



The Albertville Farmers Market Rules and Guidelines

Introduction

The City of Albertville through its Albertville Farmers Market (AFM) Advisory Committee has provided a Farmers Market for the people of Marshall County and adjoining counties to sell the products that they grow or manufacture on their farm or in their home or on rented land.

The Market Manager will be appointed by the Mayor and serve at his pleasure. The Market Manager is authorized to collect all required fees for regularly scheduled markets and to monitor activity at the market in order to ensure vendor compliance with all rules and policies of the Market. The manager will require compliance with all rules and policies. The advisory committee shall make recommendations to the market manager.

The following rules and guidelines are set forth to maintain the integrity and purpose of the Albertville Farmers' Market and to achieve a successful and unique market atmosphere.

Statement of Purpose

- To serve as a community gathering place.
- To provide an opportunity for local farmers, gardeners, artisans, and vendors to sell fresh produce, other agricultural products, homemade food items, live plants, and arts and crafts to the public.

Mission Statement

To support the development of local sustainable farming by cultivating a vibrant Farmers' Market that serves as a community gathering place celebrating local farmers, food producers, and artisans.

Location

The Albertville Farmers' Market will be located at 314 Sand Mountain Drive E, Albertville, AL 35950, under the pavilion beside the train depot. Contact information is Market Manager, City of Albertville, 116 W. Main St/P.O. Box 1248, Albertville, AL 35950. Email: marketmanager@cityofalbertville.com; phone: 256-891-8202.

Market Operating Schedule

The Albertville Farmers' Market will open Thursdays, 3-6 pm beginning May 2, 2019 through October 2019. The market will be open rain or shine as long as conditions are safe.

Special Events

On occasion throughout the year, the Albertville Farmers' Market Advisory Committee will plan special fundraising and/or community events. These event dates will be published and available in a timely manner prior to each scheduled special event. Information on these events can be obtained from the Albertville Mayor's office.

Permits & Fees

- A grower's permit must be completed before selling at the market. Permits are available at no charge from the County Extension Office, 424 Blount Avenue, Guntersville, AL 35976. The purpose of the certificate is to ensure



that the products sold originate with the producer, his/her family, employees or partners. This allows the producer and the consumer to be exempt from state and local taxes for goods sold.

- Any fees collected by the market are for the express purpose of promoting and operating the Albertville Farmers' Market.
- Vendor fees are \$15 per day that the market is open.
 - Vendors of produce may pay in advance for the full Market season (May-September) at a rate of \$300 and receive a reserved space. October will be paid separately, by the week. These vendors may also select dates on which they will/will not be available.
 - Vendors of produce who do not wish to sell the full market season may pay \$15 per day that the market is open. The Market Manager will collect the fee during the market day.

Fees Payable

- Full season market fees may be submitted to the City of Albertville Farmers' Market, 116 West Main Street, P.O. Box 1248, Albertville, AL 35950.
- Daily fees are paid to the on-site Market Manager.
- Rules and guidelines must be agreed to and signed by the Market Vendor along with application submittal.
- All fees for daily and full season booth rentals are payable by cash, check or money order and made payable to the City of Albertville, Farmers' Market.

Booth Assignments

- Approved Market Vendors must complete all required forms prior to being given a space.
- Full season reserved Market Vendors will be assigned a booth number for the season upon payment of fee.
- Priority will be given to those Reserved Market Vendors who request the same annual booth they occupied the previous season or other booth if available.
- Unreserved Market Vendors will be assigned a booth based on availability.
- Market Manger reserves the right to cancel or change any booth assignment when he/she considers it to be in the best interest of the Market operation.
- Vendors will be licensed to sell from only one vehicle and must occupy only one space unless additional space has been pre-approved by the market manager. Displays must be confined to assigned space, approximately 10ft x 7ft and may include owner-provided table. No produce or edible products can be placed on ground.
- Total of 18 spaces (10ft x 7ft) available under the market pavilion leaving a 6ft wide center isle for consumers. If all 18 spaces are full, vendors who have to set up outside of the pavilion will need to provide his/her own tent in addition to his/her own table.
- 70 percent of the spaces will be for farm raised produce and 30 percent of the spaces for value added food producers, crafters and artisan vendors.
- All applicants must submit their vendor application and growers' permit by May 3, 2018.
- Set-up:
 - Vendors may arrive beginning an hour before the market opens and should be in place ready to sell 15 minutes before the market is scheduled to open.
 - Vendors must stay the entire length of the market.
 - Vendors will provide own table

Sales Tax



- The State of Alabama Code provides an agricultural exemption for the payment of sales tax for farmers selling products grown on their farm, grove or garden when such products are sold in the original state or condition at the time of sale.
- Except for farmers selling such products in their original state as harvested from their farms, value added food producers, and crafters, any other Market Vendors must collect the Alabama sales tax required by law and remit it to the State of Alabama and City of Albertville. Officials of the City of Albertville are not aware of any other exceptions to the requirement of the collection and remittance of sales tax.

Role of the Market Manager

The Market manager is authorized to collect all required fees for regularly scheduled markets and to monitor activity at the market in order to ensure vendor compliance with all rules of the Market and policies as recommended by the Albertville Farmers' Market Advisory Committee. The Manager will require compliance with all of these rules and policies.

Regulations

- **Only growers/producers may sell at the market. NO resale is allowed.** A grower/producer is a person(s) that grows or produces agricultural products and may also include the producer's immediate family, partners and employees. A partnership, for the purpose of this document, is defined as two or more individuals engaged together in the joint production of agricultural products.
- Any complaints filed with the market manager concerning production regulation will be investigated by the AFM Advisory Committee and/or the State of Alabama Farmers Market Authority. Should a complaint be found valid, it may result in expulsion from the market for the remainder of the season and no fees will be refunded.
- Arts and crafts (non-food products) may be allowed as long as the number of arts and crafts does not exceed 30% of the total vendors.
- Use of this market is a privilege. Anyone violating any rule or displaying poor behavior (profanity, abusive, fraudulent, deceptive or colluding to set prices) will be excluded from using the market.
- The market is based on first come, first applied. A waiting list will be kept by the market manager who will contact vendors as space becomes available.
- The AFM Advisory Committee, the market manager, and/or AFM volunteers may conduct farm visits to better understand Agricultural Vendors and thus, for these growers to better understand the Farmers' Market. The AFM Advisory Committee will request times and dates prior to visits.
- Producers may sell their own farm and kitchen products including but not limited to: fruits, vegetables, eggs, cut flowers, plants, cheese, jams, jellies, relishes, honey, home canned and baked goods. It is the responsibility of the producer to abide by Health Department Regulations. The consumer must be informed by a clearly visible label, tag or placard at the selling location **advising that the food is prepared in a kitchen that is NOT inspected by a regulatory agency**, i.e., the State of Alabama Health Department of Marshall County. To learn more about the Home Processed Rule Change visit www.fma.alabama.gov or contact the Market Manager to receive a copy of the Home Processed Rule Change. Vendors are liable for their own products and insurance is the responsibility of



the producer. **The FDA rule for acid foods states that a food must have a pH below 4.6 to be sold as a minimally processed food. The reason for this is bacteria do not grow at this level of acidity.**

- Growers selling eggs must follow guidelines set forth in the Alabama Shell Egg Law regarding proper labeling.
- Meat sales are to be frozen with proper State or USDA stamp on packaging.
- Seafood can be frozen or on ice at 37-41 F degree temperature maintained.
- Tomato based products (salsa, marinara, spaghetti sauce etc., chow chow, relishes etc. must be tested by AL Dept of Ag Food Lab and have a ph level below 4.6. Must provide State and Market Manager with certificate of testing results to sale these products at the market
- No raw milk products of any kind allowed on premises
- No resale allowed
- If legal agents would like to sale at the market on behalf of another farm, they must have a booth, pay booth rent, and publicly display that the products being sold come from "such and such" farm.
- Only certified organic growers may use the term “organic” in their advertising at the Farmers’ Market. The use of the term “organic” is not permitted unless the producer can show a Certificate from the State of Alabama that his/her produce is in fact organic. Market Vendors may use “pesticide free” and/or other terms, but the use of the word “organic” is controlled by State and Federal law.
- Market Vendors are encouraged to post prices for all items sold.
- NO live animals may be sold or given away at the market. Pets are not allowed.
- Smoking is NOT allowed. Alcohol is not permitted nor may be sold.
- Market Vendors are responsible for any minors or small children brought to the market.
- Market Vendors shall provide all necessary tables, chairs, tablecloths, scales, change, umbrellas or tents, bags for consumers, extension cords and display container for their booth.
- No on-site storage is available for Market Vendors at this time.
- Market Vendors are responsible for their own change and for collecting payment for their own products. Any exchanges and/or refunds are at the Vendor’s discretion.
- Market Vendors are prohibited from distributing or displaying political materials, religious materials, or items of similar nature. Any displayed items must directly relate to the items being sold and displayed by the Vendor. Display of any materials is subject to Market Manager’s discretion.
- Any vendor wishing to bring additional product(s) not initially listed on his/her original application must submit an addendum application with the new product(s) for approval before bringing said product(s) to the market.



- Specific guidelines applicable to Artisan and Craft Vendors have been recommended in order to maintain the integrity of arts and crafts at the market. These guidelines are set by the AFM Advisory Committee and Market Manager who reserve the right to change/update as needed.
 - A committee will assess the products of all crafters who desire a vendor space at the market and grant available spaces to the highest quality crafters and those meeting set standards.
 - Artisan Vendors must be approved by the committee prior to the market day. Once approved, the Vendor will receive an approval slip that is to be presented prior to set-up at the market.
 - Artisan Vendors are encouraged to include information about the source of their local materials and/or the history of their arts and crafts when submitting their proposed item(s).
 - Those wishing to submit an arts and crafts item may do so on the first and third Mondays of the month to the City of Albertville Mayor's office. Physical samples are required. Applicants will be notified of acceptance and space availability within two weeks of submittal.
 - Acceptance of arts and crafts applicants will be based on space availability, category of craft, materials used, general quality and workmanship.
- Product sampling:
 - All vendors, regardless of product, must meet the health requirement that prevent food borne illnesses. Samples requiring cutting/slicing should be done on-site immediately prior to consumption.
 - No home prepared food samples shall be served at the market.
 - Clean knives and cutting boards must be placed in protective plastic containers, food storage bags, etc. so they are protected from contamination. Use single service items whenever possible.
 - All fruits and vegetables must be rinsed thoroughly in clean water.
 - All samples must be protected from contamination at all times. No bare hands.
 - Vendors are solely responsible for the cleanliness of their area and are required to leave the space clean at the end of the market. All agricultural waste must be removed. All materials and waste that can be recycled should be removed and recycled.
 - It is recommended that vendors have a sign identifying the name and location of the farm or origin of arts/crafts.

The Albertville Farmers' Market Commitments

- Marketing and promotion for the Farmers' Market operation
- Fundraising, special events, entertainment, children's activities, special activities and public education
- Music and entertainment during special events
- Parking, trash cans, electrical outlets, and restrooms



LIABILITY

The City of Albertville, the Market Manager, and/or the AFM Advisory Committee are not responsible for bodily injury, loss of equipment, personal losses, accidents, etc., which occur at the Farmers Market or on the premises. All liability is transferred to organizations using facility if such occurs. No liability is accepted by the City of Albertville, the Market Manager, or the AFM Advisory Committee.

CONTRACT

I agree to use the Farmers Market with the directions, limitations, and liability warnings stated in this instrument. I certify that I have been informed by the City of Albertville as to proper use and care of the market for which application has been made. This is to certify that I have read this instrument and I understand it. I will be responsible for everything therein. If abuse occurs, I understand I will be denied use of the Farmers Market in the future.

Signed _____ Date _____

Approved by the Albertville Farmers Market Advisory Committee, 2017.

Please sign and return this page (Page 6) along with completed application to:

Albertville Farmers' Market Manager
116 W. Main Street
P.O. Box 1248
Albertville, AL 35950
(256) 891-8202