



2023 042 FARMERS MARKET GUIDELINES

Purpose

The 042 Farmers Market is a community-oriented program to support local farmers by providing fresh, affordable food for the area.

Operating Dates

2nd Thursdays (May, June, July, August, and October 27th)

Time: 4:30 pm – 7:00 pm

Dates: May 11th, June 8th, July 13th, August 10th, October 26th

Booth Fees & Reservations

- Market booth rental is \$20.00 per market.
- Any additional space requested will require an additional \$10.00 rental per booth space. (Limited to 2 additional spaces, for a maximum of 3 total spaces.)
- Spaces are approximately 10x12 feet.
- Cash, Check, or Money Order will be accepted: checks should be made payable to the City of Brandon.
- Fee payment prior to the market opening is encouraged while payment to the onsite Market Manager will be allowed, by cash or check only.
- Vendor's payment fee is due by noon the Wednesday before the market. Vendors will be assigned a space based on availability. Vendors who do not arrive to the Market by 4:00 PM the day of the market may forfeit their space to another vendor. Therefore, forfeit the pre-paid fee.
- Social Media – If you pay by the Wednesday before the market (week before) you will be posted on our social media. Please utilize this! This is a great way for customers to plan what they will be buying at each market.
- In the interest of the farmers market, empty booth space is discouraged.
- Booth rentals are non-refundable. Failure to show for reserved space without prior notice may result in the denial of future booth rentals.
- Cancellation of market due to weather or other conflict is at the discretion of the 042 Market Manager; booth fees will not be refunded.
- Any booth rental is subject to the discretion of the City of Brandon and that any application may be denied, suspended, or terminated in the event it is determined that the applicant intends to, has or is engaging in conduct injurious to the health safety and welfare of the citizenry, conduct which would reasonably be offensive to the sensibilities of a reasonable person, or conduct which incites others.

Procedures for Set Up

Vendors may begin setting up one hour prior to the market. This parking lot will be blocked off starting at 2:00 pm. Vendors arriving before 3:00 PM may have to wait for parking lot to be cleared. Vendors should enter this parking lot unload merchandise, move vehicle, then begin setting up booth. If additional time is needed, vendors must notify the 042 Farmers Market Managers in advance. Parking for vendors can be found at the corner of Poindexter St. and Dining St., as well as on parallel streets. Please leave parking spaces close to the market free for shoppers.

Procedures for Take Down

Vendors should clean their areas at the end of each market. Vendors should pack up the entire contents of their booth before pulling their car into the market area. All vendors must load vehicles and be clear of the market area within 60 minutes after the close of the market. Vendors will be responsible for maintaining the cleanliness of their selling areas. Vendors shall not use public trash receptacles for disposal of the products, boxes, or other refuse, etc.

Permitted Items for Sale

All items sold must be edible and grown or produced by the vendor, the vendor's family member, or an employee of the vendor. All products must be produced by the vendor and should fall into two general categories:

Category 1: grown/raised agriculture products such as raw fruits and vegetables, edible plants/mushrooms, eggs, honey, shelled peas and beans, spices, grains, herbs, fresh/frozen meats and seafood, etc.

*visit <https://www.mdac.ms.gov/bureaus-departments/farmers-market/permit-requirements/> for more details

Category 2: edible products such as baked and canned goods, including herbal oils and vinegar, pastries, cookies, cakes, cheesecakes, chocolates/candies, breads, fruit syrups, jellies, jams, pies, homemade pasta, fresh juice and cider, fresh dairy products, cheese, canned and pickled products, etc.

*see below for further regulations.

***Category 2 Vendors**

Vendors must attach a copy of a SERV Safe (food and beverage safety training and certificate program administered by the U.S. National Restaurant Association) license and/or business license, as well as a copy of your liability insurance. Vendors without licensing and sell non-raw goods will be identified as a cottage food operation. Cottage food vendors must label each item according to the laws set by the Mississippi State Department of Health. Each label must contain the product name, business name and address, ingredients, net weight, allergens, and the statement, "Made in a cottage food operation that is not subject to Mississippi's food safety regulations." Vendors must submit a copy or a photo of this label to the City of Brandon for verification. For more information about cottage food operations, visit

*visit <https://www.mdac.ms.gov/bureaus-departments/farmers-market/permit-requirements/> for more details

Operational Guidelines

- For health and safety reasons no animals are allowed in the 042 Farmers Market.
- Vendors shall not be permitted to sell/give away canned or bottle soft drinks, water, foods packaged and prepared for retail sale including but not limited to chips, candy, or snacks, without the express permissions of the 042 Farmers Market.
- No person or organization may solicit money, votes or signatures or engage in a protest, demonstration, or political activity/speech, including distribution of written material, on the market grounds or on the sidewalk leading up to or around the market area without permission of the 042 Farmers Market.
- No person or organization can sell anything out of their vehicle. All products must be sold from a table.
- Use of alcohol, tobacco, firearms, controlled substance, or gambling are not allowed anywhere on the Market grounds. Any vendor under the influence of drugs or alcohol is subject to expulsion from the Market for up to one year.

Vendor Responsibilities

- All growers, home processed food products, and vendors must grow their produce, or produce their product inside the state of Mississippi.
- All vendors and home processed food products must comply with the Mississippi Department of Health food handling procedures and Mississippi Department of Agriculture and Commerce requirements, and if applicable be able to provide verification. If a vendor fails in following these regulations the vendor will not be invited to participate in the farmers market in the future. (A copy of the MS Department of Agriculture and Commerce Permit Requirements for Farmers Market Vendors is attached)
- Vendors must provide a sign posting their name and location of their farm and display a price list. Also, when applicable, vendors must be able to provide proof of license or permit.
- Due to the lack of electricity, prepared frozen entrees and appetizers are not permitted. Fresh fish or seafood will be permitted at the discretion of the Market Manager. Fish/Seafood vendors must be properly licensed by the Department of Marine Resources or a Department of Health
- **Limited electricity is available.** Priority will be given to vendors whose products require electricity. Arrangements must be made in advance and specified on the application. Vendors must provide electrical cords and must duct tape the cord to sidewalks for safety.
- The sale of live animals (puppies, kittens, chicks, etc.) is not permitted.
- Vendors are expected to be at the Market half an hour prior to the start time. Late arriving vendor trucks post hazard to shoppers during open Market hours, and the Market Manager reserves the right to deny market access to vendors who are tardy.
- Each vendor is responsible for keeping his or her own space clean and attractive and staying within his or her designated area. Failure to maintain space upkeep and cleanliness may result in disciplinary action. Upon closing of the market, spaces are to be cleaned by the vendor.
- Vendors must supply their own sales equipment; scales (must be an approved National Type Evaluation Program, NTEP), tables, chairs, display racks, display signs, bags for customers and money for change.
- No vendor shall play loud music, radio, tapes, television, or anything that would be disruptive to other vendors or customers.
- Vendors must stay for the entire market. Leaving in the middle of the market is not allowed and could result in vendor expulsion.

Photo Release

Vendors at the 042 Farmers Market may appear in pictures taken for publication by the City of Brandon employees, members, or the public. By signing the application below, vendors agree to have themselves or their products photographed and print in publications or posted on the City of Brandon affiliated websites and social media outlets.

Health Regulations

Vendors are responsible for any permits as applicable. Food vendors will need to check with the State Department of Health to ensure they have the proper licensing. Food vendors must attach a copy of their food permit and a copy of liability insurance with the application. Copies of your food permit should be displayed at your booth. Cottage food operations need only to submit a copy of the label to be used on each item. Seafood vendors are required to have and display a current commercial fishing or selling license.

Pricing and Taxes

Growers, home processed food products, and vendors are responsible for setting their own pricing, exchange, and refund policies.

According to the Mississippi Department of Agriculture and Commerce there are set policies for taxing: MS sales tax rules and exemptions: MS Code Ann. § 27-65-103 (f): Agriculture Exemptions:

- Vendors selling home-grown Mississippi produce (grown by the vendor) or Mississippi home processed foods (made by the vendor), from a MDAC certified market, are exempt from the collection of sales taxes.
- Home processed food vendors that are an extension of an established retail food outlet are not exempt from remitting sales tax. (Example: restaurants, processed food products not made by the vendor)
- Vendors selling agricultural food products that were not produced in Mississippi, landscape plants, home processed food products not made in Mississippi, and /or arts and crafts must remit sales tax to the Mississippi State Tax Commission.

Growers, home processed food products, and vendors are responsible for their own sales taxes, licenses, permits, and fees required for operation and will abide by all local, state, and federal laws. A list of all home processed food products and vendor attendees will be submitted to the Mississippi Department of Revenue.

Vendors selling produce are not required to pay Mississippi Sales Tax if they are the grower and the 042 Farmers Market is their first point of sale.

Hold Harmless Clause and Insurance

All authorized vendors participating in the 042 Farmers Market shall be individually responsible for any loss, personal injury, death, and/or any other damage that may occur as a result of any act or omission of the applicant, its servants, agents, and/or employees, and all applicants shall indemnify, save and hold harmless 042 Farmers Market, its employees, agents, associates, and the City of Brandon, its officials, officers, employees, agents, and/or associates from any claim for damages and other expenses, including attorneys' fees, suffered or incurred as a result of any act and/or omission by the applicant, its servants, agents and/or employees.

Questions

Contact the City of Brandon at 601.825.5021 or 042FM@brandonms.org.

DISCLAIMER:

It is the responsibility of the applicant to ensure full compliance with all applicable federal and state laws and municipal ordinances and to pay all fees, taxes and other costs and expenses as applicable and to provide all required reports, notices, or other documentation to the proper governing authority as and when due.