regulations. Dairy products (except eggs) are not allowed due to local Health Department regulations of refrigerated holding temperatures. Meat & eggs require seller's licenses, certification and adherence to county and state health codes. No live mammals, birds or fish can be sold.

6. All food products for sale must be fresh and in healthy, attractive condition. Each vendor will be responsible for setting up, displaying and bagging goods in a sanitary, sellable manner. The Missouri Department of Agriculture's Weights and Measures Department has packaging and labeling requirements for produce. The Cass County Health Department requires informational labels for baked & processed goods (please see the attached sheets for details.)
7. Vendor's vehicle will be kept clean and presentable. No vehicle wider or taller than 9' and longer than 20' will be allowed at the Market. Table and goods may not extend more than 6' from the building into customer walking area. Vendor's space will be cleaned at the end of the selling day. Vendors leaving before the Market closes shall avoid disrupting the ongoing operation of the Market. A present Association Officer will inspect the Market area for cleanliness after the Market closes.
8. Each vendor may set his/her own prices. Prices should be in keeping with fair market value, fellow vendors' prices and customer satisfaction. Vendors must post prices for each item. The Market Association and Mill Walk Mall are not responsible for any sales arrangements or warranty of any sort, expressed or implied, concerning items bought and sold at Market. Each vendor is responsible for his/her own product liability.
9. Any problems or disputes should be presented to the Market Manager. Any Market Manager decision may be appealed by another Officer; however, the Market Manager's decision will remain in effect until the Association's Board of Officers makes a decision, with the Board making the final ruling. Violation of any of these rules may result in eviction from the Market.
10. Use of profane language, alcohol, drugs and loud music is strictly prohibited. There is no smoking or tobacco use under the canopy for the courtesy of our customers and other vendors.

WEIGHTS & MEASURES

All produce at Farmer's Market **must be sold by weight, measure or count** depending upon the commodity. Periodic inspections by the Department of Agriculture may occur and all produce vendors are required to adhere to their regulations. Failure to comply to these can result in stiff fines (one warning is typically given.) This is to ensure customers receive sufficient and accurate information to compare quantity and price. Each produce item requires a particular method of sale. Some produce can be sold by the "bunch" therefore eliminating the need for weight labeling (broccoli, carrots, turnips, etc.) other items have to be weighed and labeled. A summary list is provided and complete copy of Weights and Measure Regulations is available upon request.

Scales used in direct sales (at the market) **must be inspected, approved, and certified.** For more information on certifying your scale, call the MDA Division of Weights & Measures at 573-751-4316 or email: wm@mda.mo.gov. Another option is **to weigh your item on a home kitchen scale and get the most accurate weight.** Scales used for prepackaging products is an acceptable method by the Department of Agriculture. However, all prepackaged products must have their own individual labels. Please note: it is advisable to "under-estimate" the weight. Labeling an item less than what it actually weighs ensures the customer gets at least that amount of product. If you label your item as weighing more than it actually does, you can be fined \$500.

An example of proper wording of weight would be: **Net wt. 2lbs.** (on a box of tomatoes, let's say.) You cannot say "approximate net weight" or "more than net weight", etc. (throw in a little extra if you are not sure!)

Fresh Fruits and Vegetables (L&R, 1979, p. 176, 1980; 1982 p. 152)

Guideline

Recognizing the difficulty faced by consumers when more than one method of sale is employed in the same outlet for the same product, non-comparable methods of sale (e.g., weight verses measured) for the same produce item in the same outlet should be minimized.

PROCESSED ITEMS LABELING

Processed food items such as jam, jelly, bread, and other baked goods are (at this time) allowed for sale at the Cass County Farmer's Market. However, local Health Department regulations require all homemade food items be labeled with the following information:

Made in Kitchen of _____

Town & State, Phone number _____

Net Wt. _____

Ingredients: _____

“This was made in a Non-certified Kitchen” (this needs to be either on the product label or on a sign displayed next to the product)

