



MARKET RULES & REGULATIONS

FOR GROWERS, FOOD PRODUCERS, PROCESSORS,
AND NON-FOOD VENDORS, MAKERS, & ARTISTS

Growers & Makers
Marketplace

Welcome to the Sprout Growers & Makers Marketplace! These Market Rules & Regulations must be followed by all vendors who are applying to sell at the Market.

We've set these standards high to encourage a valuable and unique market experience. Because you vendors are experienced growers and makers, we welcome your feedback on these rules and regulations to help us attract high quality products and maintain a high quality marketplace. Thank you for taking the time to help us shape the Market.

ABOUT THE MARKETPLACE

Sprout's mission is to promote the health, economy, and self-reliance of Central Minnesota by facilitating the availability of locally produced food, products, and art in the region.

The year 2015 marks the beginning of the Sprout Growers & Makers Marketplace in Little Falls, Minnesota. The Marketplace is under construction in the former Crestliner building (609 13th Ave) and currently provides local producers and buyers technical assistance on Good Agricultural Practices, food safety, licensing, and post-harvest handling. The new indoor market will offer a year-round space for growers and artists to market their products to Central Minnesota residents and tourists. Customers will be able to easily access the freshest, locally grown or raised vegetables, fruits, meats, poultry, eggs and dairy, as well as artisan breads, preserves, and more, all in one place. **The Market** offers an opportunity for Minnesotans to buy directly from the people who grow and produce their food, and it serves as an integral link amongst our rural communities.

The Sprout Growers & Makers Marketplace aims to:

- Support small to mid-size family farms
- Create easy access to fresh, locally grown produce throughout Central Minnesota
- Promote links between farmers and area businesses for greater sales opportunities

The indoor market space provides vendors with

- Year-round marketing space to connect with new and regular farmers' market customers
- Advertising
- Indoor restroom and running water / handwashing sink
- Limited access to electrical for special requests

The Sprout space will also house a local foods processing facility, a cooking demonstration kitchen, and the aggregation and storage of local foods for the Sprout Food Hub operations. Before the Marketplace's opening, Sprout operated as a food hub based in Brainerd, aggregating, storing, and distributing locally produced fresh food to schools, restaurants, and institutions in the region. The Sprout Food Hub is moving to the Little Falls facility and will begin operations in 2016.

VENDOR ELIGIBILITY

Approved selling privileges are valid for a single growing season. All vendors must apply annually. All products are subject to restriction by Sprout. Admission is based on the applicant's strengths in the following areas (in order of priority):

- A signed Letter of Agreement indicating a hold harmless agreement and compliance of rules
- A signed Transparency Oath
- Copies of all permits and licenses required for the sale of the applicant's products
- Vendor's history with Sprout (including adherence to market rules and regulations, market attendance, history of positive consumer/vendor relationships, payment of fees, and professional behavior).
- Products are locally grown, have seasonal integrity, and are of high quality.
- Uniqueness of products offered.
- Ability to engage and educate consumers about products and how they were produced (via knowledgeable employees, informative brochures and handouts, etc.)

Other factors affecting admission of a vendor include:

- Space availability
- Vendor balance between unprocessed farm products and artisan food products
- Small family farms are given preference over larger enterprises
- Importance of Sprout as a marketing outlet for the farm's overall marketing strategy
- Processed products feature seasonal and regional ingredients

GENERAL MARKET RULES

Required Paperwork

- All vendors must complete a **Vendor Application** with a signed Letter of Agreement and Transparency Oath.
- For each market, all vendors must complete a **Vendor Registration Form** and submit payment before setting up on the day of the market.
- All vendors must have a [Minnesota Revenue ST-19 Operator Certificate of Compliance form](#) on file with Sprout, regardless if you are selling products or not. Please include the completed form with your application.

Production – Sprout requires that all growers/producers produce 100% of the products he or she sells. The sale of any goods not grown or produced by the seller or the reselling of goods is prohibited. All sellers must abide by, and all products must comply with, all applicable federal, state, and local regulations. Vendors cannot sell products from a neighboring farm. Violation of the aforementioned is grounds for immediate dismissal.

Vendor Insurance – All vendors are encouraged (though not required) to have a Commercial General Liability Insurance Policy.

Attendance Policy – Vendors must attend all markets for which they are scheduled for. Repeated failure to attend markets will result in the review of eligibility to participate in the market.

Arrival, Departure and Selling Time

- Vendors may begin setup 2 hours before the market start time and must be set up by market start.
- Vendors may not conduct sales until the market start time.
- Vendors may leave only after the market has closed.
- Vendors may not leave their space before the market closes without approval from the Market Manager.

Cancellation Policy – If you are unable to attend a market due to unforeseen circumstances or emergency, please e-mail sproutmn1@gmail.com before the market start time. No refunds will be issued.

Product Signage and Pricing

- All products must have proper signage, which include the following: price per unit, product name and variety, and if it is not grown in a field, please indicate method (i.e. hydroponics).
- All prices must be clearly marked or posted in 2" minimum height letters/numbers and list each individual item for sale. Collusion and deceptive pricing practices are strictly prohibited.

Seasonal Integrity – All products sold must be locally produced and in season.

Transparency – Vendors are trusted to represent their product truthfully. Misrepresentation of products will result in the appropriate disciplinary action. Farming and production practices must be fully and truthfully disclosed when customers inquire. Failure to do so will result in disciplinary action. Using terms like “sustainable agricultural” practices and “transitioning to organic” must be substantiated or cannot be used.

Organic Product – All products sold as organic must be prominently labeled as "Certified Organic" with the certifying agency name. The use of the word organic is prohibited unless the product is certified. This includes raw and processed products.

Licenses and Permits – It is the responsibility of the vendor to obtain and provide copies of all licenses and permits required to sell their products in the state of Minnesota.

Weights and Measures – Scales must be approved and certified commercial scales. The face of the scale must be visible to the buyer and use of a non-certified scale is a procedural violation. Market Managers may conduct spontaneous inspections.

Supplemental Nutrition Assistance Program (SNAP) – Vendors who are able to accept SNAP benefits are encouraged to post signage to notify customers.

DESCRIPTION OF VENDOR BOOTHS

Vendor booths are indoors in the Marketplace and are approximately a 10' x 10' selling area.

- Booths are open spaces without poles or curtains dividing booths; bring tables or standalone banners for signage.
- Merchandise and tables must be kept within the designated space.
- All promotions and sales must be done within the assigned stall space and may not encroach on the mandated fire lane or pedestrian flow area.
- Electricity is not available.
- Assigned stall spaces are non-transferable and cannot be subletted.

- No tents are allowed.

Tables

- Sellers must furnish their own tables, chairs, drop cloths, and displays. The use of drop cloths is required for all vendors selling products that can potentially cause damage to, or stain, Marketplace surfaces.
- Tables must be sturdy and stable and shall not be used beyond load capacity.

Changes to Vendor Placement – Vendor stall locations are not permanent and may be changed at the discretion of Sprout for any market day during the season and/or annually. In making any determination in this regard Sprout will consider the following:

- A history of good consumer/vendor relationships.
- Providing good product mix and consumer traffic flow.
- Quality of product display, customer service, and participation of owner at markets.

SALES REPORTING REQUIREMENTS

All vendors will be expected to estimate and report total amount of sales and other information listed below at the closing of each market. This information will be gathered anonymously via a survey and used for grant reporting and **not for tax purposes**.

- Cash sales
- Credit sales
- Total sales
- Pounds sold, or pieces of art sold
- Number of transactions

HEALTH REGULATIONS

Samples – All samples must meet the following criteria. Failure to abide by these sampling requirements may result in the loss of sampling privileges.

- Samples must be kept in clean, covered containers approved by the Dept. of Health.
- Toothpicks or disposable utensils must be used to distribute the samples.
- Clean, disposable plastic gloves must be used when cutting any samples.
- Cutting surfaces must be smooth, non-absorbent, and easily cleanable.
- Preparation of food products (except trimming) is prohibited.
- Vendor must have control over samples at all times.
- There must be a waste container in a prominent place adjacent to the sampling area for public use.

Setup, Safety and Sanitation – The Market should be safe, tidy, and aesthetically pleasing. Causing or maintaining an unsafe or unsanitary condition at the market will not be tolerated. Vendors must adhere to the following regulations:

- All market activities are conducted in accordance with local, State and Federal laws. Vendors shall immediately comply with the Market Manager's directions in all matters relating to safety.
- Stall areas, including back areas, shall be kept clean of excessive produce trimmings, garbage, and excessive piles of boxes.
- All boxes, crates, or bags of produce and other food products must be kept off the ground surface.

- Smoking is not allowed indoors. Smoking is permitted in the parking lot at least 50 feet away from the building entrance. All vendors must wash their hands after smoking and before returning to the market.
- Boxes, produce displays, or signs may not extend into customer traffic aisles. Generally, all tables within a stall must run “border to border”.

Trash & Waste Water Management – Before leaving the market, each vendor must remove all matter and debris from their area. This includes the area around the stall and in the common walkway. Trash must be completely removed without regard to whether the litter originated in the vendor's area and must be disposed of off-site. Vendors who fail to clean up properly face possible suspension or eviction from the market. Sellers who dump remaining water into the parking lot or surrounding the facility must remove leaves, flowers, or other items before dumping the water.

Pets & Animals – For health and safety reasons, personal pets are not allowed at the market. Seeing eye dogs are welcome. The sale or giving away of animals at the market is also prohibited.

Potentially Hazardous Foods – It is the responsibility of the vendor to abide by Department of Health guidelines concerning the vending of potentially hazardous products. These include but are not limited to: meats, poultry, fresh eggs, dairy products, and cheese. If any vendor is deemed to be in violation of health codes pertaining to such products, the following measures will be taken:

- The vendor will be immediately removed from the market for that day.
- Penalties will be assessed against the vendor for selling a hazardous food product.
- The proper regulatory agency will be notified.

Product Temperature – The vendor is responsible for monitoring and maintaining proper temperatures in accordance with health codes. Vendors who sell products that must be kept refrigerated or frozen must have an accurate thermometer on-site. Mechanical refrigeration is usually required to maintain these temperatures.

- Meats and Poultry: must be held at 32°F or lower
- Eggs: All eggs must be held in storage and display at a temperature not to exceed 45°F.
- Dairy and Cheese: must be held at 40°F or lower

Farm/Business Visits and Inspections – Sprout has the right to visit farm/business locations to verify compliance with market criteria and guidelines. No notification is necessary prior to inspection. An inspection may include ownership information and any other information relevant to determining product legitimacy. Failure to allow such an inspection will constitute a violation of market rules.

Prohibited Products

- Live birds or live animals
- Products purchased by a seller that have not been approved by Sprout (sodas, water, coffee and tea).
- Unauthorized agricultural products.
- Crops grown using Genetically Modified (GM) seed, which include varieties of canola, soy, corn, tomato, radicchio, summer squash, and potatoes.
- Products purchased at an auction house, wholesaler, or from another farm are strictly prohibited, and sale of these products is ground for expulsion from market.

Noncompliance – Sprout reserves the right to refuse acceptance of any vendor or item that is not in keeping with the rules or quality of Sprout criteria and guidelines.

RULES FOR SALE OF SPECIFIC PRODUCT CATEGORIES

Vegetable, Fruit, Meat and Poultry Vendors

- Raw agricultural products should be minimally handled or processed before packing for market.
- Waxed produce is not allowed. No commercially prepackaged, wrapped, or labeled products are allowed.
- Produce offered for sale may be restricted by type or season. Restrictions are imposed to ensure a balance of variety, quantity, and season.

Vegetable and Fruit Growers

Fresh produce may be sold by the piece or by weight on a certified scale. Produce must be grown from cuttings grown by the vendor or from seeds or transplants. The grower must have tended perennial crops from owned or rented land for one growing season prior to the sale of the product.

- Vendors with an On-Farm Food Safety Plan will receive priority for market space.
- If manure is applied to fields of products that contact the ground, harvest must not occur less than 120 days from manure incorporation. If manure is applied to fields of products that do not contact the ground, harvest must not occur less than 90 days from manure incorporation.
- Produce must not be processed or adulterated. Vendors may sell a mixed bag of produce or vegetables, but may not process them without a processing license.
- Produce quality must meet or exceed minimum standards. No distressed or inferior product will be allowed for sale.
- Prices should be equal to or greater than grocery store retail prices for the equivalent product.
- No dumping is allowed.

Meat and Poultry Producers – The following potentially hazardous foods may be sold in the frozen state within these requirements:

- All beef and bison stock held for sale shall have been raised by the vendor for at least 50% of the live weight or for twelve months at slaughter.
- For meat and poultry products processed by others (i.e. sausage) the vendor must produce the meat ingredients. All processing must take place in a USDA or state licensed facility.
- Vendor must ensure that the processed product contains a majority (75%) of the original raw ingredient grown by the producer for processing.
- Meats (beef, lamb, pork, bison and goat) and poultry must meet health and regulatory requirements.
- All items must be packaged and frozen at the time of slaughter and remain frozen until sold.
- Product temperature must be maintained at 32°F or below and the temperature must be checked every two hours. Freezers at markets must be maintained by an electrical generator or cold plates to ensure the proper temperature is maintained.
- Packaging and labeling of meat and poultry must meet USDA standards and clearly state safe handling guidelines.
- Meat and poultry must be stored in a licensed facility and a copy of the last inspection of the vendor's storage facility must be available upon request.

Egg Vendors – Vendors must comply with State regulations for egg production and selling including candling requirements and licensing. Eggs must be held at 45° or lower after harvesting, during transportation, and at market.

Cheese Vendors

- A vendor must participate on a regular basis in the physical production of the cheese, or in the milk from which the cheese is made.
- If a dairy producer, vendors must have influence over the cheese made from their milk and the cheese must verifiably be made from ONLY the milk produced on their farm.
- Cheese vendors who are not also dairy producers must obtain their milk from local dairy producers, and provide Sprout with the contact information for the dairy(ies) upon request.
- Cheese must be held at 40° or lower during transportation and at market.

Value-Added Vendors

- All value-add product must satisfy all public health labeling, permitting, and other requirements pertaining to processed products.
- Vendor must have copies of all necessary licenses for the production of the processed product on file and available upon request before offering any processed item for sale.
- The products defined above may include but are not limited to the following:
 - Fresh juices and beverages prepared from fresh fruits and vegetables.
 - Jams, preserves, vinegar, oils and flavored oils, etc.
 - Dairy, meat and poultry products where the seller plays a substantial role in the husbandry of the animals and the production of the raw product.
 - Other products approved by Sprout and consistent with the intent of the Marketplace (i.e. cotton, wool, etc).

Baked Goods Vendors – It is strictly forbidden for vendors to purchase ready-made or frozen baked goods with the intent to resell them.

- All Baked Goods Vendors must offer at least one item that features a seasonal ingredient sourced from one of our participating farmers/producers at the market. In addition, the items must clearly display the name and origin of the seasonal ingredient. Examples could include: market jam filled pastries, market rhubarb tarts, savory baked goods such as market asparagus and cheese quiche, or market zucchini bread.
- All bakery items must be made from scratch. Vendors may not sell items made from purchased pre-made doughs, batters, crusts, or dry ingredient mixes. For example, the shortening (fats and oils), the leavening, and the salt must be added by the vendor to comply with this rule.
- A vendor must participate on a regular basis in the physical production of the product.
- The vendor must keep all recipes and receipts for ingredients on file and must be able to produce them at an inspection.
- Sprout strives to support participating growers/producers and encourages other businesses to support them and source their raw ingredients through them whenever possible.
- Ready-to-eat meat, vegetable and/or bean-filled pastry items are prohibited.
- All baked goods must be covered or individually wrapped.

Honey Processors

- Honey must be produced by bees kept by the vendor. Or, if bees are on vendor's land for pollination, the vendor may sell the resulting honey with prior approval by Sprout.

- Honey must not be adulterated.
- Raw beeswax must not be adulterated with dyes, fragrances, etc.
- Raw beeswax may be formed into blocks, tapers, votive, or cylindrical-type candles only.
- Honey processor must manufacture the candles him/herself with rendered beeswax from hives.
- Purchased beeswax, candles, honey, or other hive-related products are strictly prohibited.

Maple Syrup Processors

- Syrup must be produced by the vendor from sap that he/she collects.

Wild Gathered (Foraged) Product Vendors

- The vendor must be the forager.
- Vendors selling wild-gathered or foraged items assume responsibility for permissions for land use and gathering.

Wool/Mohair Vendors

- 100% of the product must come from the vendor's own flock.
- The animals may be professionally sheared.
- The raw product may be sent out for processing.
- Only clean wool/mohair, rovings, yarns or batts may be sold.
- Wool may not be pooled with other flocks during off-site processing.

Bedding Plant, House Plant, Herb Plant Vendors

- The vendor shall have performed the propagation, germination, planting of cuttings or division work for all potted plants, trees or nursery starters that are sold.
- All Nursery vendors will be required to show the Nursery License and Nursery Seller's Permit.
- It is strictly forbidden for vendors to purchase plants for the sole and immediate intent to resell them without sufficient propagation or without necessary growing time. Noncompliance will result in expulsion from the market.
- Purchased plant materials must be grown on the vendor's premises for at least 60 days before they can be offered for sale.
- Purchased plugs size 32 or larger must be grown on the vendor's premises for at least 60 days before they can be offered for sale.
- Patented materials may be sold, but may carry no identification of the licensed patent holder or propagator other than that required by law.
- Containers must be utilitarian and not decorative.

Floral and Ornamental Vendors

- Must be grown or gathered by the vendor (see Requirements for Wild Gathered section).
- Must not be treated with any substance other than a clear lacquer spray. Dyes and paints are prohibited.
- Decorated circular wreaths that use mixed elements will be allowed.
- Potpourris must be 100% produced by the vendor, including the oil and fixative.

Soap Processors

- Hand-milled soap must be processed by the vendor and contain either an emollient or fat or both that is produced by the vendor.
- Vendor-produced ingredients must be at least 50% of the value.

- Soap must be sold in bar form.
- Any ingredient must be FDA approved.
- Label must include all ingredients.

Vendors and Products Falling in Multiple Categories – Vendors whose products or practices place them in more than one category are subject to all of the requirements of each category. Contradictions will be settled by Sprout.

STANDARDS OF CONDUCT

Noise, Fumes, Obstruction of Sales – Violations of this section that result in 1) verifiable consumer complaints, 2) obstruction of any nearby vendor to conduct sales, or 3) an adverse effect to the welfare of the market, will result in immediate disciplinary action.

- Radios may not be played during market sales hours.
- The running of any gasoline or diesel motors or engines, including vehicles, is not permitted.
- Charcoal grills and propane are prohibited indoors but may be allowed outdoors with prior approval from Sprout.
- All product promotion must occur within the space assigned to the producer and not in any common area.

Vendors and their employees

- Vendors and their employees must be knowledgeable about products (how it is grown, used, produced, etc.).
- Unreasonable, outrageous or disruptive activities and behavior are prohibited.
- Be courteous, professional, and presentable at all times. None of the following will be tolerated: drinking alcohol, smoking, yelling, hawking, throwing of objects, swearing, name-calling, slanderous remarks about others or disparaging comments about other products and/or people.
- Vendors experiencing difficulty with customers are encouraged to refer the matter to the Market Manager.
- Complaints about other vendors or the Marketplace's Rules and Regulations must be made in writing to Sprout.
- Distribution of printed materials (other than vendor's own brochures), petitions, or political advertisements is not allowed.
- Committing a criminal act will cause immediate expulsion from the market and is subject to appropriate legal action.
- Loitering or solicitation is strictly prohibited.
- Vendors are not allowed to solicit tips.

Discipline or Removal of a Vendor from the Market – Vendors who do not comply with Market rules and regulations shall forfeit selling privileges at the Sprout Marketplace and may be subject to fines and penalties. Sprout will provide adequate written warning prior to taking any disciplinary action within a market season. Appropriate County and State inspection services will also be notified. A vendor may be removed or suspended from any market or have selling privileges in the market limited by Sprout for any of the following reasons:

- Failure to obey and conform to State, local government or Sprout Marketplace Rules & Regulations.

- Product origin is the responsibility of the vendor. If Sprout repeatedly suspects a vendor of re-selling product, this is grounds for suspension or dismissal from market. It is the vendor's responsibility to provide proof of production in a written appeal.
- Causing or maintaining unsafe or unsanitary conditions.
- Behavior that obstructs any other vendor's commerce or ability to transact business.
- If Sprout receives a legitimate complaint pertaining to questionable quality, conduct, or business practices about a vendor, the following actions will be taken:
 - A written warning will be given to the vendor, including the date, time and nature of complaint.
 - A second complaint will result in the vendor being subject to a two-week suspension of selling privileges.
 - A third complaint from a customer will result in a minimum 90-day suspension and/or permanent removal from the market.
- Vendors or producers are required to satisfy any customer complaint in any circumstance. Vendors must accept returned product.
- Violating Weights and Measures regulations will be subject to a penalty.
- No refunds will be given as a result of any infraction of any local or State government laws or Market Rules & Regulations.

The severity of any penalty or discipline imposed by Sprout will be directly related to the gravity or repetition of the violation. A vendor is responsible for the actions of its representatives, employees or agents. The decision by Sprout regarding all of the above matters shall be considered final however a written appeal of any Sprout decision will be welcomed and considered.

Any vendor's failure to comply with these rules and regulations may result in dismissal from market participation.